Rossendale BOROUGH COUNCIL

ITEM NO. C4

Subject:	Pilot for proposed Joint Working with other Councils	**Status:**	For Publication
Report to:	Cabinet	**Date:**	18th February 2009
	Standards Committee		24th February 2009
	Full Council		26th February 2009
Report of:	Executive Director – Business (Monitoring Officer)		
Portfolio Holder:	Finance and Resources		
Key Decision:	No – decision for Full Council		

Forward Plan ☐ General Exception ☐ Special Urgency ☐

1. PURPOSE OF REPORT

1.1 To consult Members on proposals for the creation of a Joint Standards Committee for Rossendale, Burnley and Pendle.

2. CORPORATE PRIORITIES

2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.

- Well Managed Council (Improvement, Community Network)

3. RISK ASSESSMENT IMPLICATIONS

3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- To not pool Member capacity with other Standards Committees could result in local complaint handling not being dealt with effectively and efficiently and could possibly result in not having the capacity to deal with complaints.

4. BACKGROUND AND OPTIONS

4.1 The system for handling complaints about Members changed on 8 May 2008. From that date, any allegation about Member conduct must be dealt with locally by the Standards Committee, instead of by the Standards Board for England. The change has been publicised in the local press.

4.2 The Council's Standards Committee has adopted procedures and criteria for handling complaints and they can be accessed through our web site. Training has also been given to Members of the Committee on how to decide complaints. Further training has also taken place jointly with other Lancashire Authorities.

4.3 Membership of the Standards Committee is 3 Independent Members, 7 Rossendale Members and 2 Parish Representatives, a total of 12.

4.4 Under the new statutory arrangements for local complaint handling we need a minimum of 6 Members to operate the system through 3 stages; Initial Assessment; Appeal against the Assessment decision; Final determination. We need to have a margin of spare capacity to cover, holidays, sickness or conflicts of interest. The unpredictability of the workload and target time of 20 working days for Initial Assessment is another challenge to resource management. One option would be to appoint additional members to the Committee. However, the Standards Committee through discussions at training and the Monitoring Officer take the view that it would be more effective and efficient to pool Member capacity with other Standards Committees under a Joint Committee structure.

4.5 One of the criticisms of the previous national system was the complaints about members were taken away from their local setting and dealt with by the Standards Board, who some perceived as an unelected and locally unaccountable body. It is recognised that what is proposed would see at least one Member on the panels of 3 deciding complaints who was not a Rossendale Member. The precise make up of panels under a Joint Committee will be the subject of legislation and the three Councils are working with the Standards Board and DCLG to formulate an approach that will balance the need to meet the policy objective of local determination of complaints, yet recognise the need to work jointly in the interests of efficiency and sustainability. There are no proposals to discharge jointly other non-complaint functions of the Committee.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 There are no immediate financial implications arising from the report.

6. MONITORING OFFICER

6.1 As set out in the report.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 There are no specific human resource implications arising from the report.

8. CONCLUSION

8.1 This proposal is consistent with the Council's stance on promoting joint working where appropriate.

9. RECOMMENDATION

9.1 Members are asked to consider the outline proposal and to express a view as to whether or not the principal of outside Member involvement in the handling of complaints about Members is acceptable.

10. CONSULTATION CARRIED OUT

10.1 Portfolio Holder. Chair of the Standards Committee.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required	No
Is an Equality Impact Assessment attached	No

12. BIODIVIERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required	No
Is a Biodiversity Impact Assessment attached	No

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