



Selection Process for Assessment and Review Sub-Committees

Report by the Executive Head of Legal & Democratic Services and Monitoring Officer

1.0 Summary

- 1.1 To consider the development of an open and transparent method of selecting members of the Standards Committee to sit on Assessment and Review Sub-Committees.

2.0 Background

- 2.1 The Local Government and Public Involvement in Health Act 2007 transferred the responsibility for the initial assessment of complaints about member conduct from the Standards Board for England to the Council's Standards Committee.
- 2.2 At its meeting on 7 July 2008, the Standards Committee agreed to establish an Assessment Sub-Committee and a Review Sub-Committee.
- 2.3 The Assessment Sub-Committee is to carry out an initial assessment of complaints about Member conduct. The Review Sub-Committee will carry out a further assessment if the Assessment Sub-Committee has determined that an investigation is not necessary and the complainant has then appealed against that decision.
- 2.4 The Standards Committee (England) Regulations 2008 provide that the Assessment and Review Sub-Committee shall be chaired by an independent member.
- 2.5 The Regulations provide that a meeting of the Sub-Committee shall not be quorate unless at least three members of the Sub-Committee are present for its duration and at least one member of the Sub-Committee must be an elected member of the Council.
- 2.6 The Standards Committee on 7 July 2008 agreed to delegate to the Monitoring Officer in consultation with the Chair of the Committee, the appointment of members to individual meetings of the Sub-Committee.
- 2.7 It is important that the method by which members of Sub-Committees are selected is as open and transparent as possible so as reduce the opportunity for challenge to the membership of the Sub-Committee.

- 2.8 Where the complaint is in relation to a parish member, then one of the members of the Sub-Committee must be a parish member. This member must be one of the three present for the duration of the meeting.

3.0 Proposals

- 3.1 It is proposed that there should be an alphabetical list, divided into four parts, of the members of the Standards Committee. The four parts should be the independent members, the members of the Conservative Party, the members of the Shoreham Beach Residents Association and parish representatives.
- 3.2 It is proposed that when a Sub-Committee is required, the Monitoring Officer in consultation with the Chairman of the Committee will elect the next named person from each part of the list and ascertain whether or not they are able to attend the proposed Sub-Committee within the timescale permitted. If the member is not able to attend due to time commitments or because they have an interest in the matter which excludes them from sitting, then the next name on the list will be chosen and the same process undertaken. If the matter is in relation to a parish member, this list is taken in preference to the district list(s).
- 3.3 If through this process the Monitoring Officer, in consultation with the Chairman, comes to the end of the Conservative part of the list or the Shoreham Beach Resident part of the list without being able to identify a member who can sit on the Sub-Committee, then they shall approach the remaining independent members and if none of them are able to sit, then they shall take the next name from the parish list then any other party list(s). This is subject to the provision that there will always be a district (or parish) member on the Sub-Committee when considering a district (or parish) complaint.

Legal

- 4.1 The Local Government Act 2000 provides for the setting up of the Standards Committee.
- 4.2 The Local Government and Public Involvement in Health Act 2007 provides that the Council shall make the initial assessment and if necessary review of complaints about members' conduct.
- 4.3 The Standards Committee (England) Regulations 2008 set out the detail with regard to the membership of the Sub-Committee.

5.0 Financial implications

- 5.1 There are no specific financial implications arising from this report, although it should be noted that as independent members will have to chair the Sub-Committees, there may be an issue as to members' allowances.

6.0 Recommendation

- 6.1 That the Committee agree that the selection of members for Sub-Committees shall be undertaken in the following manner:**

- (a) that a list, in four parts, should be established in alphabetical order for the Conservative Party members, Shoreham Beach Resident members , parish representatives and Independent members;
- (b) that the Monitoring Officer, in consultation with the Chairperson of the Committee, shall select from each list the next member in order, progressing through the list from meeting to meeting;
- (c) that if a member who is proposed is unable to sit, then the next member on that part of the list shall be selected;
- (d) there will always be a district member on the sub-committee when considering district matters, and a parish member when considering parish matters
- (e) that if no member in one part of either the Conservative Party or Shoreham Beach Residents list can be identified then the next member in the Independent list shall be identified. If it is not possible to select, in those circumstances, from the Independent members, then a second member will be selected from the other party list or a parish member (subject to (d) above).

**Local Government Act 1972
Background Papers:**

Agenda and Minutes of Standards Committee, 7 July 2008.

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Schedule of other matters

1.0 Council Priority

1.1 Matter considered and no issues identified.

2.0 Specific Action Plans

2.1 (A) Matter considered and no issues identified.
(B) Matter considered and no issues identified.

3.0 Sustainability Issues

3.1 Matter considered and no issues identified.

4.0 Equality Issues

4.1 Matter considered and no issues identified.

5.0 Community Safety issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 Matter considered and no issues identified.

7.0 Reputation

7.1 It is important in maintaining the reputation of the Council that the selection of members for the Sub-Committees is open and transparent.

8.0 Consultations

8.1 (A) Matter considered and no issues identified.

8.2 (B) Matter considered and no issues identified.

9.0 Risk assessment

9.1 Matter considered and no issues identified.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership working

12.1 Matter considered and no issues identified.