

Possible Model for Collaborative Working Amongst Standards Committees in Gloucestershire

Background

The context to this proposal is the imminent introduction of the so-called 'local filter' for complaints about Members. The transfer of this function from the SBE will inevitably have some consequence for authorities and their standards committees who will be charged with deciding whether to refer complaints to be investigated.

Currently an individual officer in the SBE conducts this process in under ten days and authorities must establish a mechanism for sifting complaints swiftly. A conservative estimate would suggest that, on average, a district council with few or no parishes, should expect around fifteen complaints per year. This would be higher, perhaps twenty five on average per year, if there are a significant number of parishes. With the County it is around ten.

Under the new regime each of these complaints, no matter how vexatious or far fetched, must be considered by a committee or sub-committee of the Standards Committee in your authority. This will inevitably impose an additional burden on the committee members, the committee support and the monitoring officers. Working on the assumption that, due to uneven distribution, it will be possible to deal with several complaints together at the same meeting, we might estimate a requirement for at least seven or eight sift meetings during the year. These would be in addition to the normal meetings of the standards committee.

In addition, It is thought that a member who is involved in the initial sift decision cannot safely participate in any subsequent hearing of the complaint due to the potential for the accused to argue that the process is unfair or the decision potentially tainted with predetermination bias. Given the relatively small size of most Stds Committees there may be practical difficulties in ensuring availability of members to man these committees.

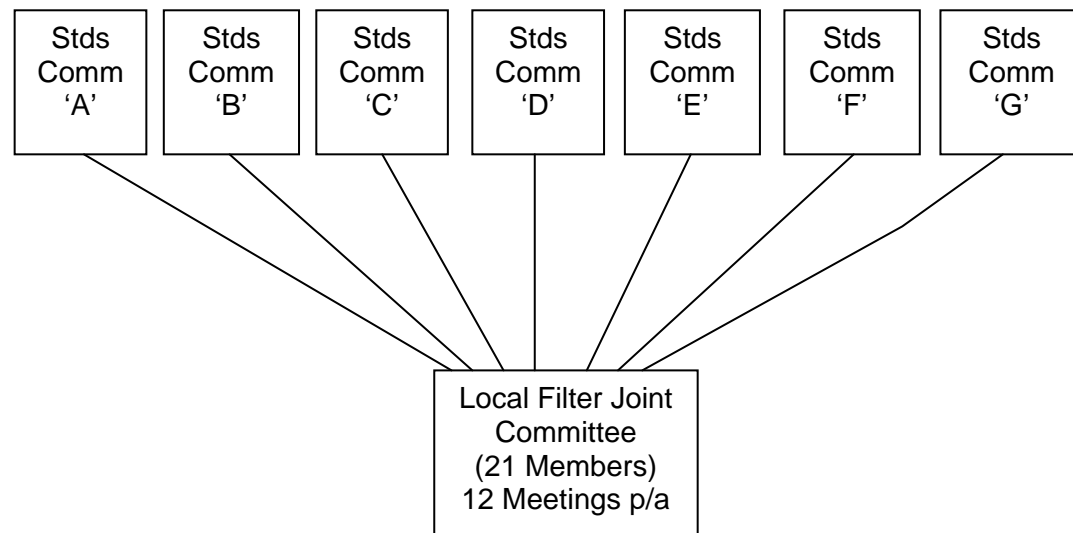
The new legislation will specifically enable authorities to establish joint committees and sub-committees for this purpose and whilst this isn't the only solution it has a number of points in its favour. Another alternative would be that of utilising sub-committees of the existing committee to sift the complaints and increasing the size of the existing standards committee. This has cost implications not limited to the allowances and expenses.

Parameters.

The feedback received from discussion about the potential for joint working amongst Stds Committees has been helpful in highlighting that there is support for collaborative working but there are certain limitations to the potential scope the most important of which being the requirement that each authority should retain its own local standards committee for dealing with general matters other than local filter.

With this in mind the following proposals seek to offer an alternative which retains the autonomy of the individual committees but provides a mechanism for collaboration on the local filter work.

Suggested Model



Structure

The diagram above shows the local standards committees listed A-G with a single local filter joint committee established for the purpose of dealing with the sieving of complaints received. It is a model similar to the Magistrates Committee which enables greater flexibility than establishing fixed sub-committees.

Membership

Each of the councils' Standards Committees would nominate a number of its members, (say three but it could be more or less), to become members of the local filter joint committee resulting in it having a membership large enough to facilitate the regular meetings which will be necessary if complaints are to be sieved within reasonable timescale.

Hosting

It is suggested that meetings of the joint committee would be scheduled on a monthly basis and deal solely with the complaints received in the preceding month. The committee meetings could be hosted in rotation by each authority and a list of meetings and rota of attendees drawn up on a rolling basis by the MO's. In this way members would be able to spread their attendance out in order that the time commitment remained manageable. It may be the case that the members attending any one joint committee meeting would be predominantly drawn from the authority hosting that particular meeting but this isn't necessarily the case and the flexibility provided by the greater pool of members would facilitate the arrangement of meetings and enable a greater number of Stds Committee members to gain experience of, and contribute to, this process. The quorum of the joint committee meetings could be set at three and the usual number in attendance at any one sub-committee need be no more than five or six. At least one of the monthly meetings would be designated as the annual meeting which would provide an opportunity for

all the joint committee members to come together to consider the overall function of the process and matters such as training.

Administration

The administration of the committee would be shared by each authority through the rotation of hosting of meetings with the host preparing the agenda and circulating the necessary papers.

MO's, to whom complaints will initially be directed under the new regime, will be required to report these to the joint committee and this would be done in an agreed standard template form of report. Having received a complaint the MO would prepare the standard report and forward it to the MO hosting the next meeting in order that they might add it to the agenda and include it in papers to be circulated. The use of a standardised template would greatly assist in streamlining the process and reducing input required as well as assisting the members in decision making.

Quentin Baker
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