

	Audit and Standards Advisory Committee 24 February 2025
	Report from the Corporate Director, Law & Governance
	Lead Cabinet Member (N/A)
Response to Standards Consultation	

Wards Affected:	All
Key or Non-Key Decision:	Not applicable
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One: Appendix A: Draft response to the Government Consultation - Strengthening the standards and conduct framework for local authorities in England.
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Debra Norman, Corporate Director, Law & Governance 020 8937 1578 debra.norman@brent.gov.uk Bianca Robinson, Senior Constitutional & Governance Lawyer 0208 937 1544 biancia.robinson@brent.gov.uk

1.0 Purpose of the Report/ Executive Summary

- 1.1 This report provides the committee with a draft response to the current Government consultation on potential changes to the current Standards regime for consideration.

2.0 Recommendations

- 2.1 That the committee consider and comment on the proposed draft response and note that a response will be submitted on behalf of the Authority by the Corporate Director of Law & Governance.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1. The reviewing and maintenance of high standards of member conduct supports the delivery of the borough plan by promoting confidence in the operation and good governance of the council.

4.0 Background

- 4.1 At its meeting on 4 February 2025 the committee's attention was drawn to the Government consultation on potential changes to the Standards regime. The details of the consultation are here:

<https://www.gov.uk/government/consultations/strengthening-the-standards-and-conduct-framework-for-local-authorities-in-england>

- 4.2 The committee agreed that a draft response by the council to the consultation be brought to its next meeting for its consideration. The proposed response, taking into account comments provided to the Corporate Director of Law & Governance by members of the committee, is contained in Appendix A. Where responses included "unsure", the draft response uses the option for which a particular preference was expressed by one or more other responders. Where there was a majority in favour of a response, that response is the one selected in the draft.

- 4.3 In the case of the following questions, this approach still left uncertainty:

Question 8

Do you agree that the Independent Person and co-opted members should be given voting rights?

Question 9

Should standards committees be chaired by the Independent Person?

Question 20

Where it is deemed that suspension is an appropriate response to a code of conduct breach, should local authorities be required to nominate an alternative point of contact for constituents during their absence?

Question 21

If the government reintroduced the power of suspension do you think there should be a maximum length of suspension?

Question 23

Should local authorities have the power to withhold allowances from suspended councillors in cases where they deem it appropriate?

Question 36

Do you consider that a complainant should have a right of appeal when an allegation of misconduct is not upheld?

Question 38

Do you think there is a need for an external national body to hear appeals?

- 4.4 Comments have been included in the free text boxes where these were provided and are highlighted yellow in the attached.
- 4.5 The committee is invited to comment on the proposed response (in particular the questions listed above and the highlighted comments) so any further comments can be taken into account before the response is submitted.
- 4.6 The committee should note that over the last three years we have received an average of 5 complaints per year (2024:6, 2023:6, 2022:4). In relation to question 13, officers propose to insert this number on behalf of the Council.

4.0 Financial Considerations

- 4.1 There are no financial implications arising out of this report.

5.0 Legal Considerations

- 5.1 The legal implications are contained within the body of this report.

6.0 Additional Considerations

- 6.1 There are no
- a) Equity, Diversity & Inclusion (EDI) considerations
 - b) Stakeholder and ward member consultation and engagement
 - c) Climate Change and Environmental considerations
 - d) Human Resources/Property considerations (if appropriate)
 - e) Communication considerations

Report sign off:

Debra Norman

Corporate Director, Law & Governance