

REPORT OF THE MONITORING OFFICER

LOCALISM ACT UPDATE

Purpose of the Report

1. To update Committee on developments in relation to the Localism Act that have implications for complaints against councillors and the remit of standards committees.

Information and Advice

2. Since the last meeting of the Committee in January the Council has been informed that the Local Government Association is to take the lead in drafting a model code of conduct for councillors. Further details are expected to be available by the end of March.
3. It will be up to individual authorities to decide whether to adopt this code or to develop their own; the Localism Act says that authorities must adopt a code of conduct based on the Nolan Principles of Public Life but there is no requirement to adopt a model code.
4. It is proposed that Standards Committee should be consulted on the County Council's draft code of conduct and procedure for dealing with complaints as soon as these are available. The Council is currently waiting for the publication of regulations setting out further details in relation to requirements.
5. The Council has sought clarification regarding the role of the First-Tier Tribunal in the transitional period between Standards for England's role ceasing and the abolition of the statutory complaints process. The First-Tier Tribunal is continuing to accept appeals and referrals of the most serious complaints; the date its standards functions will cease is to be confirmed.

Other Options Considered

6. This report is for noting only.

Reason/s for Recommendation/s

7. No formal decision is required; this report is for noting only.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the report be noted.

Jayne Francis-Ward
Assistant Chief Executive and Monitoring Officer

For any enquiries about this report please contact:

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Constitutional Comments

9. As the report is for noting only Constitutional Comments are not required.

Financial Comments (MB 16/02/2012)

10. There are no financial implications arising from the report. Any financial implications arising from detailed proposals will be included in a subsequent report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Nolan Principles of Public Life are published by the Committee on Standards in Public Life (<http://www.public-standards.gov.uk/>)

The Standards Committee Report of January 2012 is published on the Council's website ([http://dominoapps.nottsc.gov.uk/apps/ce/memman/memman.nsf/F9466C48107552108025789C004334A9/\\$file/6_Localism%20Act.pdf](http://dominoapps.nottsc.gov.uk/apps/ce/memman/memman.nsf/F9466C48107552108025789C004334A9/$file/6_Localism%20Act.pdf))

The Standards Committee Report of November 2011 is published on the Council's website ([http://dominoapps.nottscc.gov.uk/apps/ce/memman/memman.nsf/99B13B0FD65D7F2B8025789C0042FD8E/\\$file/6r_Localism%20Act%20update.pdf](http://dominoapps.nottscc.gov.uk/apps/ce/memman/memman.nsf/99B13B0FD65D7F2B8025789C0042FD8E/$file/6r_Localism%20Act%20update.pdf))

The Localism Act is published by Parliament (<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>)

Electoral Division(s) and Member(s) Affected

All