

HERTFORDSHIRE COUNTY COUNCIL
STANDARDS COMMITTEE
THURSDAY, 16 NOVEMBER 2017 AT 2.00PM

Agenda Item No.

3

STANDARDS UPDATE

Report of the Chief Legal Officer

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1. Purpose of Report

- 1.1 To provide an update to Members on standards issues generally.

2. Recommendation

- 2.1 Members are asked to note the report and for their views on the matters mentioned in the Report.

3. Summary and Background

Member Training

- 3.1 A training session on standards and the Members Code of Conduct was included as part of the member induction programme following the County Council election in May 2017. The Chief Legal Officer has also offered to attend Group Meetings to discuss the Code of Conduct and other standards issues (e.g. declarations of interests at meetings).

Protocol with Hertfordshire Police in relation to DPI offences

- 3.2 The Protocol which has been in place between Hertfordshire Constabulary and the Hertfordshire Monitoring Officers for the referral of potential Disclosable Pecuniary Interest offences under the Localism Act 2011 has recently been reviewed and as a result some minor amendments have been made to clarify the process when a police referral is made. The revised protocol is currently being circulated for signature by Monitoring Officers.

DCLG Consultation

- 3.3 The Department of Communities and Local Government (DCLG) is currently consulting on proposals to update the criteria that bar individuals from becoming or being a local councillor or directly-elected mayor. A copy of the consultation paper is appended to this Report. Currently, individuals cannot stand for, or hold, office as a local authority member if they have, within the previous five years or since

their election, been convicted of an offence that carries a prison sentence of at least three months without a fine and whether suspended or not.

3.4 The Government is proposing to amend the disqualification criteria so that anyone convicted of a serious crime, regardless of whether it comes with a custodial sentence, will not be able to serve as a councillor. Individuals will be banned from standing for office if they are subject to:

- the notification requirements set out in the Sexual Offences Act 2003 (being on the sex offenders register);
- a civil injunction granted under s.1 of the Anti-social Behaviour, Crime and Policing Act 2014 (the 2014 Act); or
- a Criminal Behaviour Order made under s.22 of the 2014 Act.

3.5 The new rules would apply to councillors and mayors in parish, district, county and unitary councils, London boroughs, combined authorities and the Greater London Assembly. The proposed changes would not be retrospective. The closing date for comments on the disqualification criteria is 8 December 2017.

4. Financial Implications

4.1 None arising from this report.

Background Information

None