

# Subject: Future Standards Regime at the GLA

Report to: Standards Committee

Report of: Monitoring Officer

Date: 22 March 2011

This report will be considered in public

## 1. Summary

- 1.1 This report provides an update regarding proposals for the establishment of a Standards regime at the Authority following the enactment of the relevant provisions of the Localism Bill.

## 2. Recommendations

- 2.1 (a) That the Committee notes the report;
- (b) That, noting that the Mayor and Assembly have agreed in principle the outline model they wish to adopt in respect of the future Standards regime for the Authority (as set out in paragraph 3.2 of the report), the meeting of the Committee to be held on 16 June 2011 be used to consider any formal business as necessary and to then conduct an informal workshop to consider an options paper regarding the detailed arrangements for the GLA's future Standards regime in order for the Committee to provide advice to the Authority on those matters; and
- (c) That the proposed extension of the current appointments of Diane Mark, Sir David Durie and Sam Younger as Independent Members until April 2012 or the abolition of the current Standards regime, whichever is earlier, be noted.

## 3. Background and Issues for Consideration

- 3.1 As reported to previous meetings of the Committee, the Government has formally announced its intention to abolish the current Standards regime and to allow local authorities to establish non-statutory codes of conduct and Standards Committees as deemed necessary.
- 3.2 In respect of the future Standards regime at the Greater London Authority (GLA), initial discussions have been held between the Mayor, Assembly and Standards Committee Members in order to determine the outline shape of the regime to be established at the Authority following the abolition of the current framework. The key elements of this emerging model are:
- Noting that, under section 15(1) of the Bill, "*A relevant authority must promote and maintain high standards of conduct by members and co-opted members of the Authority*", the GLA would put in place a voluntary Code of Conduct for the Mayor, Assembly Members and any co-opted members (to be agreed by the Mayor and Assembly acting jointly);
  - The operation of the Code should be the responsibility of the Authority's Monitoring Officer, who could seek advice from independent persons as necessary; and

- The Code / regime would be concerned with allegations of serious (but non-criminal) misconduct only rather than, as now, having to become active in relation to complaints, for example, regarding allegations of a member displaying a lack of respect to another member.

- 3.3 It will be for the Mayor and Assembly to take the final decisions in this regard and, as such, the Mayor and Chair of the Assembly have written to the Secretary of State to request (a) that the Mayor be granted, along with the London Assembly, a decision-making role in respect of the establishment of the future Standards regime – see **Appendix 1**; and (b) that further amendments to the Localism Bill are made in order to allow the Authority’s Monitoring Officer to take on, under delegation, responsibility for the day-to-day operation of the Code, seeking advice from independent persons appointed by the Authority (under powers of appointments available to be used by the Mayor only) as necessary – see **Appendix 2**.
- 3.4 Officers are currently awaiting an indication from the Department of Communities and Local Government as to whether the Government will bring forward or at least accept the requested amendments. If the Government is amenable, the next step is the preparation of a detailed paper in respect of the operation of the new Standards regime; if the Government rejects the proposals, then further discussion between the Mayor, Assembly and this Committee will be needed. It is suggested that the Committee discusses these matters in detail at its June meeting (through an informal workshop discussion).
- 3.5 The Committee is asked to note also that, as part of the planning for the transition from the current Standards regime into the new regime, the Assembly and Mayor are formally to be asked to agree to extend the length of the current appointments of Diane Mark, Sir David Durie and Sam Younger until April 2012 or the abolition of the current regime, whichever is earlier (as otherwise their terms of office would expire in January 2012 and the Authority would therefore be required to undertake an appointments process). The Mayor and Assembly will also be asked to consider the role of the current Independent Members within the new regime (noting the intention for the Monitoring Officer to be able to draw on the views and expertise of independent people).
- 3.6 The Committee is asked to note this report and give views, as necessary, on the proposals for the future Standards regime at the Authority.

## 4. Legal Implications

- 4.1 There are no legal implications arising from the report.

## 5. Financial Implications

- 5.1 There are no financial implications arising from the report.

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### List of appendices to this report:

**Appendix 1** – Letter from Chair of Assembly to Secretary of State for Communities and Local Government dated 21 January 2011

**Appendix 2** – Letter from Mayor and Chair of Assembly to Secretary of State for Communities and Local Government dated 1 March 2011

List of Background Papers: None.

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