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| Item No. 5. | Classification: Open | Date: November 23 2009 | Meeting Name: Standards Committee |
| Report title: | | Amendment to the Local Filter Procedure Rules | |
| Ward(s) affected: | or | groups | All |
| From: | | Strategic Director of Communities, Law & Governance | |

RECOMMENDATION

1. That the standards committee notes the report.
2. That the standards committee agrees to amend the local filter procedure rules as shown in appendix A.

BACKGROUND INFORMATION

3. The local filter procedure rules have been operation since May 2008.
4. Under the current rules, when the investigating officer does not consider that there has been a breach of the code the report will be referred to the standards committee to make a decision as to whether it agrees with the investigating officer's findings.

KEY ISSUES FOR CONSIDERATION

5. However, until now, no complaint has proceeded to the consideration stage. In undertaking the first, officers consider that it would have been more practical if the rules involving consideration of the investigating officer's report had allowed for a sub-committee to consider these reports rather than requiring them to be taken to the full standards committee.
6. Officers therefore propose that the rules be amended to allow these considerations to be dealt with by sub-committees. The changes also make clear that the consideration sub-committees would generally also be the hearing sub-committee if one is required, thus enabling the sub-committee to deal with issues relating to the conduct of the hearing.
7. At the same time officers have made several other minor amendments. Attached to this report at appendix A are the local filter procedure rules including the recommended amendments.
8. The Guidance from Standards for England allows standards committees to make amendments to its procedure for dealing with local assessments of complaints, so long as the rules are not changed during the consideration of a matter.
9. These amendments would be applicable to any new complaint received by the standards committee.

Legal implications

10. The legal implications have been dealt with in the body of the report.

Community Impact Statement

11. Good governance is very important in aiding the decision-making process and helping to boost public confidence in the council. The details set out in this report will provide members of the community with information on how alleged breaches of the code will be dealt with by the standards committee.

Resource Implications

12. Any resource implications will be contained within existing budgets. Such changes will reduce the need for full committee meetings.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|-------------------|---|------------------------------|
| The Constitution. | 2nd floor, PO Box 64529, London, SE1P 5LX | Lesley John 020-7525-7228 |

APPENDICES

| No. | Item |
|-----|--------------------------------------|
| A | Revised local filter procedure rules |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Deborah Collins, Strategic Director of Communities, Law and Governance | |
| Report Author | Norman Coombe, Principal Lawyer, Governance Team | |
| Version | Final | |
| Dated | November 11 2009 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director of Communities, Law and Governance | Yes | Yes |
| Finance Director | No | No |
| Executive Member | N/A | N/A |
| Date final report sent to Constitutional Team | November 11 2009 | |