

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to Standards Committee

10th November 2017

TITLE:	Department for Communities and Local Government consultation on updating disqualification criteria for local authority members.
PORTFOLIO:	Leader of the Council – Councillor Ralphs
OFFICER:	Executive Director (People) and Monitoring Officer
WARDS:	All

Appendix – Consultation Paper - Disqualification Criteria for Councillors and Mayors.

1. Reason for the Report:

- 1.1. To notify the Committee about the government's proposals for updating the criteria which disqualify individuals from being elected, or holding office, as a local authority member or directly elected mayor.

2. Recommendation

- 2.1 The Committee is asked to note the contents of the report and instruct the Council's Democratic Services section to send any consultation response to the Department for Communities and Local Government, before the close of the consultation on Friday 8th December 2017.

3. Executive Summary

- 3.1 The Department for Communities and Local Government is consulting on proposals to update the criteria disqualifying individuals from standing for, or holding office as, a local authority member, directly-elected mayor or member of the London Assembly.
- 3.2 The current disqualification criteria and the proposed updated criteria are set out below in the body of the report.

4. Implications

4.1 Community Safety - (Crime and Disorder Act 1998)

None.

4.2 Workforce

None.

4.3 Equality and Diversity - Equality Impact Assessment

An equality and diversity impact assessment has not been carried out for this report.

4.4 Financial Considerations

None.

4.5 Legal

Any changes to the disqualification criteria would require changes to primary legislation, in particular the Local Government Act 1972, the Local Democracy, Economic Development and Construction Act 2009, and the Greater London Authority Act 1999.

4.6 Sustainability

None.

4.7 Internal and External Consultation

This report considers a central government consultation exercise.

4.8 Risk Assessment

None.

5. Background and Detail

- 5.1 Local authority Members hold positions of trust and accountability to the electorate. The Government considers that there should be consequences where councillors fall short of the behaviour expected in a free, inclusive and tolerant society that respects individuals. The consultation exercise is in regard to updating the criteria for disqualification in respect of more recent offences.

6. **The Current Criteria**

6.1 Under the current criteria an individual is prevented from standing or holding office as a local authority member if they have, within five years of the day of the election, or since their election, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment, suspended or not, for a period of not less than three months without the option of a fine.

7 **The Proposed Criteria**

7.1 This consultation proposes updating the disqualification criteria to prohibit those subject to the notification requirements (commonly referred to as 'being on the sex offenders register') and those subject to certain anti-social behaviour sanctions from being local authority members. The full details of the proposed changes are set out in the Appendix.

8 **Consultation**

8.1. The Department for Communities and Local Government has published a series of questions which are set out in the Appendix and should form the basis to any response that the committee wishes to make in support of the consultation exercise.

Mark Trillo

Executive Director (People) and Monitoring Officer