

**COUNCIL**  
**9 NOVEMBER 2017****REPORTS OF COMMITTEES****(c) SUMMARY OF DECISIONS TAKEN BY THE STANDARDS  
AND ETHICS COMMITTEE**

---

**Councillor Disqualification Criteria - Consultation**

1. The Committee is responding to a consultation issued by the Department for Communities and Local Government (DCLG) regarding expanding the disqualification criteria for local councillors to cover sex offenders and certain anti-social behaviour (ASB).
2. The proposed changes represent a significant departure from the current legislation by extending disqualification to criminal convictions, cautions for sexual offences and court orders for ASB (Existing legislation disqualifies members for 5 years upon criminal convictions resulting in prison sentences of 3 months or more (including suspended)). The proposals would therefore disqualify persons whilst on the sex offenders' register and also those subject to a civil ASB injunction or Criminal Behaviour Order. The proposals would not (other than for sex offenders) disqualify those convicted of criminal offences (even if imprisoned for just under 3 months) who would remain free to stand or continue as a member.
3. There was general support for the disqualification of sex offenders particularly given the Council's role as corporate parent. There was general support for the ASB proposals provided they flowed from a court order, and could be extended to convictions for a breach of an ASBO. Doubt was raised whether the disqualification of a councillor as a result of bankruptcy remained relevant.
4. There was support for the return of local sanction for breach of the Code of Conduct, to be considered by government in the light of the forthcoming report from the National Committee on Standards in Public Life.

**Code of Conduct and Complaints Update**

5. Since the last report to the Committee in July 2015, the Council has received 2 formal complaints that a County Councillor has breached the Code of Conduct for members. The Committee received a summary of the details of the formal complaints and has noted the resolution in each case. There have been no referrals to the police for breach of the Disclosable Pecuniary Interest (DPI) provisions.

**Mr R P Tomlinson**  
**Chairman**

### **Contact Points**

County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

Specific Contact Points for this report

Simon Lewis, Committee Officer

Tel: 01905 846621

Email: [slewis@worcestershire.gov.uk](mailto:slewis@worcestershire.gov.uk)

### **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

Agenda papers for the meeting of the Standards and Ethics Committee held on 18 October 2017.