

Standards Committee

Thursday, 4 March 2010

Present: Tony Ellwood (Independent Chair), Councillor Mike Devaney (Vice-Chair) and Councillors Judith Boothman, Debra Platt, Stella Walsh, Hugh Evans (Independent Member), Joan Geddes (Parish Council representative), Bill Mason (Parish Council representative) and Alan Platt (Parish Council representative)

Officers in attendance: Chris Moister (Head of Governance / Monitoring Officer) and Ruth Rimmington (Democratic and Member Services Officer)

10.S.119 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Cath Hoyle and Gwynne Furlong (Independent Member).

10.S.120 MINUTES

RESOLVED – That the minutes of the meeting of the Standards Committee held on 10 December 2009 be confirmed as a correct record and signed by the Chair.

The Chair introduced Chris Moister, the Council's newly appointed Head of Governance and Monitoring Officer.

On behalf of the Committee the Chair expressed thanks to Andrew Docherty, for his work, guidance and expertise as Monitoring Officer and wished him well in his new role as Monitoring Officer at City of York.

10.S.121 DECLARATIONS OF ANY INTERESTS

No interests were declared by Committee Members in respect of items on the agenda.

10.S.122 NEWS FROM STANDARDS FOR ENGLAND

The Monitoring Officer reported that parliamentary approval of the new Code of Conduct for Members had been delayed until after the general election. Training for the Committee and Borough, Town and Parish Councillors would be arranged following the adoption of the Code.

RESOLVED – The update be noted.

10.S.123 CASES UPDATE

The Committee received the report of the Monitoring Officer outlining recent cases which had been considered nationally by the First-tier Tribunal (Local Government Standards in England). Members discussed the cases and clarified several points.

The Monitoring Officer advised there was only one case ongoing locally which was being dealt with by the First-tier Tribunal.

RESOLVED

1. **The report be noted.**
2. **The quarterly return to Standards for England for July to September and October to December be noted.**
3. **The verbal update on current local cases be noted.**

10.S.124 FEEDBACK FROM VISITS TO PARISH COUNCILS

Members of the Committee reported that the visits undertaken so far had been positive. The interests flow charts, in particular, had been well received.

The Chair thanked Committee Members for their contribution to the mentoring scheme.

RESOLVED

- 1. The update be noted.**
- 2. Officers to confirm that all Town and Parish Council's have been visited this year.**

10.S.125 WORK UNDERTAKEN TO PROMOTE THE CODE OF CONDUCT

Officers presented an update on the work undertaken to promote the Code of Conduct this quarter.

- Training had been held on the Code of Conduct, with both Borough, Town and Parish Council Members in attendance.
- All Town and Parish Council clerks had confirmed the membership of their respective Councils, received copies of the recruitment information for the third member of the Standards Committee and the interests flow chart.
- The Standards for England Annual Review and latest "Bulletin" had been forwarded to all Committee Members, Town and Parish Council clerks and featured on "intheknow" for Borough Councillors.
- An article reminding Members to update their financial and other interests form had featured on "intheknow".
- The Standards for England quarterly return had been completed.

RESOLVED – The update be noted.

10.S.126 TRAINING ISSUES

Training had been delivered to Borough, Town and Parish Councillors in December, rather than July, in anticipation of the revised Code of Conduct. The revised Code was expected after the general election. A focus on acceptable and unacceptable behaviour were suggested as topics for the next training session.

Committee Members discussed their own training requirements. The Monitoring Officer had delivered a half day session in July 2009 on the local assessment of complaints. The Committee discussed the addition of information regarding the general role of the Committee to a similar session to be held in June 2010.

RESOLVED

- 1. The update be noted,**
- 2. Training on the revised Code of Conduct be delivered to Borough, Town and Parish Councillors following it's adoption, with alternative venues to be considered, for example a community centre, to encourage Town and Parish Councillors to attend.**
- 3. Training to be delivered on the local assessment of complaints and the general role of the Committee on Wednesday, 9 June 2010 at 10am until 12 noon in Committee Room 1.**

10.S.127 LOCAL ASSESSMENT PROCESS AND TIMESCALES

At previous meetings Members had discussed the need for clarity and greater understanding of the process and timescales involved with local assessment of

complaints. The Committee received the report of the Director of Transformation which formalised and clarified the process including the use of two flow diagrams.

Members considered the proposals for performance promises and noted that for assessment decisions Standards for England recommend to “complete its initial assessment of an allegation within an average of 20 working days, to reach a decision on what should happen with the complaint” and “suggest that the Standards Committee sends out its decision notice within five working days of the decision being made”.

For review decisions Standards for England recommend “adopt(ion of) a policy of undertaking the review within the same timescale as the initial assessment decision is taken, aiming to complete the review within an average of 20 working days” and “recommend that the review sub-committee sends out its decision notice within five working days of the decision being made”.

RESOLVED

- 1. The two flow diagrams be adopted and published on the Council’s website,**
- 2. Performance promises be adopted at various stages of the process as follows:**
 - a. To complete the initial assessment of an allegation within an average of 15 working days and send out notification to all parties within an average of 2 working days,**
 - b. To complete the review of an allegation within an average of 15 working days and send out notification to all parties within an average of 2 working days.**

10.S.128 REVIEW OF THE COMPLAINT FORM

At the last meeting the Committee requested that the complaint form be reviewed to make it more user friendly. Members’ comments were requested on the suggested amendments.

The Monitoring Officer highlighted the Committee were obliged to consider any allegations received in writing.

RESOLVED - The revised form be adopted with the addition of the two flow charts adopted at the previous item.

10.S.129 CONSIDERATION OF THE COUNCIL'S OFFICER CODE OF CONDUCT

The Committee considered the Council’s officer code of conduct. The Monitoring Officer explained that the code was not based on a national model.

The code had been developed by Human Resources and considered by Strategy Group and Staff Matters, (a staff forum set up to encourage staff to give their views and comments on Council policies and processes and to have an active involvement in the decision making process).

RESOLVED

- 1. The Council’s officer code of conduct be noted.**
- 2. The suggestion be made that it might be appropriate for staff to observe the same threshold for gifts and hospitality of £25.**

10.S.130 DRAFT ANNUAL REPORT

The Monitoring Officer presented the draft Annual Report for the Standards Committee.

Members queried several points and noted that a summary of complaints received, the recruitment of Independent Members and items of best practice had been included.

The report would be presented to Council, posted on the internet and forwarded to all Town and Parish clerks in the Borough.

RESOLVED

- 1. The Annual Report be presented to Council in April.**
- 2. The report be added to the information pack given to new Members of the Committee.**
- 3. The report be considered by Overview and Scrutiny Committee in the new Municipal Year to raise awareness of the work of the Standards Committee.**

10.S.131 STANDARDS COMMITTEE WORK PROGRAMME

The Committee considered the Work Programme. It was suggested that consideration be given to the ethical framework set out by the Council for dealing with partners, both contractual and relating to the Local Strategic Partnership.

It was noted that Mr Ellwood would be invited to new Member induction as Chair of the Committee and that the Chief Executive would be attending the start of the first Standards Committee meeting in the new municipal year.

RESOLVED – The Work Programme be noted.

10.S.132 APPOINTMENT OF PARISH COUNCIL REPRESENTATIVE

This item was accepted by the Chair as urgent to enable the report to be considered at this meeting and by Council on 13 April.

This was the last meeting for Joan Geddes due to her retirement from Heapey Parish Council and on behalf of the Committee the Chair thanked Joan for her active membership and strong support for the work of the Committee. The Committee wished Joan and her family best wishes for the future.

Due to Joan's retirement there was a need to appoint a third Town and Parish Council representative. The appointment of Town and Parish representative to the Standards Committee had to be made in consultation with the Town and Parish Councils. Accordingly, they were invited to submit nominations. Nominated Town and Parish Councillors were invited to submit a written application setting out how they considered they met the criteria.

An appointment panel had been established from within the membership of the Committee to interview. Following a recommendation from this Committee a report would go to Council on 13 April to confirm the appointment.

RESOLVED – The Committee recommend to Council that Town Councillor Anthony Wilson be appointed as a Town and Parish Council representative on the Standards Committee to serve the same term of office on the Standards Committee as his term of office on Adlington Town Council.

Chair