

Monday 18 October 2010
at 6.00pm



Standards Committee

MEMBERS: Mr J VESELY (Independent Representative and Chairman), Mr T ELLIOTT (Independent Representative), Councillors Mrs GOODALL, Mrs HOWLETT, TAYLOR, TESTER and Miss WOODALL.

(An apology for absence was reported from Councillor Goodwin).

9 Minutes.

The minutes of the meeting held on 31 August 2010 were submitted and approved and the Chairman was authorised to sign them as a correct record.

10 Declarations of Interest.

None were received.

11 Standards Board Regime – Latest News.

The Committee considered the report of the Monitoring Officer regarding recent developments relating to the Standards Regime.

Issue 48 of the Standards for England Bulletin which was attached as appendix 1 to the report covered a range of topics relevant to the arrangements to be applied in the period leading up to what were likely to be radical changes in the Standards regime. Standards for England had assessed that the final closure of the organisation would occur at some point between 31 December 2011 and 31 March 2012 and it was noted that no transitional provisions were available at the present time.

Various changes had been instigated since July including a cessation of the requirement to submit monitoring returns as well as changes in the guidance on the re-appointment of Independent Members. Insofar as Standards for England accepting cases referred to it, members noted that whilst the underlying criteria to be applied would not change, Standards for England had a need to have regard to resources and would assess the relative importance of cases when deciding which to accept.

Members noted that Standards for England clearly had had to refine their remit and planned workload and that additional information would be reported as and when it became available.

Members were advised that Appendix 2 was an excerpt from the July 2010 Committee on Standards in Public Life's Annual Review and Report for 2009/10 which identified what the Committee considered to be the necessary components of a new local government standards framework.

The Committee considered the essential requirements to include clarity around a Code of Conduct which specified what behaviour was and was not acceptable as well as an independent mechanism for dealing with the most serious breaches of the Code.

The Committee on Standards in Public Life also considered that some overarching mechanism was necessary to ensure that the regime is effective and consistent. It had indicated a possible direction for a future framework and impressed the point that a local standards framework was vital to maintain confidence. It was clear on the need for local ownership but considered this should take place within a framework which ensured consistency of standards.

Members noted that appendix 3 was an opinion from the Association of Council Secretaries and Solicitors as to the possible future of the ethical framework for local government. Members noted that whilst ACSeS was an established, well-respected organisation which was likely to input in any consultation process, the opinions provided were those of one individual officer only.

Members noted that Appendix 4 provided an important recent indication as to the Coalition Government's plans for standards, quoting Communities Minister Andrew Stunell: 'we are axing the unpopular and unelected standards board regime. Instead we will legislate to ensure that if a councillor is corrupt and abuses their office for personal gain they will be dealt with in the criminal courts. If a councillor behaves ineffectively or irresponsibly then it's a matter for the electorate not an unelected quango.' This appeared to indicate that the statutory ethical framework was being removed entirely to be replaced by a requirement for councillors to simply register and declare financial interests.

It was probable that the new system would resemble the pre-2000 Act position although there remained potential scope for a body such as the Local Government Ombudsman to undertake a role to ensure consistency of ethical standards in local government. The Committee was advised that any developments would be reported as and when they occurred.

RESOLVED: That the report be noted.

12 Monitoring Complaints of Member Misconduct.

The Committee considered the report of the Monitoring Officer regarding alleged breaches of the Members' Code of Conduct.

One complaint had been received in the third quarter of 2010. The complaint had been referred to the Assessment Sub-Committee on 8 September 2010 and it had decided to take no further action. No request for a review of that decision had been received within the appropriate timescale.

A complaint which was referred to as ongoing at the time of the last quarterly update had been considered by the Assessment Sub-Committee in April 2010 and a decision to take no further action was made at that time.

A date subsequently set for a review of that decision using different members involved in the first Sub-Committee had been adjourned due to Member unavailability. The Sub-Committee was reconvened on 8 September 2010 and a decision to take no further action on the matter was made.

RESOLVED: That the report be noted.

13 Update on Member Development and Training.

The Monitoring Officer advised the Committee that a draft report regarding Member Development and Training had been prepared for submission to full Council on 17 November 2010. The report reviewed the current requirements for members of the Council to undertake specified learning and development events appropriate to their individual roles. It proposed enhanced governance arrangements intended to improve the profile, engagement with and delivery of the Member Development programme.

Members noted that the proposed measures included giving the Standards Committee ownership of member development activities and asking that it act as a critical friend by carrying out regular reviews of learning and development activity and monitoring of members' needs and proficiencies.

The Monitoring Officer advised that if the proposals were agreed then it was likely that the Committee would take responsibility for:

- Agreeing the annually updated programme of learning and development for council members
- Reviewing progress against the plan
- Receiving regular updates on attendance and engagement by members, initially on a quarterly basis during the first year post election with provision to move to a six monthly basis thereafter.

The Monitoring Officer agreed to circulate a copy of the report to Members following the meeting and it was requested that any comments be submitted within 10 days to allow for any amendments to be made to the final report.

RESOLVED: That the report be noted.

14 Recruitment of Third Independent Member - Update.

The Monitoring Officer advised the Committee that the timetable for recruiting a new Independent Member was now in place. The closing date for applications was 8 November 2010 and a Panel comprising the Chairman, Monitoring Officer and Councillors would consider applications received and conduct interviews on 15 November 2010.

The Committee were advised that a report would be presented to full Council on 17 November 2010 in order to seek approval for the appointment of the independent member selected by the Panel.

In accordance with recent guidance issued by Standards for England an extension to the tenure of the current Independent Chair and the other Independent Member would also be sought from full Council at the same

time in order to secure the benefit of their experience during this transitional time.

RESOLVED: That the report be noted.

The meeting closed at 6.45 pm.

**J Vesely
Chairman**