

## Standards Committee – 03 December 2009

### STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on  
03 December 2009, at the delayed time of 7:26 p.m

Present: Independent Member: Mr. Riddell (Chairman)  
Independent Member: Mr. Hobbs (Vice-Chairman)  
Cllrs. Mrs. Bracken, Dibsdall, Harrod, Loney, and Mrs. Morris.  
Independent Members: Mr. Painter, Mr. Reece and Mr. Smith.  
Town/Parish Representatives: Mr. Austin, Mr. Clarke, Mr. London,  
Mr. Taylor and Mrs. Wallach.

Apologies for absence were received from Cllr Ryan.

#### 12. MINUTES OF THE LAST MEETING

Resolved: That the Minutes of the Committee held on 14 July 2009 and notes of the Assessment Sub-Committee on 6 October 2009 be approved and signed by the Chairman as a correct record.

#### 13. DECLARATIONS OF INTEREST

Cllr. Harrod declared a personal interest in Item 8 as he knew some of the Town Councillors involved in the complaint.

#### 14. ASSESSMENT MADE CLEAR (Report No. 3)

Prior to the start of the meeting, Members of the Committee viewed a Standards for England DVD entitled "Assessments Made Clear" for information and discussion.

Resolved: That the report be noted.

#### 15. MONITORING OFFICER'S REPORT (Report No. 4)

The Monitoring Officer informed Members that, in a change from last year, both the Performance and Governance Committee and the Standards Committee would discuss the report before it was referred to the full Council Meeting. This was because the report covered areas which fell within the Performance and Governance Committee's Terms of Reference. Members agreed it was appropriate that both Committees were given an opportunity to comment.

The Monitoring Officer was pleased to report that the Council had no cases of maladministration this year.

The Committee discussed Members' training and the Monitoring Officer was asked how many Town and Parish Councillors within the District had received training on the Members Code of Conduct. The Monitoring Officer stated that training events tended to receive good turnouts and were particularly successful when held locally. A Member of the Committee suggested targets in relation to Councillor Training could be a positive means of further encouraging training. Another Member commented

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that it should be recognised that not all Members wanted or needed training.

Following a query, the Monitoring Officer stated that Standards for England had established a Committee to review the process for completing the Annual Return Form and the information was to be included in the Annual Return.

Resolved: That the Monitoring Officer's Report 2009 be noted and referred to full Council for endorsement.

### 16. STANDARDS COMMITTEE FORWARD WORK PROGRAMME (Report No. 5)

The Monitoring Officer informed the Committee that the Forward Work Programme (attached as an Appendix) was still in draft form and Members were being asked to approve the changes. In relation to the activity "Undertake an audit of the awareness of ethics and standards amongst staff and members at the District/Parish and Town Councils" it was suggested that this could be actioned by Internal Audit. The Monitoring Officer agreed that this was a good suggestion.

The Democratic Services Manager informed the Committee that pending the return of all updates to Members' Register of Interests, it was intended that the forms for Members and co-opted Members of the District Council would be published on the Council's website before Christmas. Members would still be able to opt out of having their forms published if they so wished.

Resolved: That the Forward Work Programme, as at 3 December 2009, be approved, as attached.

### 17. STANDARDS BULLETIN NO. 3 (Report No. 6)

Members discussed the prospect of joint Standards Committees. The Monitoring Officer highlighted the three models outlined in the report, explaining that Model C was not recommended for a local authority but was more suited to shared committees between Police and Fire authorities. It was recognised that any move towards shared committees would be a decision for the Council as a whole. It was also felt that as the District was fully parished, unlike neighbouring District and Boroughs, it might be difficult to successfully operate a joint Standards Committee.

The Monitoring Officer informed Members that there was new legislation on the granting of dispensations. However the new legislation had not entirely solved problems as a meeting to consider requests was still needed and powers to grant dispensations had not been devolved to the Monitoring Officer or Chief Executive. A Member suggested that consideration be given to establishing a Sub-Committee to handle dispensations, as this might be easier to convene at short notice. The Monitoring Officer advised that this would not speed up the process as the same procedures for calling a meeting would exist and quorum requirements would be unchanged.

Resolved: That the report be noted.

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### 18. BRINGING STANDARDS INTO FOCUS 2009 ANNUAL ASSEMBLY OF STANDARDS COMMITTEES (Report No. 7)

The Monitoring Officer and Mr. Austin, one of the Town/Parish Council Representatives, had attended the Eighth Annual Assembly of Standards Committees. At the Assembly there was quite a lot of discussion on dissolving Standards for England and the Code of Conduct and the effects this might have. A Committee Member felt that smaller, regional annual meetings should be held to make attendance more inclusive and allow more questions to be asked.

A member also highlighted that in geographically large authorities it was difficult, in practical terms, to ensure all Councillors had received training on the Members' Code of Conduct.

Resolved: That the report be noted.

### 19. CONSIDERATION OF EXEMPT INFORMATION

Resolved: That under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the ground that the likely disclosure of exempt information is involved as defined by Paragraph 1 and 2 of Schedule 12(A) to the Local Government Act 1972.

### 20. COMPLAINTS AND TRAINING (Report No. 7)

The Monitoring Officer explained to the Committee that the findings of the Ethical Standards Officer from Standards for England (SfE) had been attached for information and as a means to show how SfE had investigated complex and sensitive issues.

The Chairman opened the discussion out to the Committee and asked what lessons the Standards Committee could learn from these investigations. Members noted that the investigation by SfE had produced much more evidence than had been seen by the original Assessment Sub-Committee. A Member of the Committee noted that SfE had clearly taken a very balanced approach and the investigation had proved its worth through its findings.

A Member of the Committee asked whether a 'course of conduct' by the whole Council over a prolonged period of time could constitute a breach of the code. The Monitoring Officer advised rules related to a named Member and each case was looked at individually and cases could not be grouped together even though the circumstances may be identical. Members noted that in considering these complaints, SfE could not consider or refer to previous complaints and instead had to judge each complaint on its own individual merits.

Resolved: That the report be noted.

THE MEETING WAS CONCLUDED AT 8.20 p.m.

Chairman

<p><b>STANDARDS COMMITTEE FORWARD WORK PROGRAMME</b></p> <p><b>AS AT 3 DECEMBER 2009</b></p>
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Activity	Action/Progress	Timescale
Regular training for Councillors on the Ethical Framework	Ongoing training workshops for District, Parish and Town Council Members and Clerks as well as targeted officers of the authority	To continue the programme - ongoing
Annual Monitoring Officer's Report	Presented to the Standards Committee and Full Council annually. It will also be presented to the Performance and Governance Committee	Presented to the Standards Committee on 3 December 2009 and Performance and Governance on 16 February 2010. Presented to Full Council on 23 February 2010.
Consider publication of the Member's Register of Interests and Gifts and Hospitality on Council's web site	Report to Full Council for Decision	Report to Full Council on 10 November 2009. Implementation one month thereafter.
Training for Members of the Committee on the work of the Sub-Committees	Training for new Members and refresher training for existing Members	Training took place on 22 July 2009.
Standards Bulletin	Report setting out recent ethical developments	Bulletin given in Report format to this Committee and subsequent Standards Committee meetings
Consideration of Complaints and Quarterly Returns	Statistical information for consideration	Report to this committee and subsequent Standards Committee meetings
The work of the Sub-Committees	To carry out the work expeditiously	Ongoing
Attendance at the Standards for England National Assembly	At least one Member of the Standards Committee to attend along with the	12/13 October 2009 with a report submitted to this Committee on the 3

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	Monitoring Officer	December 2009
Chairman of Standards Committee to meet with Leader of the Council and Chief Executive	To promote and enhance the ethical agenda	Meet on a six monthly basis
Receiving inquiries from District Councillors and Parish/Town Councillors as well as Parish/Town Clerks	As and when Councillors and Parish/Town Clerks get in touch with the Monitoring Officer or Deputy	Inquiries dealt with expeditiously with an open door policy
Visit Parish/Town Councils for Training and Conciliation	To promote knowledge on the code of conduct and improve working relationships. Undertaken by Chair/Member of Standards Committee accompanied by Monitoring Officer	Ongoing training and conciliation when necessary from time to time.
Appointment of Independent Chairman and Vice Chairman	Following Annual Council there is a need to appoint an Independent Chairman and Vice Chairman	Appointed on the 14 July 2009.
Annual return to Standards for England	Annual draft return submitted to Standards Committee Members for comment	Reported to the Standards Committee with Monitoring Officers Report on 3 December 2009 and to Full Council on 23 February 2010 as well as Performance and Governance on 16 February 2010.
Undertake an audit of the awareness of ethics and standards amongst staff and members at the District/Parish and Town Council	Monitoring Officer to devise an internal ethical questionnaire in order to action a light-touch health check	To be completed for consideration at the Standards Committee meeting on 22 April 2010.
Consider and adjudicate on dispensation requests from Parish/Town Councils	To be determined within statutory requirements	To be determined as and when requests for dispensations received
Identification of Members' training needs in relation to specific points of the	Monitoring Officer makes enquiries prior to a training workshop in order to tailor	Ongoing

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code.	training to specific needs.	
Undertake action learning set on improving officer/member relationships	Monitoring Officer to undertake with Head of Development Control and other chosen officers and a co-opted Member of Standards Committee	To be completed as soon as possible. Meeting to be arranged early in the new year and to be discussed between the Leader, Chief Executive, Monitoring Officer and Chairman of the Standards Committee when they met on 10 November 2009.
Standards Committee Members encouraged to attend Council meetings	To obtain greater understanding of the workings of the Council	For individual Members to decide according to personal preference and availability
To consider government consultations	To comment on and thereby influence future government legislation and guidance	To comment on within time limits set by consultation process
Review and Monitor Training on the Code of Conduct	Identify further training and feedback	Arrangements made as appropriate
Promoting awareness of role and work of Standards Committee	Press releases. Increased information on website. Training. Developing a Strategy	Ongoing
Deputy Monitoring Officer	Adrian Stanfield and Ally Round to be appointed	Appointment complete
Training on the work of the Assessment Sub-Committee in respect of assessing Member complaints	To help Standards Committee Members and local authority officers involved in the assessment of complaints	Training to take place as soon as possible using the Standards for England DVD "Assessment made clear"