

STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee held on Tuesday, 17 June, 2008 at 6.00 p.m. in the Civic Offices, Telford

PRESENT: A. Simpson (Independent Member – Chairman), Councillors A.J. Stanton (Vice-Chairman), R. Aveley, V.A. Fletcher and K.S. Sahota, F Beasland and A Selvaratnam (Independent Members) and R Wickson (Parish Council Representative)

ST-01 MINUTES

RESOLVED – that the minutes of the meeting of the Standards & Audit Committee held on 3rd April 2008 in respect of those items within the remit of the Standards Committee be confirmed and signed by the Chairman.

ST-02 APOLOGIES FOR ABSENCE

Councillors C. Mollett, H. Rhodes, U.E. Sambrook and A.G.P. Williams and Mr B Bayley (Independent Member)

ST-03 DECLARATIONS OF INTEREST

None

ST-04 STANDARDS BOARD FOR ENGLAND GUIDANCE SUMMARY

The report of the Interim Head of Legal Services and Monitoring Officer presented a report informing Members about Standards Board for England Guidance on specific areas of the Code of Conduct and to seek their views in respect of any work that needed to be undertaken with regard to the guidance.

Since the revised Code of Conduct was adopted by the Council in 2007 the Standards Board had sought to explain some of the key areas by producing fact sheets which contained key facts and frequently asked questions. The fact sheets covered issues of bullying, disclosing confidential information, gifts and hospitality, lobby groups and declarations of interest, personal and prejudicial interests and the ethical framework for Local Government (copies of which were appended to the report). In addition, there was also an occasional paper on predisposition, predetermination and bias which, while strictly speaking falling outside of the Code, did relate to a number of issues which were closely linked with the Code of Conduct.

At present copies of the fact sheets were provided for Members on a case by case basis when Code of Conduct advice was sought. Whilst the fact sheets were publicly available on the Standards Board for England website, Members were requested to consider it appropriate to publicise the availability of the

fact sheets or, alternatively, to make them more accessible to Councillors in the Borough. It was suggested that the fact sheets should be circulated to all elected Members either by way of the Ethical Standards Bulletin, by sending them to Parish and Town Clerks in the Borough, or by making them available on the Members' Information Point on the Council's intranet.

RESOLVED:

- (a) That the contents of the report be noted;
- (b) That the Monitoring Officer be instructed to e mail fact sheets to Borough Members and Parish Clerks and to make the fact sheets available on the Members Information Point.

ST-05 LOCAL SYSTEM FOR PROCESSING CODE OF CONDUCT COMPLAINTS

The report of the Interim Head of Legal Services and Monitoring Officer updated the Committee on developments regarding the introduction of the local system for processing Code of Conduct complaints and asked the Committee to establish a framework to consider complaints in accordance with the new legislative requirements.

The new system for making and processing the complaints alleging a breach of the Members Code of Conduct was introduced on 8th May 2008. From that date, all complaints alleging breaches of the Members Code of Conduct by any Borough Councillor or Parish and Town Councillor in the Borough were to be referred in the first instance to the Standards Committee. The Committee would then be responsible for establishing a sub-committee to undertake an initial assessment of the complaint and for deciding upon what action had to be taken.

The Standards Board for England had issued guidance in respect of the operation of the local system for considering Code of Conduct complaints. It was recommended that any complaints received should be assessed in accordance with those Standards Board guidelines. A draft protocol was attached to the report which outlined the procedure to be followed when a complaint was received. These arrangements would require a change in structure for the Standards Committee. 25% of the membership would be Independent representatives with an Independent Chairman of the Committee. There would be eight elected members (no more than one of which should be a member of the Executive) and at least three Parish representatives. There were currently two Parish representatives and it was recommended that a further two were recruited to ensure sufficient capacity. The increase in the number of Parish representatives would also ensure continuity in respect of their contribution to Standards Committee matters.

The Vice-Chairman reported that a recruitment process had been conducted recently for Parish representatives. The selection panel had consisted of the Vice-Chairman and two Independent members of the Standards Committee.

The Vice-Chairman reported that two candidates had been found to be suitable and it was recommended that they be recruited by the Committee. The Monitoring Officer pointed out that the newly appointed Parish representatives would be required to complete a Criminal Record Bureau (CRB) check. This was widely recognised as good practice. The Monitoring Officer suggested that, in the interests of consistency, the Committee consider approving CRB checks for all Parish and Independent members of the Committee. After a short discussion it was agreed that all Independent members and Parish representatives of the Standards Committee should complete a CRB check.

The Committee was required to establish a system to consider the complaints. Appendix 2 of the report contained a draft amendment to the terms of reference of the Committee to enable sub-committees to be set up to undertake the new responsibilities. Hearing Committees would then be established as and when required.

RESOLVED:

- (a) That the contents of the report be noted;**
- (b) That the Monitoring Officer's Protocol relating to the receipt and processing of Code of Conduct Complaints, as set out in Appendix 1 of the report, be approved;**
- (c) That a Referrals Sub-Committee be established comprising membership in accordance with the draft terms of reference, as set out in Appendix 2 of the report, with the exception of item 4 (frequency of meetings) which is removed from the draft terms of reference;;**
- (d) That a Review Sub-Committee be established comprising membership in accordance with the draft terms of reference, as set out at Appendix 2 of this report.**
- (e) That Hearings Sub-Committees be established as and when required for particular hearings comprising, where possible, members who had not been involved on the referral or review of the particular matter;**
- (f) That the following Parish councillors be appointed as Parish representatives for the Standards Committee for a period of four years:**

**Councillor Pauline Picken
Councillor David Edwards**

- (g) That all Independent members and Parish representatives complete a Criminal Records Bureau (CRB) check.**

**ST-06 STANDARDS BOARD FOR ENGLAND RESEARCH
PROJECT REPORT – SATISFACTION WITH THE
STANDARDS BOARD FOR ENGLAND AND ATTITUDES TO
ETHICAL ENVIRONMENT**

The report of the Interim Head of Legal Services and Monitoring Officer informed Members of the research programme undertaken in November and December 2007 by BMG Research on behalf of the Standards Board for England. This had looked at satisfaction rates in respect of the work undertaken by the Standards Board together with current national trends and attitudes in respect of ethical standards matters. The research was undertaken through six standard focus groups and one online focus group set up England-wide to capture the views of monitoring officers, Standards Committee Chairmen and members, councillors and parish councillors.

The research, the report on which was appended to the committee report, looked at areas such as standards of member behaviour, supporting guidance provided to Monitoring Officers and suggestions for ways of improving Standards Board for England support and guidance to councillors. The report summarised the overall findings as follows, “much of the feedback is very positive, with strong support expressed among all stakeholder groups for the Code of Conduct and much satisfaction with local standards committees and the performance of monitoring officers. There was also a great deal of satisfaction with key Standards Board publications”.

RESOLVED – that the contents of the report be noted.

The meeting ended at 6.39 pm

Chairman:

Date: