

## **STANDARDS COMMITTEE**

### **Minutes of a meeting of the Standards Committee held on Thursday, 18 June, 2009 at 6.00 p.m. at Civic Offices, Telford**

**PRESENT:** Councillors R. Aveley, V.A. Fletcher, C.R.P. Mollett, H. Rhodes, K.S. Sahota and A.J. Stanton  
F. Beasland and A. Selvaratnam (Independent Members)  
Councillors D. Edwards, R. Wickson and R. Williams (Parish Council representatives)

#### **ST-1            ELECTION OF CHAIRMAN FOR MEETING**

It was reported that the Chairman was unable to attend the meeting due to work commitments, and it was therefore necessary to elect a Chairman for the meeting. In accordance with the statutory requirements, the Chairman had to be an Independent Member of the Committee. It was moved, seconded and

**RESOLVED** - that Mr A Selvaratnam be elected Chairman for the duration of the meeting.

#### **ST-2            ELECTION OF CHAIRMAN FOR 2009/10**

It was reported that, at the Annual Council Meeting on 21 May, the Committee's recommendation that Mr A Simpson be re-appointed as an Independent Member of the Committee for a further 12 months was approved. Unfortunately, Mr Simpson had had to give his apologies for this meeting, but had indicated that he was willing to continue as Chairman for the ensuing year. In accordance with the statutory requirements, the Chairman had to be an Independent Member of the Committee.

**RESOLVED** - that Mr A Simpson be elected Chairman of the Standards Committee for the 2009/10 Municipal Year.

#### **ST-3            MINUTES**

**RESOLVED** – that the minutes of the meeting of the Standards Committee held on 21 April 2009 be confirmed and signed by the Chairman.

#### **ST-4            APOLOGIES FOR ABSENCE**

Councillor U.E. Sambrook (TWC); B. Bayley and A. Simpson (Independent Members); Councillor P. Picken (Parish Council representative)

#### **ST-5            DECLARATIONS OF INTEREST**

None

## **ST-6                    ANNUAL REPORT OF THE STANDARDS COMMITTEE**

The Group Solicitor: Standards & Regulatory presented a draft version of the annual report of the Standards Committee for 2008/09.

The preparation of the report was in accordance with the work plan agreed by the Committee at the last meeting. It summarised the work undertaken by the Committee over the last 12 months, detailed the outcomes of the Code of Conduct complaints that had been received and dealt with since the new system came into effect on 8 May 2008, and outlined the training that had been provided for Members.

The Monitoring Officer was required to submit an annual return to the Standards Board for England, providing information on the operation of the Standards Committee as well as on the promotion of standards; training and leadership. Some of the questions asked had raised a number of issues not recently considered by the Committee, and views were sought from Members.

In relation to the promotion of standards, the Committee was asked whether it wanted to do more to promote standards to members/officers and to the wider public. In discussion of this point, the general view was that a lot of work took place with Members in terms of training and awareness. However, perhaps the wider public was less aware of the role of the Committee, and it was suggested that a summary of the Annual Report could be published in the Council's Insight magazine.

In terms of leadership, the Committee was asked whether it wished to have meetings with the Leader of the Council and/or the Chief Executive to discuss ethical issues. Members were in favour of this suggestion, but felt that it would be more beneficial if all political Group Leaders were involved in such a meeting. This would allow messages/issues, such as the importance of elected Members attending Code of Conduct training, to be fed back through the Groups. It was suggested that a meeting with the Group Leaders could be held at the start of each Municipal Year, in order to look at the Committee's work programme for the ensuing 12 months.

In respect of the Members' Register of Interests, the Committee were asked to consider whether the Register of Interests forms and the Members' gifts and hospitality book should be available to the public via the Council's website. The Head of Legal Services & Monitoring Officer advised that there could be some information contained on the forms that Members might not wish to see put on the internet, and some form of assessment process might be needed to consider requests for information to be excluded. While appreciating the need for transparency, concerns were expressed by Members regarding data protection and the implications if some information was excluded from publication on the website. On balance, it was felt that the Members' Register of interests and the gifts and hospitality book should not be put on the Council website, but that more information could be provided to the public about the existing arrangements for inspection of the Register.

**RESOLVED –**

- (a) that the draft version of the Annual Report of the Standards Committee be approved, subject to the addition of the comments/actions referred to above and in b) to e) below;
- (b) that the current arrangement for public inspection of the Members Register of Interests be continued, but that the Monitoring Officer consider ways of raising public awareness of the access arrangements;
- (c) that the Members' gifts and hospitality book be made available for public inspection in the same way as the Register of Interests;
- (d) that a meeting with political Group Leaders be held on an annual basis in order to discuss standards and ethics issues.
- (e) that an article (from the Chairman) on the work of the Standards Committee be published annually in the Council's magazine for residents.

**ST-7            REVIEW OF MEMBER OFFICER PROTOCOL**

The Group Solicitor: Standards & Regulatory presented a report which updated the Committee with regard to an ongoing review of the Member Officer protocol .

Attached to the report for information was the current protocol on Member/Officer relations contained in the Council's Constitution. The need for a review of this protocol was reflected in the work plan established by the Standards Committee for the current municipal year. The review had commenced, and the Monitoring Officer was likely to have a first draft of an updated protocol available for consultation shortly.

To assist the Review process, Members were invited to contact the Monitoring Officer with any comments on the existing protocol.

**RESOLVED – that the contents of the report be noted.**

**ST-8            THE STANDARDS COMMITTEE (FURTHER PROVISIONS) (ENGLAND) REGULATIONS 2009**

The Group Solicitor: Standards & Regulatory presented a report which informed the Committee of recent changes in legislation that came into force on 15 June 2009.

There were three changes. Firstly, effect was given to powers contained in the Local Government Act 2000 (as amended) for the Standards Board for England to suspend or refer to another body certain functions of standards committees, and to intervene if a standards committee was not performing

adequately. Secondly, individual standards committees could now join together to form joint standards committees. It was widely considered that the aim of this provision was to assist standards committees with the additional resource implications following the introduction of the local filtration system for considering Code of Conduct complaints. Thirdly, there were some slight changes to the dispensation arrangements to take account of the changes to the Code of Conduct which allowed members to take part in a meeting to a limited extent when they had a personal and prejudicial interest.

Some of these issues were addressed in the Standards Committee work plan, and further work would need to be undertaken as a result of the Regulations. It was expected that the Standards Board would issue guidance to supplement the new Regulations. In particular further guidance was awaited on the provisions for joint standards committees. Joint working had already been identified as an item in the Committee's work plan for 2009/10, and work could now commence on evaluating the implications and options available for joint working, including that of a joint standards committee. The Head of Legal Services & Monitoring Officer added that, as he also served as the Monitoring Officer for the Combined Fire Authority, there were obvious linkages with the Fire Authority that could be explored. It was also suggested that the new unitary Shropshire Council provided another possible opportunity for joint working.

**RESOLVED –**

- (a) that the contents of the report be noted;**
- (b) that the Monitoring Officer undertakes any work required as a result of the introduction of the new Regulations in relation to the dispensation procedure rules;**
- (c) that the Monitoring Officer undertake an investigation into the possible provision of a joint standards committee, and to report his findings to a future meeting of the Committee.**

The meeting ended at 6.50 pm

**Chairman:** .....

**Date:** .....