

## **STANDARDS COMMITTEE**

### **Minutes of a meeting of the Standards Committee held on Tuesday, 19 November, 2013 at 6.00 pm at Darby House, Telford**

**PRESENT:** Councillors N A M England (Chair), S. Davies and M B Hosken

#### **ST-05      MINUTES**

**RESOLVED** – that the minutes of the meeting held on 10 July 2013 be confirmed and signed by the Chair.

#### **ST-06      APOLOGIES FOR ABSENCE**

Councillors R C Evans, T J Hope, R T Kiernan and A D McClements

#### **ST-07      DECLARATIONS OF INTEREST**

None.

#### **ST-08      STANDARDS UPDATE FROM THE MONITORING OFFICER**

The Legal Services Manager and Deputy Monitoring Officer presented a report which provided the Committee with an update on matters relating to the ethical framework since the last meeting in July 2013.

Since the last report to the Committee, two new formal Code of Conduct complaints against Parish/Town Councillors had been received. Neither complaint had been referred for investigation, and consultation with the Independent Person, Michael Tebbutt, had taken place where appropriate. In addition, the Monitoring Officer and Deputy Monitoring Officer had continued to give advice and information to elected members, the public and officers from both the Borough and Parish Councils on Code of Conduct matters. The Chair of the Committee had reviewed recent complaints and the assessments undertaken by the Monitoring Officer.

A “refresher” training session for Borough Councillors was taking place on 20 November, and would focus on personal interests, pre-determination and bias as well as identifying any emerging issues from the new ethical framework. The Chair advised that it was an opportunity for Members to provide feedback on what they wanted in terms of support and advice on standards and ethics. Feedback from the training session would be provided at the next meeting of the Committee. On 5 November 2013, the Council had hosted a development seminar for the Independent Person from all West Midlands authorities. This had been attended by the Independent Person for Telford & Wrekin and his Reserve, as well as the Monitoring Officer. Feedback from this event had been very positive.

Appended to the report was recent guidance issued by the Department for Communities & Local Government on “Openness and Transparency on Personal Interests”. It was designed to give basic, practical information to help councillors when registering their personal interests. This now included a requirement to specify trade union membership on the register of interests form. While this was not a legal

requirement, all Members needed to be aware of the guidance – and it would be reported at the training session on 20 November.

**RESOLVED - that the report be noted.**

The meeting ended at 6.12pm

**Chairman:** .....

**Date:** .....

**TELFORD & WREKIN COUNCIL**

**STANDARDS COMMITTEE – 8<sup>th</sup> July 2014**

**STANDARDS UPDATE FROM THE MONITORING OFFICER**

**REPORT OF ASSISTANT DIRECTOR: LAW, DEMOCRACY AND PEOPLE SERVICES**

**1. PURPOSE**

To update the Committee on matters relating to the ethical framework since the last Standards Committee meeting in November 2013 and to review the Committee's terms of reference.

**2 RECOMMENDATIONS**

**2.1 That the Committee review the Terms of Reference and decide if any changes are required;**

**2.2 That the report is noted.**

**3. SUMMARY**

3.1 There have been 2 new Code of Conduct complaints made since the last report to this Committee was prepared, neither have been referred for investigation.

**4. PREVIOUS MINUTES**

4.1 Standards Committee – 13<sup>th</sup> December 2012, 19<sup>th</sup> September 2012, 10<sup>th</sup> July 2013, 19<sup>th</sup> November 2014

**5. INFORMATION**

5.1 The Monitoring Officer provides updates on the following matters

Standards Committee Terms of Reference

Every year this Committee reviews its terms of reference. The Committee is asked to consider whether provisions attached at Appendix 1 are fit for purpose or in need of updating. The Monitoring Officer is not proposing any changes to the Terms of Reference at present.

## Complaints

There have been 2 formal complaints received since the last meeting in November 2013, further details are below.

Time Period	Number of complaints	Complaints against Borough Councillors	Complaint against Parish/ Town Councillors	Outcome: No Further Action	Outcome: Further action/ investigation
November 2013 – July 2014	2 (one of these related to two Cllrs)	0	2 (In the complaint against 2 Cllrs they were also Borough Cllrs)	2	0

In addition to these formal complaints the Monitoring Officer and Deputy Monitoring Officer have again continued to give advice and information to elected members, members of the public and officers from both the Borough and Parish Councils on Code of Conduct matters.

## Training

A training session for Borough Councillors took place on 20<sup>th</sup> November at Addenbrooke House. The training was provided by the Monitoring Officer and Deputy Monitoring Officer. Our records show that 24 Borough Councillors attended. There was little in the way of feedback but some advice on Interests was addressed after the training. Unless there are any significant changes to the ethical framework, it is proposed that no further Code of Conduct training will be provided until after the 2015 local elections. However, individual councillors can ask the Monitoring Officer for information and training at any time.

## The 'Independent Person'

As mentioned in the last report, the Independent Persons attended training from Hoey Ainscough on 5<sup>th</sup> November. This was a training session hosted by Telford & Wrekin. Feedback from the training was good.

The annual subscription to Hoey Ainscough to provide independent support to the Independent Persons and advice and support to the Monitoring Officer has been renewed for a further year.

## **5.2 Equal Opportunities**

No implications

## **5.3 Environmental Impact**

None

## **5.4 Legal Comment**

The statutory requirements for a Code of Conduct and ethical framework for Councillors is set out at part 1, chapter 7 of the Localism Act 2011. Any changes to the terms of reference must comply with this legislation.

## **5.5 Links with Corporate Priorities**

The work of the Committee contributes to the Council's co-operative values of openness and honesty, fairness and respect and ownership.

## **5.6 Opportunities and Risks**

Risks relating to this particular report are low provided statutory provisions are followed.

## **5.7 Financial Implications**

The cost of standards investigations together with the management and administration of the Standards Committee are met from within the Legal Services revenue budget. The renewal of the Hoey Ainscough subscription was also met from the Legal services budget. Any variations will be reported as part of the financial monitoring process. No other financial implications arise from this report.

## **6. WARD IMPLICATIONS**

No ward specific implications

## **7. BACKGROUND PAPERS**

None

**Report prepared by Matthew Cumberbatch, Legal Services Manager.  
Telephone 01952 383255**

## ***Standards Committee***

(including the Hearings Sub Committee)

The Committee has the responsibility on behalf of the Council for dealing with, and oversight of the Council's ethical governance.

### **TERMS OF REFERENCE**

#### **STANDARDS COMMITTEE**

1. To promote and maintain high standards of conduct by members and co-opted members of the Council.
2. To support Town and Parish Councils within the Borough to promote and maintain high standards of conduct by members and co-opted members of the Council.
3. To recommend to Council the adoption of a code dealing with the conduct that is expected of members and co-opted members of the Authority.
4. To keep the code of conduct under review and recommend changes/ replacement to Council as appropriate.
5. To publicise the adoption, revision or replacement of the Council's Code of Conduct.
6. To oversee the process for the recruitment of an Independent Person (and up to 2 reserves) and make recommendations to Council for their appointment.
7. To receive reports from the Monitoring Officer about:-
  - 7.1 complaints;
  - 7.2 the progress and outcome of investigations; and
  - 7.3 the establishment and maintenance of the register of interests of members and co-opted members of the Borough and Town and Parish Councils within the Borough boundaries;
  - 7.4 dispensations granted to members and co-opted members of the Council

#### **HEARINGS SUB COMMITTEE**

1. To consider investigation reports in respect of Code of Conduct complaints that are referred to them by the Monitoring Officer.
2. To report its findings to the Borough Council, Town or Parish Council, as appropriate for information.

3. Where a breach is found. to make decisions about sanctions including:-
  - 3.1. To make recommendations to the relevant Group Leader regarding future membership of committees and sub committees;
  - 3.2. To make recommendation to Council regarding the removal of a non aligned member from membership of committee and sub-committees;
  - 3.3. To make recommendations to the Leader of the Council regarding the removal of a member from Cabinet, or the removal of portfolio responsibilities;
  - 3.4. To instruct the Monitoring Officer to arrange training for a Borough Council member;
  - 3.5. To remove a member from all outside appointments to which he/ she has been appointed or nominated by the Council; and
  - 3.6. To withdraw facilities provided to the member or exclude the member from defined premises (except as necessary for the member to attend formally constituted council meetings).
4. To consider applications for dispensations where:-
  - 4.1. The dispensation is in the interests of persons living in the Borough of Telford & Wrekin area; or
  - 4.2. It is otherwise appropriate to grant a dispensation.

## **PROCEDURE**

1. As a general rule the [Council Procedure Rules](#) govern the way that committees operate but these may be varied or suspended<sup>1</sup> at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee.
2. Separate procedures will apply when the committee is undertaking administrative or quasi-judicial functions, as below:-

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<sup>1</sup> With the exception of paragraph 12