

# STANDARDS

## Committee

8th April 2013

## MINUTES

### Present:

Councillor Pat Witherspoon (Chair), Councillor Michael Braley (Vice-Chair) and Councillors Phil Mould, Debbie Taylor and Derek Taylor

### Also Present:

Michael Collins (Independent Observer), Megan Harrison (Independent Person) and Fiona Hawker (Feckenham Parish Council Representative – non-voting co-opted)

### Committee Services Officer:

D Parker-Jones

### 18. WELCOME - MEGAN HARRISON

The Chair welcomed Mrs Megan Harrison and introduced her to the members of the Committee.

Mrs Harrison was the Independent Person appointed by the authority under the new standards regime and was present to observe the Committee.

### 19. APOLOGIES

There were no apologies for absence.

### 20. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 21. MINUTES

The minutes of the meeting of the Standards Committee held on 12th December 2012 were submitted.

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Chair

### RESOLVED that

**the minutes of the meeting of the Standards Committee held on 12th December 2012 be confirmed as a correct record and signed by the Chair.**

## 22. MONITORING OFFICER'S REPORT

Members received a report from the Monitoring Officer (MO) outlining the current position in relation to matters of relevance to the Committee.

The Democratic Services Officer (DSO) presented the report and responded to Members' questions.

A concern was raised by one Member that, in the interests of natural justice, the membership of an Assessment Sub-Committee should be made known to the subject Member; a concern which the Member concerned stated he had previously raised with both the Monitoring Officer and Deputy Monitoring Officer. It was the Member's view that subject Members had a right to know who was considering a complaint against them, and also that the subject Member should be able to raise any concerns in relation to the membership of an Assessment Sub-Committee if they were unhappy with this.

The Chair highlighted the role of the Assessment Sub-Committee, which was to determine whether, in the absence of any local resolution of a complaint, the matter should be referred for investigation. It was not the Sub-Committee's role to determine whether there had been a failure by the subject Member to comply with the Code of Conduct.

The DSO reminded Members that matters relating to a complaint would normally remain confidential until such time as, in the event of a formal investigation taking place, the investigation had been completed and the Investigating Officer's findings were made known. She added that, at the point of a complaint being referred to an Assessment Sub-Committee, she personally was required to check that none of the Sub-Committee members had a particular interest in the matter at hand, including any of the parties involved in the complaint, which would in turn affect their ability to consider the complaint.

The Independent Observer commented that the lack on independent members under the new regime did not help the situation, which it was noted was a change brought about by the Localism Act 2011. The Parish Council Representative asked whether it would assist matters if Members were asked whether

they had objections to any particular Members considering a complaint against them, which could be referred to on receipt of a complaint.

The DSO confirmed that she would take back the comments raised to the MO.

In relation to Member Training, the Independent Observer asked whether he could be provided with details of the content of the Safeguarding Children and Vulnerable Adults training session, which he might wish to attend. The DSO agreed to obtain the relevant details and to forward these on to him.

**RESOLVED that**

**subject to the required follow-up action by the Democratic Services Officer as detailed in the preamble above, the report of the Monitoring Officer be noted.**

**23. PARISH COUNCIL REPRESENTATIVE'S REPORT**

The Feckenham Parish Council Representative apologised for her and the Deputy Parish Representative's absence from the last meeting owing to work commitments.

She advised that Mr Wreide Poole was due to take over the role of Deputy Parish Representative and that he would hopefully be in a position to attend the next meeting of the Committee to observe.

She added that no complaints had been made against Feckenham Parish Councillors and that the Parish Council had adopted its own Code of Conduct. One dispensation had been granted to the Parish Councillors which had enabled them to discuss and vote on budget and precept matters.

The Chair asked how frequently the Parish Council met. The Parish Representative confirmed that this was usually 9 or 10 times a year. There were usually 7 Feckenham Parish Councillors, with 1 vacancy at present.

The Democratic Services Officer reminded the Parish Representative that the Parish Council was required to notify the Electoral Services team of any councillor change, including any resulting vacancies and co-options.

**RESOLVED that**

**the Parish Council Representative's report be noted.**

### 24. REVIEW OF OPERATION OF THE COMMITTEE

Members reviewed the general operation of the Committee since the establishment of the new Standards Committee in July 2012. It was also noted that a report on a 12 month review of the new regime was due to be considered by the Committee at its meeting on 25th July 2013.

The comments raised earlier in the meeting in relation to Assessment Sub-Committees were noted.

Members felt that it would be sensible to increase the size of the Committee, to assist in both meeting a quorum for a meeting and allowing flexibility with Sub-Committee memberships.

It was agreed that the Monitoring Officer be asked to take forward to the Annual Meeting of the Council in May a possible increase in size of the membership of the Standards Committee, as part of the consideration of the Appointment of Committees report.

**RESOLVED that**

**the comments detailed in the preamble above be noted and the Monitoring Officer be asked to take forward to the Annual Meeting of the Council in May the proposal to increase the size of the membership of the Standards Committee.**

### 25. CALENDAR OF MEETINGS 2013/14

Members were asked to note the agreed dates for the meetings of the Committee for the 2013/14 Municipal Year.

**RESOLVED that**

**the meeting dates be noted.**

### 26. WORK PROGRAMME

Members considered the future Work Programme of the Committee.

**RESOLVED that**

**the Work Programme be approved.**

# **STANDARDS**

Committee

8th April 2013

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The Meeting commenced at 7.00 pm  
and closed at 7.39 pm

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Chair