

Standards Committee

Mon 8 Apr
2013
7.00 pm

Committee Room 2
Town Hall
Redditch



www.redditchbc.gov.uk

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- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:
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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact
Debbie Parker-Jones
Democratic Services Officer**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 881411 Fax: (01527) 65216
Email: d.parkerjones@bromsgroveandredditch.gov.uk**

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

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Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.



Standards

8th April 2013

7.00 pm

Committee

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs: Pat Witherspoon (Chair) Debbie Taylor
 Michael Braley (Vice-Chair) Derek Taylor
 Phil Mould

<p>1. Apologies and substitutes</p>	<p>To receive the apologies of any Member who is unable to attend this meeting and notification of any substitutes.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interests they may have in items on the agenda.</p>
<p>3. Minutes (Pages 1 - 8) Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Standards Committee held on 12th December 2012. (Minutes attached)</p>
<p>4. Monitoring Officer's Report (Pages 9 - 12) Head of Legal, Equalities and Democratic Services</p>	<p>To receive a report from the Monitoring Officer on any matters of relevance to the Committee. (Report attached) (No Direct Ward Relevance)</p>
<p>5. Parish Council Representative's Report (if any)</p>	<p>To consider any report from the Feckenham Parish Council Representative on any matters of relevance to the Committee. (Oral report) (Astwood Bank & Feckenham Ward)</p>
<p>6. Review of Operation of the Committee (Pages 13 - 16) Head of Legal, Equalities and Democratic Services</p>	<p>To review the general operation of the Committee since the new Standards Committee was established in July 2012. (Report attached) (No Direct Ward Relevance)</p>

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<p>7. Calendar of Meetings 2013/14</p> <p>Head of Legal, Equalities and Democratic Services</p>	<p>Members are asked to note the following agreed dates for the meetings of the Committee for the 2013/14 Municipal Year:</p> <ul style="list-style-type: none">• Thursday 25th July 2013;• Thursday 24th October 2013;• Thursday 23rd January 2014; and• Thursday 17th April 2014. <p>All meetings will commence at 7.00pm unless special arrangements are agreed with the members of the Committee.</p> <p>(No Direct Ward Relevance)</p>
<p>8. Work Programme</p> <p>(Pages 17 - 22)</p> <p>Head of Legal, Equalities and Democratic Services</p>	<p>To consider and review the Committee's Work Programme.</p> <p>(Report attached)</p> <p>(No Direct Ward Relevance)</p>
<p>9. Exclusion of the Public</p>	<p>Should it prove necessary, in the opinion of the Chief Executive, to exclude the public from the meeting at any point during the proceedings in relation to any item(s) of business on the grounds that either exempt and/or confidential information is likely to be divulged, the following resolution(s) will be moved:</p> <p>"That under Section 100 I of the Local Government Act 1972, as amended, it/they involve the likely disclosure of <u>exempt</u> information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being (<i>...to be specified by the Chairman at the meeting</i>), and that it is in the public interest to do so.", and/or</p> <p>"That under Section 100 A of the Local Government Act 1972, as amended, it/they involve the likely disclosure of <u>confidential</u> information which would be in breach of an obligation of confidence."</p>



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MINUTES

Present:

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

Also Present:

Councillor Andrew Fry and Michael Collins (Independent Observer)

Officers:

C Felton and C Flanagan

Committee Services Officer:

D Parker-Jones

11. APOLOGIES

Apologies for absence were received from Councillor Derek Taylor, Fiona Hawker (Feckenham Parish Council Representative) and Patrick Hawkins (Deputy Feckenham Parish Council Representative).

12. DECLARATIONS OF INTEREST

There were no declarations of interest.

13. MINUTES

The minutes of the meetings of the Standards Committee held on 16th July 2012 and 22nd October 2012 were submitted.

It was noted that, in relation to the meeting held on 22nd October 2012, Councillors Pat Witherspoon and Debbie Taylor had not been present at the meeting as they were the subject of reports which appeared on the agenda for the meeting.

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Chair

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RESOLVED that

the minutes of the meetings of the Standards Committee held on 16th July 2012 and 22nd October 2012 be confirmed as correct records and signed by the Chair.

14. 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 MO advised that, in relation to the appointment of Ms Megan Harrison as an Independent Person (IP) under the new standards regime, the Committee had previously agreed that should any conflict ever arise regarding Ms Harrison's ability to deal with a complaint then it would be possible to utilise the services of one of Bromsgrove District Council's IPs, and vice versa. The MO added that, with this in mind, there had already been an occasion whereby a Bromsgrove IP had assisted her in handing a Redditch complaint.

It was queried why Ms Harrison was not present at the meeting that evening. The MO responded that Ms Harrison was not a member of the Committee and that, for the most part, she should remain independent of this. However, if at any point a complaint could not be managed locally by the MO and IP, the IP would become involved at any Committee hearing stage. It was further noted that Ms Harrison was sent, for information, a copy of all Committee agendas, and that she had been advised that she was welcome to observe any meetings of the Committee should she so wish.

The roles of the Feckenham Parish Council Representative and Independent Observer on the Committee, as detailed in the report, were noted.

The MO reported that Member training was proceeding well and that she had spoken with the political Group Leaders regarding possible training for the 2013/14 Municipal Year. Group Leaders had been asked to speak with their Members on any training wishes and it was hoped that the dates for the 2013/14 Member training programme would be agreed in January.

RESOLVED that

the report of the Monitoring Officer be noted.

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15. PARISH COUNCIL REPRESENTATIVE'S REPORT

Officers reminded Members that, owing to work commitments, both the Parish Representative and her Deputy had regrettably had to tender their apologies for the meeting. No issues of concern in relation to the Parish Council had been raised by the Parish Representatives for discussion at the meeting.

RESOLVED that

the position be noted.

16. LOCALISM ACT 2011 - NEW STANDARDS REGIME - DISPENSATIONS AND COMPLAINTS PROCESSES

The Committee considered a report on the granting of general dispensations under s33 of the Localism Act 2011 and under the Members' Code of Conduct, to enable Members to participate and vote on matters under consideration at meetings in certain circumstances. The report also sought approval of guidelines for both the conduct of investigations into allegations of breach of the Members' Code of Conduct, and of a Hearing following such an investigation. Members' views were also sought on the management and investigation of complaints and when information in this regard should be made public.

(i) Dispensations

Officers explained that there had been some debate nationally as to whether such dispensations were required. Following discussions with County colleagues it was felt that there was some ambiguity in this regard and that it was therefore best to bring this to Members should any issues arise in this regard in the future.

The Monitoring Officer (MO) explained that blanket dispensations no longer applied under the Localism Act and Members who may have a Disclosable Pecuniary Interest (DPI) in a matter under consideration, and who would therefore otherwise be precluded from participating and voting on the matter, were now required to make a written request for dispensation. Full Council had delegated to the Standards Committee the consideration of whether to grant a dispensation, and rather than taking each individual request for dispensation to the Committee the MO was seeking Members' approval for general dispensations to be granted in certain circumstances.

The MO considered that general dispensations might be required where the business of a meeting was the setting of Council Tax, Council Rents or Members' Allowances. In order to satisfy this

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requirement it was proposed that the MO would circulate to all members of the Council a request form seeking such dispensations. Officers advised that they would likely draft a single form for all Members to sign prior to consideration of the budget.

Subject to the Committee's approval of the grant of general dispensations in the circumstances outlined, and on receipt of a written request from a Member for dispensation, the dispensations would take effect until the first Standards Committee meeting following the Borough Council Elections in 2014.

The Committee approved the granting of general dispensations in the above circumstances, save for Councillor Braley who requested that it be recorded that he had voted against this.

The Committee's approval was also sought on the grant of a general dispensation where a Member with a DPI in a matter under consideration could address Council and committees in circumstances where a member of the public may elect to speak. Such an exemption had applied under the previous standards regime but had not transferred under the Localism Act. All Members supported a general dispensation in these circumstances and the MO advised that in such cases the Member seeking dispensation would need to make an individual written request for dispensation, which would be kept on file for future reference.

(ii) Investigation guidelines

Members considered the draft Guidelines for the conduct of Investigations into allegations of breach of the Code of Conduct at Appendix 1 to the report.

The MO provided clarifications on various aspects of the guidelines and in doing so advised that, as part of any investigation and, if appropriate, subsequent pre-hearing process, Subject Members would be given the opportunity to respond on any issues raised, as would also be the case at any resulting hearing.

In response to a Member's query concerning point 8 of the guidelines (Referrals from the IO to the MO for further guidance) the MO clarified that if, during the course of an investigation (and in particular where the complainant were a member of the public and therefore less aware of the system for councillors), it became apparent that what had been complained about was not the actual problem and it was possible to better align aspects of the original complaint to other Code of Conduct issues (but still within the context of the original complaint), the matter could be taken back to the MO for consideration as to the implications of this for the investigation, with a view to determining whether the scope of the

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investigation should be increased. She added that this did not apply to any totally new issues which might arise during the course of an investigation, which would need to be the subject of a separate complaint.

It was further noted that if a counter allegation of inappropriate behaviour were made by the Subject Member against the complainant (where the complainant were a councillor) then that could only be investigated if a separate formal complaint were made to the MO.

(iii) Local Hearing Procedure

Members considered the draft procedure in relation to Hearings following an investigation into allegations of breach of the Code of Conduct at Appendix 2 to the report.

In relation to point 20 (Sanctions), it was noted that, following a finding of breach of the Code, the Subject Member would be given an opportunity to address the Hearings Sub-Committee on whether a sanction should be imposed and what form any such sanction should take. This would allow the Subject Member to acknowledge any wrong doing and provide them with an opportunity to suggest how they might be able to put matters right.

Regarding the written decision outlined at point 22, the Committee felt that they would like to see some sort of timeframe included for the issue of such decisions. The MO stated that Officers would always aim to issue written decisions at the earliest opportunity. It was therefore agreed that Officers would aim to issue these within 5 working days following a hearing. It was further noted that Officers would need to establish a general template for written decisions prior to the first hearing as the previous format which followed the former Standards for England model was very lengthy.

The Committee agreed that, as a general principle, hearings should be held in public unless there was good reason for any elements of these to remain private, such as Access to Information or Data Protection issues.

On a general note, Members requested that the process for dealing with complaints be as quick as possible from start to finish, as the process was felt to have a significant effect on some Members. The MO stated that there had been many constraints under the old regime which were no longer in place, and that it was her aim to resolve as many complaints as possible in the early stages, with as few hearings as possible taking place. Members requested that all parties be kept informed as to any delays which might arise during the process, together with the reasons for any such delays.

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(iv) Making findings public / Management of complaints

The MO stated that, as a general rule, it was proposed that once any formal investigation had been completed and the Investigating Officer's finding was known the complaint could be made public. If any party wished to make a request for either anonymity or confidentiality in relation to any aspect of a complaint then they could do so and this would be considered by the MO or by the Hearings Sub-Committee where a matter progressed to hearing stage. Members supported this approach.

The MO proposed that a similar approach be adopted in relation to the reporting of complaints. She stated that she had, where possible, been managing complaints locally with the Independent Person and without the need for hearings. The MO sought Members' input as to what they wanted her to do with such complaint information and how this should be reported.

Save for cases where, as part of local resolution, a Member might need to make a public apology for their actions, or where there was a specific issue which the MO felt the Committee needed to be made aware of, Members agreed that the MO should only report to the Committee on the numbers of locally managed and resolved complaints, together with any general 'trends' which might be emerging in relation to complaints. In locally resolved complaints therefore the specific complaint details would not be reported on or made public.

RESOLVED that

- 1) **a dispensation under Section 33 (2) (a) of the Localism Act 2011 and under the Council's Code of Conduct, to allow all Members to participate in and vote at Council and committee meetings when considering the setting of Council Tax, Council Rents and Members' Allowances, on receipt of a written request from Members for a dispensation and where Members may have a Disclosable Pecuniary Interest in the matter under consideration, which would otherwise preclude such participation and voting be granted;**
- 2) **a dispensation under Section 33 (2) (c) and (e) of the Localism Act 2011 and under the Council's Code of Conduct to allow Members, who would otherwise be prevented from doing so, due to having a Disclosable Pecuniary Interest in the matter under consideration, to address Council and committees in circumstances where a Member of the public may elect to speak be**

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granted;

- 3) the dispensations referred to at 1) and 2) above be valid until the first Standards Committee meeting after the Borough Council Elections in 2014;
- 4) subject to the comments in the preamble above, the Guidelines for the conduct of Investigations into allegations of breach of the Code of Conduct at Appendix 1 to the report be approved;
- 5) subject to the comments in the preamble above, the Local Hearing Procedure on the conduct of a Hearing following an investigation into an allegation of breach of the Code of Conduct at Appendix 2 to the report be approved, with (subject to resolution 7) below) any Hearings normally taking place in public;
- 6) the details of any complaints managed and resolved locally by the Monitoring Officer, without the need for a formal investigation, should not be made public, and that only the numbers and general trends of any such complaints be reported to the Standards Committee; and
- 7) in relation to all other complaints, the process of the management and investigation of those complaints should not be public information until any formal investigation process has been completed and the Investigating Officer's finding is known, when information on the parties, the complaint and the outcome should be publicly available, unless any party makes a request for either anonymity or the details of a complaint to remain confidential and in exceptional circumstances the Monitoring Officer considers it appropriate for such information to be withheld from the public or which, in the case of a hearing, the Hearings Sub-Committee may determine as a preliminary issue at the hearing.

(Cllr Braley requested that it be recorded that he had voted against resolution 1) above.)

17. WORK PROGRAMME

Members considered the future Work Programme of the Committee.

It was noted that as the meeting that evening was an additional meeting, it might not prove necessary for the 14th January 2013

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meeting to proceed. The Monitoring Officer stated that she was currently managing some local issues which might need to be reported to the Committee in January, and that Officers would therefore update Members as early as possible in the New Year as to whether or not the January meeting needed to proceed.

RESOLVED that

subject to noting the position in respect of the meeting of the Committee scheduled to take place on 14th January 2013, the Work Programme be approved.

The Meeting commenced at 5.00 pm
and closed at 6.05 pm

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Chair

REDDITCH BOROUGH COUNCIL**STANDARDS
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MONITORING OFFICER'S REPORT

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management
Portfolio Holder consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and Monitoring Officer
Wards affected	All Wards
Ward Councillor consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report sets out the position in relation to key matters which are of relevance to the Standards Committee.
- 1.2 It is proposed that a report of this nature be presented to each meeting of the Committee to ensure that Members are kept updated as to any relevant developments.
- 1.3 Any further updates arising after publication of this report will be reported orally at the meeting.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

the report of the Monitoring Officer be noted and commented upon as appropriate.

3. KEY ISSUES**Financial Implications**

- 3.1 There are no financial implications arising out of this report.

Legal Implications

- 3.2 The Localism Act became law on 15th November 2011. Chapter 7 of Part 1 of the Localism Act 2011 introduced a new standards regime effective from 1st July 2012. The Act places a requirement on authorities to promote and maintain high standards of conduct by Members and co-opted (with voting rights) Members of an authority. The Act also requires the authority to have in place arrangements under which allegations that either a district or parish

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councillor has breached his or her Code of Conduct can be investigated, together with arrangements under which decisions on such allegations can be made. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 were laid before Parliament on 8th June 2012 and also came into force on 1st July.

Service / Operational Implications

Member Complaints

- 3.3 A total of 3 Member to Member complaints were received between the commencement of the new standards regime in July and the end of December 2012.
- 3.4 Two of the complaints were resolved locally and one was referred to the Standards Assessment-Sub-Committee for a decision on whether to investigate. The Sub-Committee determined that the complaint in question should be referred to the Monitoring Officer for investigation.

Event for Monitoring Officers and Independent Persons

- 3.5 An event took place at County Hall on 23rd January 2013 which provided an opportunity for Independent Persons and Monitoring Officers throughout the county to meet to discuss the Independent Person role. This was attended by the Monitoring Officer and Deputy Monitoring Officer.

Member Training

- 3.6 A full programme of Member development opportunities has been offered during the year. The main areas covered were:
- Data Protection and Freedom of Information;
 - Introduction to the new Standards regime and Code of Conduct, as well as the new Standards Committee arrangements. These sessions were well attended by Borough Councillors and one representative of Feckenham Parish Council.
 - Training on regulatory functions including a mock Licensing hearing;
 - Introductions to the work of various committees including Audit and Governance;
 - Questioning and listening skills for overview and scrutiny; and
 - Personal health and safety for councillors.

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- 3.7 The Member Support Steering Group met in February and agreed that 2013/14 should concentrate on the quasi-judicial and regulatory functions. Training will also be arranged on Safeguarding Children and Vulnerable Adults. The induction process for new Councillors will be reviewed ready for the Borough Council elections in 2014.

Parish Council matters

- 3.8 A Monitoring Officer Liaison Meeting for the Redditch and Bromsgrove Parish Council Clerks and Executive Officers (EOs) took place on 21st March 2013. This provided an opportunity for Clerks/EOs to raise any queries/issues on matters within the Monitoring Officer's remit, including Standards, Elections and Democratic Services.
- 3.9 The Democratic Services Officer (DSO) for Standards now also acts as the Parish Councils' Liaison Officer. This role serves as a point of contact for the Parish Clerks/EOs who have difficulties in contacting Borough Council Officers, either direct or via the Worcestershire Hub, on any matters. An emailing explaining the position has been sent to all Clerks/EOs.

Customer / Equalities and Diversity Implications

- 3.10 Any process for managing standards of behaviour for elected and co-opted Councillors must be accessible to the public. It is therefore proposed that an impact assessment will be carried out on the complaints process when established, to ensure accessibility.
- 3.11 In addition, it is proposed that the new arrangements will be publicised on the Council's website and that Officers will work to ensure that members of the public are made aware of the process for making a complaint through all existing community engagement events.

4. RISK MANAGEMENT

The main risks associated with the details included in this report are:

- Risk of challenge to Council decisions; and
- Risk of complaints about elected Members.

5. APPENDICES

None

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6. BACKGROUND PAPERS

Chapter 7 of the Localism Act 2011
Standards report to Full Council on 21st May 2012

AUTHOR OF REPORT

Name: Debbie Parker-Jones
Email: d.parkerjones@redditchandbromsgrove.gov.uk
Tel: 01527 881411

STANDARDS COMMITTEE

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REVIEW OF OPERATION OF THE COMMITTEE

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and Monitoring Officer
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

Members are requested to review the general operation of the Committee since the new Standards Committee was established in July 2012.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that
subject to any comments, the report be noted.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications associated with the contents of this report.

Legal Implications

- 3.2 There are no legal implications associated with the contents of this report.

Service / Operational Implications

Background

- 3.3 The new standards regime under the Localism Act 2011 came into force on 1st July 2012.
- 3.4 A copy of the Committee's Terms of Reference, as agreed by full Council, are attached at Appendix 1 to the report.

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Review of Operation of the Committee

- 3.5 The previous Standards Committee reviewed, on an annual basis, the general operation of the Committee. This report is before Members as it is anticipated that the new Committee will wish to do the same. Such a review would normally take place at the March meeting; that being the final meeting of the current municipal year and the last meeting prior to any changes in the borough councillor membership of the Committee agreed after the Annual Meeting of Council in May.
- 3.6 Reviewing the general operation of the Standards Committee is beneficial as it provides both Members and Officers with an opportunity to reflect on any key issues that may have arisen in relation to the Committee's practices and procedures over the preceding year, and to consider whether any consequential changes are required in the light of such issues.
- 3.7 One aspect that Members might wish to give some consideration to is the size of the current Standards Committee. The Committee comprises 5 Members, with the quorum for a meeting being 4 Members. Some difficulties were recently encountered in establishing a meeting of one of the Assessment Sub-Committees. Certain of the Sub-Committee Members and other Standards Committee Members were conflicted out of considering a complaint. This resulted in a non-Standards Committee Member substituting on the Assessment Sub-Committee. An increased membership of the Committee may assist in avoiding similar occurrences in the future. Any increase in size of the Committee would require full Council approval.
- 3.8 A separate report providing for a 12 month review of the new standards regime will be referred to the Committee for consideration in July.

Customer / Equalities and Diversity Implications

- 3.9 The Standards Committee is responsible for promoting and maintaining high standards of behaviour among Members and its work is therefore key to ethical governance arrangements in place within the Council.
- 3.10 Under the Localism Act 2011 the Council has a responsibility to promote and maintain high standards of conduct by Members and co-opted Members of the authority.
- 3.11 Reviewing the general operation of the Standards Committee assists the Committee in being proactive in fulfilling its role in ethical governance under the local standards framework.

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4. **RISK MANAGEMENT**

There are no risk implications associated with the contents of this report.

5. **APPENDICES**

Appendix 1 - Standards Committee Terms of Reference.

6. **BACKGROUND PAPERS**

None

7. **KEY**

Not applicable

AUTHOR OF REPORT

Name: Debbie Parker-Jones
Email: d.parkerjones@bromsgroveandredditchbc.gov.uk
Tel: 01527 881411

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APPENDIX 1**STANDARDS COMMITTEE TERMS OF REFERENCE**

Terms of Reference	<p>The Standards Committee will have the following roles and functions:</p> <ol style="list-style-type: none"> a. promoting and maintaining high standards of conduct by Councillors and any co-opted members of Council bodies; b. assisting the Councillors and co-opted members to observe the Members' Code of Conduct; c. advising the Council on the adoption or revision of the Members' Code of Conduct; d. monitoring the operation of the Members' Code of Conduct; e. advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct; f. granting dispensations to Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct; g. dealing with any report from the Monitoring Officer following an investigation into a complaint concerning the Members' Code of Conduct; h. considering and determining allegations that a Councillor or co-opted Councillor may have failed to follow the Code of Conduct and where a breach of the Code is established making recommendations as to any sanctions to the appropriate person or body; i. the exercise of g – h above in relation to the Parish Councils in the Council's area and the members of those parish Councils; j. monitoring, and reviewing the operation of the Protocol on Member-Officer relations; and k. monitoring and reviewing the operation of the Protocol on Member-Member Relations.
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WORK PROGRAMME

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and Monitoring Officer
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

Members are requested to consider the future Work Programme of the Standards Committee.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

subject to any amendments, the Work Programme be approved.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications associated with the contents of this report.

Legal Implications

- 3.2 There are no legal implications associated with the contents of this report.

Service / Operational Implications

- 3.3 Under the Localism Act 2011 the Council has a duty to promote and maintain high standards of conduct by elected Members and co-opted Members (with voting rights), at both district and parish level. A new Standards Committee has therefore been established to enable the Council to discharge its duties in this regard.
- 3.4 A Work Programme is beneficial to the Committee for the following reasons:

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- (a) to ensure the Committee is fulfilling its role and functions in accordance with the Council's Constitution and any prevailing legislation; and
 - (b) to enable Officers to be proactive in supporting the Committee and for the Committee to be equally proactive in introducing change to ensure the Council is an ethical organisation, which promotes and maintains high standards of conduct of Members, and is an organisation which relates to the community and which continually strives to improve the service it provides.
- 3.5 A copy of the Work Programme, as approved at the first meeting of the new Standards Committee on 16th July 2012 is attached at Appendix 1. The Committee's Terms of Reference, which were approved by Full Council on 21st May 2012, are attached for Members' information at Appendix 2.
- 3.6 The Work Programme will appear as a regular item on all Standards Committee agendas.
- 3.7 Officers will update the Work Programme, as appropriate, in between meetings and in consultation with the Chair of the Committee. Any changes to this will be reported to the next meeting of the Committee, as appropriate. Members of the Committee are welcome to contact Officers at any time with suggestions for the Work Programme.
- 3.8 The Work Programme is linked to the Council's underpinning priority of being a well managed organisation.

Customer / Equalities and Diversity Implications

- 3.9 In terms of customer implications, a Work Programme will assist in informing Members, Officers and the public of the work being undertaken by the Committee in ensuring that the Council is an ethical organisation, which is well managed and is proactively working towards improvement.

4. RISK MANAGEMENT

There are no risk implications associated with the contents of this report.

5. APPENDICES

Appendix 1 - Standards Committee Work Programme
Appendix 2 - Standards Committee Terms of Reference

6. BACKGROUND PAPERS

**STANDARDS
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None

7. KEY

Not applicable.

AUTHOR OF REPORT

Name: Debbie Parker-Jones

Email: d.parkerjones@bromsgroveandredditchbc.gov.uk

Tel: 01527 881411

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APPENDIX 1**STANDARDS COMMITTEE WORK PROGRAMME**

[Note: Any items that it is proposed should be removed from the Work Programme are denoted by a strikethrough, with any new additions and/or rescheduled items appearing in bold italics.]

Meeting date	Item(s) for consideration
25th July 2013	<ul style="list-style-type: none"> • 12 month review of new standards regime, including roles of the Independent Observer and Parish Council Representative on the Committee.
24th October 2013	
23rd January 2014	
17th April 2014	<ul style="list-style-type: none"> • Annual Review of the Operation of the Standards Committee and its Sub-Committees. • Calendar of meetings 2014/15
Date to be agreed	<ul style="list-style-type: none"> • Review of the operation of the Protocol on Member-Officer relations (following consideration by the Constitution Review Working Party). • Review of the operation of the Protocol on Member-Member relations (following consideration by the Constitution Review Working Party).
<p>Note: All meetings of the Committee will include regular items such as:</p> <ul style="list-style-type: none"> • Minutes of previous meeting; • Monitoring Officer's Report; • Parish Council Representative's Report; • Relevant Member complaint/investigation updates; and • Work Programme. 	

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APPENDIX 2**STANDARDS COMMITTEE TERMS OF REFERENCE**

Terms of Reference	<p>The Standards Committee will have the following roles and functions:</p> <ol style="list-style-type: none"> a. promoting and maintaining high standards of conduct by Councillors and any co-opted members of Council bodies; b. assisting the Councillors and co-opted members to observe the Members' Code of Conduct; c. advising the Council on the adoption or revision of the Members' Code of Conduct; d. monitoring the operation of the Members' Code of Conduct; e. advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct; f. granting dispensations to Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct; g. dealing with any report from the Monitoring Officer following an investigation into a complaint concerning the Members' Code of Conduct; h. considering and determining allegations that a Councillor or co-opted Councillor may have failed to follow the Code of Conduct and where a breach of the Code is established making recommendations as to any sanctions to the appropriate person or body; i. the exercise of g – h above in relation to the Parish Councils in the Council's area and the members of those parish Councils; j. monitoring, and reviewing the operation of the Protocol on Member-Officer relations; and k. monitoring and reviewing the operation of the Protocol on Member-Member Relations.
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