



Standards

Committee

8th December 2009

MINUTES

Present:

Independent Members:

D Andrews (Chair), M Collins and B Warwick

Borough Council Members:

Councillors J Field, M Hall, P Mould,

Parish Council Members:

Councillor L Venables

Officers:

S Mullins

Committee Officers:

D Sunman

20. APOLOGIES

Apologies for absence were received on behalf of Councillors A Clayton and Pearce.

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 30th September 2009 be confirmed as a correct record and signed by the Chair subject to the following amendment to Minute 19:

“under Section 81 of the Local Government Act 2000 Regulation 17 of the Standards Committees (Further Provisions) (England) Regulations 2009, a dispensation be granted the Council remove from to all current and future Members of the Feckenham Parish Council for a period of four years from the granting of the dispensation 30th September

.....
Chair

2009 to enable Parish Council Members to speak and vote when transacting business ~~the disability imposed on them in relation to conducting any business relating to the Feckenham Village Amenity Trust.~~

The Standards Committee granted this dispensation because, as a result of the mandatory provisions of the Code of Conduct, more than 50% of the Members of the Parish Council would be ~~disabled~~ prohibited from voting on any business of the Parish Council which related to the Feckenham Village Amenity Trust and this would impede the transaction of the business of the Parish Council."

23. MATTERS ARISING

The Monitoring Officer reported that the Planning Committee, at their last meeting, had not approved the Members' Planning Code of Good Practice. The Committee had requested that an all Member briefing session be held. She reported that this session would be arranged for early 2010 with any suggested amendments being reported to the Standards Committee. She confirmed that the current Members' Code of Good Practice would remain operational until the new Code had been adopted by Council.

24. VISIT FROM REPRESENTATIVES OF BROMSGROVE DISTRICT COUNCIL STANDARDS COMMITTEE

Members were informed that the representatives from Bromsgrove District Council's Standards Committee were unable to attend because of ill health. However, arrangements would be made for them to attend the next meeting of this Committee.

25. STANDARDS BOARD INTERVENTIONS, JOINT STANDARDS COMMITTEES AND DISPENSATIONS

The Committee considered a report on the new Standards Committee (Further Provisions) (England) Regulations 2009 (SI 2009/1255), which came into force from 15th June 2009.

The Monitoring Officer outlined the provisions of the Regulations.

1) Suspension of Standards Committee Functions

Members were informed that the Regulations allow the Standards for England (SBE) to suspend the functions of a local Standards Committee where the Committee has failed to perform its functions satisfactorily. An intervention could be triggered where:

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- a) it is the view that an Authority's Standards Committee has failed:
 - i) to have regard to SBE guidance;
 - ii) to comply with a direction from SBE;
 - iii) to carry out its functions within a reasonable time or in a reasonable manner;
 - b) it is the view that the Authority's Monitoring Officer had failed to carry out his/her functions within a reasonable time or in a reasonable manner;
 - c) the Authority or its Standards Committee has requested the Standards Board to intervene.
- 2) Joint Standards Committee

Officers reported that the Regulations empower Authorities to establish Joint Standards Committees. Where Authorities wish to establish a Joint Standards Committee the full Council of each of the participating Authorities would need to resolve:

to establish the Joint Standards Committee:

- a) which standards functions would be allocated to the Joint Committee and which, if any, would be retained by the Authority's own Standards Committee;
- b) the administrative arrangements to support the Joint Standards Committee;
- c) whether standards complaints should be addressed directly to the Joint Standards Committee, or should continue to be addressed to the individual Authority;
- d) the number of members, including Independent and Parish members, to be appointed to the Joint Standards Committee by each participating Authority, and their terms of office;
- e) make provision for the Joint Standards Committee to appoint members to its Referrals, Review and/or Hearings Sub- Committees, as required;

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- f) provide for payment of allowances to members of the Joint Standards Committee; and
- g) provide a procedure for an Authority to withdraw from the Joint Standards Committee; and
- h) provide how the cost incurred by the Joints Standards Committee should be shared between the participating Authorities (or in default be determined by an arbitrator).

3) Dispensations

The Committee was informed that the Regulations extend the powers of Standards Committees to give Members dispensations where they would otherwise be prohibited on a matter because of a prejudicial interest.

RESOLVED that

- 1) **the changes made by the Regulations be noted;**
- 2) **the creation of a Dispensation Sub-Committee with Terms of Reference as detailed in Appendix 1 of the report be approved;**
- 3) **the Dispensation Application Form and Guidance, attached at Appendix 2 of the report, be approved; and**
- 4) **the Monitoring Officer advise all Members of the new grounds for dispensation in respect of prejudicial interests.**

(The Monitoring Officer to investigate the feasibility of adding an Appeals mechanism to the process and obtain the view of the SBE.)

26. RAISING AWARENESS OF STANDARDS AND THE STANDARDS COMMITTEE WITHIN AND OUTSIDE THE COUNCIL

Members considered a report which sought options for and approaches to raising the profile of Standards and the Standards Committee inside and outside the Council.

RESOLVED that

the following additional options and approaches be pursued:

- 1) **Receiving, assessing and reviewing complaints:**
 - a) **giving information about how to make a complaint to the Citizens Advice Bureau;**
 - b) **having a dedicated website page for standards issues;**
 - c) **engaging in local press interviews; and**
 - d) **placing an article Redditch Matters.**
- 2) **Local Investigations**
 - a) **Informing Members of the results of investigations:**
 - i) **communicating the information to full Council, Group Leaders and Parish Councils;**
 - ii) **ensuring Parish Councils are kept informed;**
 - iii) **using complaint outcomes in training sessions; and**
 - iv) **Sending copies of press releases to all Members.**
 - b) **Informing the public of the results of investigations:**
 - i) **produce a media protocol that sets out publicity issued at the various stages of dealing with complaints.**
- 3) **Promotion of standards of conduct in public life:**
 - a) **Examples of Standards Committee involvement in more specialised training include:**
 - i) **training on member roles, such as what the requirements of being a Parish Councillor or Independent Member are;**
 - ii) **chairing skills;**

- iii) understanding and preparing for interaction with the media;
- iv) equality and diversity.
- b) Examples of training methods and approaches used by Local Authorities:
 - i) in-house training delivered by the Standards Committee or other people in the Local Authority;
 - ii) induction of new Members;
 - iii) group workshops using case study style materials;
 - iv) approaching SBE training materials and attending the Annual Assembly;
 - v) approaching SBE to discuss inviting representatives to speak at meetings or contribute to seminars;
 - vi) joint training events with other Local Authorities;
 - vii) online training on Member's only pages;
 - viii) the Standards Committee be involved in agreeing the Member training and development each year based on feedback from the previous year's programme, discussions with the party whips, and from responses to an annual Members' survey. The programme is split into specific skills training, knowledge based events, 1:1 support and group support.
- c) Meetings of Council:
 - i) placing a standing item about standards on the agenda of other meetings. This ensures that standards issues are regularly discussed and remain at the forefront of the Council;
 - ii) The chair of the Standards Committee or the Monitoring Officer could bring regular

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- updates on the Code and standards' issues to the full Council meeting;
- iii) **Joint meetings of the Standards Committee with other Committees or groups. This includes the Overview and Scrutiny Committee, Audit and Governance Committee. Many Standards Committees also hold regular meetings with their parish groups.**
- d) **Publications:**
 - i) **use of an intranet site;**
 - ii) **Standards Committees having their own section on the Council website and intranet, where news items, training materials, minutes and reports could be published;**
 - iii) **production of an annual report on the Standards Committee's work, to promote standards issues both internally and externally;**
 - iv) **conduct poster campaigns.**
- e) **Informing and engaging the public:**
 - i) **Conduct a survey of public perceptions to gain awareness of current understanding before starting to build up the Standards Committee's profile and, in turn, public confidence.**
- f) **Other ways of promoting standards:**
 - i) **self assessment and standards surveys;**
 - ii) **staging 'ethical awareness weeks', where standards issues are brought to the fore;**
 - iii) **contribute to inductions and training, and ensure that ethical standards are considered in relation to recruitment or performance appraisal procedures.**

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4. Standards Committees and Leadership:

- a) **the Chief Executive attend a Standards Committee meeting once a year to discuss ethical issues.**

27. CHAIR'S / MEMBERS' REPORTS

There were no additional reports from the Chair or other Members of the Committee.

28. PARISH COUNCIL REPORT (IF ANY)

There was no additional report from the Parish Council.

29. WORK PROGRAMME

Members considered the Committee's Work Programme for 2009/10.

RESOLVED that

that a Working Party be convened to formulate a questionnaire which will be sent to Members to canvass their opinion on what they require Standards Committee to do and where the Committee could be more active.

The Meeting commenced at 7.00 pm
and closed at 9.30 pm

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Chair