

STANDARDS COMMITTEE

10.00 A.M.

22ND JANUARY 2009

PRESENT:- Councillors Roger Dennison, Sheila Denwood, Sarah Fishwick,
Janie Kirkman and Roger Sherlock

Independent Members Stephen Lamley (Chairman) and Sue McIntyre

Parish Council Representatives Susan O'Brian and Frank Senior

Apologies for Absence

Independent Members Tony James and David Jordison

Parish Councillor Paul Gardner

Officers in attendance:-

Sarah Taylor	Head of Legal and Human Resources and Monitoring Officer
Ron Matthews	Senior Democratic Support Officer

15 MINUTES

The Minutes of the meeting held on 4th December, 2008 were signed by the Chairman as a correct record.

16 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

17 DECLARATIONS OF INTEREST

There were no declarations of interest.

18 AMENDMENT OF PLANNING PROTOCOL

The Monitoring Officer presented a report informing the Committee that on 19th November, 2008 the Council resolved "That Cabinet Members should not sit on the Planning and Highways Regulatory Committee for items directly related to those which have been previously considered by Cabinet (whether they were at that particular Cabinet or not)". This followed on from a recommendation from the Council's Audit Committee who had proposed the action to avoid any situation where there might be a perception of predetermination or bias.

The risk was referred to in Section 8 of the Council's Protocol on Planning Procedure to which a consequential change was now required. The Monitoring Officer had, therefore, circulated with the report a copy of the original version of the Protocol together with an amended version of Section 8.

Resolved:

That the amendment to the Protocol be noted and welcomed.

19 ATTENDANCE AT ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

The Deputy Monitoring Officer submitted a report on the Annual Assembly of Standards Committees 2008 in Birmingham which she had attended together with the Chairman. The report gave an analysis of the programme over the two days. The cost involved was £430 per person plus accommodation costs of £145 per person.

The Chairman also detailed his experience of the Assembly together with an assessment of its value as a learning exercise.

Resolved:

That having regard to the report of the Chairman and the Deputy Monitoring Officer member attendance at this year's Assembly should not be funded, and that the Council Business Committee be advised accordingly.

20 REVIEW OF COMPLAINT FORM

The Monitoring Officer submitted a report indicating that on 23rd May, 2008 the Committee had approved the content of a form for submitting a Code of Conduct complaint. At that time there was a desire to keep the form as simple as possible.

However, in considering a complaint in October, 2008, the Assessment Sub-Committee took the view that the complainant had not supplied sufficient information to enable it to make a decision as to whether the complaint should be referred for investigation or other action. The Sub-Committee had therefore requested that the Monitoring Officer review the complaint form with a view to drawing a complainant's attention to the need to supply as much information as possible.

The Monitoring Officer had, therefore, drafted some additional text for inclusion at the top of the complaint form and also at section 4 of the form. The complaint form, with the proposed additional text highlighted, was circulated with the report for the Committee's consideration.

Resolved:

That the Committee approve the amended Complaint Form, as included in the agenda.

21 THE CASE TRIBUNALS (ENGLAND) REGULATIONS 2008

The Monitoring Officer introduced a report confirming that the Case Tribunals (England) Regulations 2008 came into force on the 12th December 2008. These complemented the Standards Committee (England) Regulations 2008 and made provision for the Adjudication Panel for England to have the full range of powers available when considering a complaint referred to them.

Previously the Adjudication Panel only had powers to impose more severe sanctions.

Resolved:

That the report be noted.

22 WHISTLEBLOWING POLICY

The Monitoring Officer reported that the Council's Whistleblowing Policy had been introduced in 1999 and subsequently amended in September 2002 following consultation with the Joint Consultative Committee.

The terms of reference of the Standards Committee included "monitoring and reviewing as necessary the operation of the Council's Whistleblowing Policy". The policy had been little used over recent years and it was now proposed to update the policy and publicise it via the monthly "First Brief" to ensure that all employees were aware of the existence of the Policy.

The current policy consisted of two separate documents, a Policy and a Code of Practice, which had been circulated to the Committee together with a revised Policy combining both documents. The revised document included a few other drafting changes which did not alter the substance of the Policy. The Monitoring Officer, in reviewing the Policy had taken into account good practice from other local authorities and a Code of Practice published by the British Standards Institution. The revised draft had been considered with approval by the Joint Consultative Committee on 14th January, 2009.

Resolved:

- 1 That the Committee approve the Whistleblowing Policy, as amended, and set out in Appendix 1 to the report.
- 2 That the Monitoring Officer report to the Committee annually on the operation of the Policy.

23 WORK PROGRAMME

The Monitoring Officer advised the Committee that it was considered good practice to have a published work programme, although this would inevitably need to change in the light of the publication of consultation papers or changes in legislation.

The Monitoring Officer, therefore, submitted a report incorporating a draft work programme for the Standards Committee for 2009. The Committee welcomed the report and the draft work programme, in particular the proposal to provide feedback from Assessment Sub-Committee meetings.

Resolved:

That the report be received and the draft work programme be welcomed and approved.

Chairman

(The meeting ended at 10.35 a.m.)

**Any queries regarding these Minutes, please contact
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