

## STANDARDS COMMITTEE

10.00 A.M.

7TH OCTOBER 2010

**PRESENT:-** Councillors Roger Dennison, Sheila Denwood, John Harrison (Substitute for Councillor Roger Sherlock), Janie Kirkman, Ian McCulloch, Roger Mace and Joyce Taylor

Independent Members Stephen Lamley (Chairman), Tony James (Vice Chairman) and David Jordison

Apologies for Absence

Councillor Roger Sherlock

Independent Member Sue McIntyre

Parish Members Susan O'Brien and Frank Senior

Officers in attendance:-

Sarah Taylor                      Head of Governance

Suzie Smith                        Senior Democratic Support Officer

### 10      **MINUTES**

The Minutes of the meeting held on 17<sup>th</sup> June 2010 were agreed as a true and accurate record.

### 11      **ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN**

The Chairman reported that according to a recent government press release, Standards for England was to be abolished along with the Code of Conduct regime and local standards committees. This would require primary legislation, and until then, this Standards Committee would continue to meet and uphold the Code of Conduct and conduct its business as normal.

### 12      **DECLARATIONS OF INTEREST**

Councillor Dennison declared a personal and prejudicial interest with regard to the Findings of the Ethical Standards Officer in respect of Complaint 3/2010.

### 13      **REVIEW OF COMPLAINT DOCUMENTATION, ASSESSMENT CRITERIA AND INVESTIGATION AND HEARING PROCEDURES**

The Committee were invited to consider making any amendments to the Complaint documentation, Assessment Procedure and Criteria and Investigation, Pre-hearing and Hearing procedures in the light of experience following the implementation of the regime for complaints to be made locally. The Monitoring Officer advised of some suggested amendments. It was recommended that the Assessment/Review Sub-Committee

should where possible comprise an Independent Member, a City Councillor and a Parish Councillor, as it was recognised that using two Independent Members at this stage may reduce the pool of Independent Members available should the matter proceed to a hearing. It was recommended also that the hearing procedure should be amended to allow in more complex cases for a two stage procedure, whereby, the Sub-Committee would first hear evidence and make findings of fact, and then hear representations as to whether on those facts, there had been a failure to comply with the Code of Conduct and make a finding on that issue.

***Resolved:***

That the amendments to the Assessment Procedure and the Hearing Procedure be approved.

**14 ETHICAL GOVERNANCE SURVEY AND INTERNAL AUDIT**

The Monitoring Officer presented the results of the Ethical Governance Survey undertaken in October to December 2009. It was explained that the survey was developed to seek the adequacy of the Council's ethical governance framework through assessing the levels of Member and employee understanding and perceptions of ethical governance and related policies and practices.

The Committee raised concern that there was a low response rate from Members and that some Members claimed not to have had any training relating to the Members Code of Conduct. The Committee recognised that guidance and documents were sometimes in too much detail and a quick reference guide might be more useful to Members in ensuring they were familiar with the Code of Conduct following the elections in May 2011.

***Resolved:***

1. To note the outcome of the survey and suggest that these comments be born in mind when preparing training following the elections in May 2011.
2. That no further exercise be repeated in the short term.

**15 PROTOCOL FOR LOCAL AUTHORITY PARTNERSHIP WORKING**

The Monitoring Officer reported that in August 2001, Standards for England published a Protocol for local authority partnership working which was developed in conjunction with Manchester City Council. Standards for England suggest that standards committees should act as promoters of the partnership protocol and oversee its implementation and play an active role when any issues arise in a partnership.

***Resolved:***

That the Protocol be welcomed and that the Partnerships section of the Community Engagement Service be encouraged to promote the Protocol within its work programme, subject to the availability of resources.

**16 WORK PROGRAMME**

The Monitoring Officer submitted a report detailing progress on the Committee's work programme for 2010. It was reported that the Decentralisation and Localism Bill would include provisions to abolish the Standards for England regime but no timescales were known. It was recognised that it would therefore be difficult to plan for any work arising from any proposed changes until the position was clear.

***Resolved:***

That the work programme be noted.

**17 SUMMARY OF COMPLAINTS**

The Monitoring Officer presented a summary of current complaints of alleged breach of the Code of Conduct and complaints finalised since the 18<sup>th</sup> June 2010. The Monitoring Officer reported that in relation to complaint 1/10, a letter had been received from the First Tier Tribunal (Local Government Standards in England) confirming that the City Councillor concerned had not been granted permission to appeal. Therefore, the various sanctions would need to be imposed. The Chairman thanked Members of the Hearings Sub-Committee involved for their work.

***Resolved:***

That the summary of complaints be noted.

**18 CONFIDENTIAL ITEM*****Resolved:***

That the press and public should be excluded from discussions relating to the appendices on the grounds that they could include the possible disclosure of confidential information.

***It was noted that Councillor Dennison had previously declared personal and prejudicial interests in the following item and left the room during its consideration and did not vote on the matter.***

**19 FINDINGS OF ETHICAL STANDARDS OFFICER IN RESPECT OF COMPLAINT 3/2010**

Members were informed that complaint 3/2010 about six members of Morecambe Town Council was referred by the Assessment Sub-Committee to Standards for England in April 2010. Standards for England accepted the referral and the final reports of the Ethical Standards Officer were issued in August 2010 with findings of no failure to comply with the Code of Conduct. The reports of the Ethical Standards Officer were provided to the Standards Committee on the basis that they might assist the Committee in the discharge of its functions.

***Resolved:***

That the findings of the Ethical Standards Officer be noted.

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Chairman

(The meeting ended at 11.00 a.m.)

**Any queries regarding these Minutes, please contact  
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