

## STANDARDS COMMITTEE

6.10 P.M.

10TH OCTOBER 2013

**PRESENT:** Councillors Roger Mace (Chairman), Roger Sherlock (Vice-Chairman), Paul Gardner, Billy Hill and David Whitaker

Apologies for Absence:  
Councillors Joyce Taylor

Officers in attendance:  
Sarah Taylor Monitoring Officer / Chief Officer (Governance)  
Peter Baines Senior Democratic Support Officer

### 13 MINUTES

The minutes of the previous meeting were agreed as a correct record.

### 14 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

The Chairman authorised an item of urgent business on the appointment of an Independent Person in the light of Mr Stephen Lamley's resignation, received subsequent to the agenda being published.

The Monitoring Officer reminded the Committee that in June 2012, Council had appointed Mr Lamley as the Independent Person, and Mr Tony James and Mr David Jordison as "reserve" Independent Persons. In accordance with the transitional arrangements contained in Regulations under the Localism Act 2011, these appointments had, in July 2012, been extended for the period to May 2015.

The Monitoring Officer reported that, in the light of Mr Lamley's resignation, which would take effect from the 31st December 2013, Mr James had indicated that he would be interested in being the "lead" Independent Person, whilst Mr Jordison would prefer to remain as a reserve.

#### ***Resolved:***

- (1) That Council be recommended to confirm Mr Tony James as the "lead" Independent Person;
- (2) That a letter of thanks be sent to Mr Stephen Lamley, in recognition of his services as Independent Person.

### 15 DECLARATIONS OF INTEREST

Councillor Hill and Councillor Mace declared an interest in item 7, Summary of Complaints, as they were associated with separate aspects of the exempt report.

**16 REVIEW OF PROCEDURES FOR DEALING WITH COMPLAINTS OF BREACH OF CODE OF CONDUCT**

The Chairman introduced a report on procedures for dealing with allegations of a breach of the code of conduct. It was noted that the Committee had not previously established whether the subject of a complaint's response should be provided to the complainant, if so requested.

The Monitoring Officer expressed the view that it was not appropriate for the response to be shared as a matter of course with the complainant, as it may contain personal data relating to the member, to the complainant, or to third parties, which would be protected under the Data Protection Act 1998.

However, in the event of a request being made by the complainant, or by any other person, whether under the Data Protection Act 1998 or under the Freedom of Information Act 2000, the request would have to be considered. A view would then be needed on what information should be disclosed, and what should be withheld under the relevant legislation.

***Resolved:***

- (1) That when a member was invited to comment on a complaint, the member be advised that:
  - (a) comments received on the complaint would not routinely be passed to the complainant;
  - (b) the member would be consulted should the complainant request a copy of the comments; and
  - (c) when submitting comments on a complaint, the member should be mindful that there may in some circumstances be a legal requirement to disclose the comments under data protection or freedom of information legislation.

**17 EXCLUSION OF THE PRESS AND PUBLIC*****Resolved:***

That in accordance with section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraph 1 of schedule 12A.

**18 SUMMARY OF COMPLAINTS**

The Monitoring Officer gave an update on the current summary of code of conduct complaints, as set out in an exempt report.

***Resolved:***

That the summary of complaints be noted.

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Chairman

(The meeting ended at 6:30pm)

**Any queries regarding these Minutes, please contact  
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