

STANDARDS COMMITTEE

6.00 P.M.

24TH JANUARY 2013

PRESENT:- Councillors Roger Sherlock (Chairman), Paul Aitchison (substitute for David Whitaker), Paul Gardner (substitute for Sheila Denwood), Billy Hill, Roger Mace (Vice-Chairman) and Joyce Taylor

Apologies for Absence

Councillors Chris Coates, Sheila Denwood and David Whitaker

Officers in attendance:-

Debbie Chambers	Democratic Services Manager / Deputy Monitoring Officer
Peter Baines	Senior Democratic Support Officer

68 MINUTES

The minutes of the previous meeting, held on 11th October 2012, were approved as a correct record.

69 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

70 DECLARATIONS OF INTEREST

Councillor Hill declared an interest in items 8 and 9 on the agenda.

71 PRESS PROTOCOL AND MEMBERS' PROTOCOL FOR STANDARDS COMPLAINTS

The Democratic Services Manager introduced a report on the protocol for dealing with press enquiries about a standards complaint, and the protocol for members who were the subject of, or are aware of, a complaint.

At the previous meeting, the committee had considered a number of circumstances in which the press might inquire about the details of a complaint, and the following resolutions were agreed:

- That the Monitoring Officer be requested to issue a response of no comment to the press in the event of enquiries at the initial stage of a complaint, and not to confirm receipt of a complaint at that stage;
- That reports to Standards Committee which summarise recent complaints be exempt from publication. It was requested that the reports should, for the committee's information, identify the member(s) complained of and the complainant;
- That the Monitoring Officer be requested to issue statements to the press only after the final hearing of a complaint, but that in other cases where the press already have information about a complaint, the Monitoring Officer liaise with the member complained of in dealing with any press inquiry;

- That the complainant and the member complained of be recommended not to speak to the press about a complaint until it has been resolved;
- That the Monitoring Officer prepare a Press Protocol and revised Protocol on Publicity for Complaints of Breach of the Code of Conduct for consideration at a future meeting, based on the decisions taken at this meeting.

In considering the protocol for dealing with press enquiries about complaints to the Standards Committee, it was noted that later in the agenda there was an item where the appeals process had been used and members agreed that, in cases where standards complaints had been upheld against a councillor, the decision should not be made public until the person complained about had had the opportunity to go through the appeals process. In view of this, members considered adding wording to the protocol at the end of point 7: "...for release after any period for an appeal be lodged."

The Democratic Services Manager pointed out that the agenda item in question related to a complaint dealt with under an appeals process which was part of the old standards framework and this system had now been replaced. It was therefore agreed that the Democratic Services Manager should report back to members on whether or not an appeals process existed under the new framework and the protocol be brought back to the next meeting for consideration.

Resolved:

- 1) That the protocol for dealing with press enquiries be brought back to the next Committee meeting for consideration with further information on the appeals process (if any) which exists for Members who have had a complaint against them upheld.
- 2) That the revised Members' Protocol on Publicity for Complaints to the Standards Committee be approved.
- 3) That the approval of Council Business Committee be sought for the inclusion of the revised Members' Protocol in the Constitution, to replace the obsolete version in Part 7 Section 4.

72 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 items of business on the grounds that they could involve the possible disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of that Act.

73 SUMMARY OF COMPLAINTS

The Democratic Services Manager introduced a report on Code of Conduct complaints received since the last meeting.

Resolved:

That the report be noted.

74 COMPLAINT 7/11 - DECISION OF THE FIRST TIER TRIBUNAL (LOCAL GOVERNMENT STANDARDS IN ENGLAND)

The committee considered the decision of the First Tier Tribunal (Local Government Standards in England) in respect of complaint 7/11, dealt with under the former standards regime.

Resolved:

That the decision of the First Tier Tribunal (Local Government Standards in England) be noted in respect of complaint 7/11.

75 COMPLAINT 4/12

(Councillor Hill left the room for this item)

The committee considered the Investigating Officer's report into complaint 4/12, which was dealt with under the former standards regime.

Resolved:

That the Investigating Officer's finding of no breach of the Code of Conduct be accepted, thus concluding the complaint.

Chairman

(The meeting ended at 18:20)

**Any queries regarding these Minutes, please contact
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