

## **ANNUAL REPORT OF THE STANDARDS COMMITTEE – 2008/09 – INDEPENDENT CHAIRMAN, MR. STEPHEN LAMLEY**

### Membership

For the municipal year 2008/09, the Standards Committee has comprised fifteen members – seven elected members of the Council, four independent members and four parish council representatives.

The membership was as follows:

#### Elected Members:

Councillors Jon Barry, Roger Dennison, Sheila Denwood, Sarah Fishwick, Janie Kirkman, Roger Sherlock and Joyce Taylor

#### Independent Members:

Stephen Lamley (Chairman), Tony James (Vice- Chairman), David Jordison and Sue McIntyre

#### Parish Council Representatives:

Margaret Davy, Paul Gardner, Susan O'Brien and Frank Senior

### Meetings

The Committee has met four times during the course of the municipal year, and is scheduled to meet on the 9th April 2009. In addition, Assessment Sub-Committees and Review Sub-Committees have met as required to deal with individual complaints.

### Local consideration of complaints

The main area of work for the Committee this year has been to implement the new provisions contained in the Local Government and Public Involvement in Health Act 2007, These introduced a significant change, in that prior to May 2008, complaints of alleged breach of the Code of Conduct had to be made to the Standards Board for England, a national body based in Manchester. The Standards Board assessed each complaint, and complaints were only referred locally if the Standards Board took the view that there should be a local investigation.

Since May 2008, all complaints must be made locally to the Standards Committee, through the Monitoring Officer. On receipt, a complaint must be considered by an Assessment Sub-Committee, which decides whether to refer the matter to the Monitoring Officer for investigation or other action, or to the Standards Board for England, or whether no action should be taken. If the Assessment Sub-Committee decides that no action should be taken, the complainant has the right to request a review, and this is dealt with by a different Review Sub-Committee. If a complaint is referred for investigation, a Hearing Sub-Committee, comprising five members of the Committee, will, in appropriate cases consider, in the light of the investigating officer's report, whether there has been a breach of the Code of Conduct, and, if so, the appropriate sanction.

At its meetings in May and June 2008, the Committee considered the new Regulations and approved the complaints form, guidance for complainants, the

assessment procedure and the assessment criteria to be applied by the Assessment and Review Sub-Committees, and the investigation and hearings procedure. In addition, the Committee considered the composition of and the arrangements for convening the various sub-committees, and a Protocol on publicity for complaints made to the Standards Committee.

Since May 2008 to the time of writing this report, five allegations of breach of the Code of Conduct have been received. One of those complaints is still live at the time of writing this report. In the other four, all against city councillors, the decision of the Assessment Sub-Committee in each case was that no further action be taken. In one case, a request for review was received, and the Review Sub-Committee upheld the decision of the Assessment Sub-Committee. Two of the complaints related to alleged failure to declare interests, and two to alleged failure to treat with respect.

### Other areas of Work

At its meeting in December, the Committee considered a government consultation on proposed changes to the Code of Conduct, and approved the Council's response to the consultation.

The Committee has received reports from the Monitoring Officer on her annual review of the registration of Members' interests, and has also approved an amended Whistleblowing Policy

The Committee has approved a work programme for the next year, which will build on this year's work, reviewing the Committee's current procedures and policies and dealing with any government changes to the Code of Conduct, and any subsequent training issues.

### Training

The Chairman and the Deputy Monitoring Officer attended the Annual Assembly of Standards Committees, organised by the Standards Board for England, in October 2008. Whilst the event provides a useful forum for the exchange of information and views, the Committee has decided that, taking account of the cost of attendance, it is not necessary for a member of the Committee to attend the event in October 2009.

Whenever possible, a training session is held at the end of the Committee's meetings, when anonymised cases produced by the Standards Board are considered. Members have found this a useful exercise.

### Conclusion

This year has been a year of change for the Standards Committee, in implementing the new arrangements for dealing with complaints. The size of the Committee has been increased to ensure that there are sufficient independent and parish members of the Committee to deal with the various stages of complaints against both city and parish councillors, without conflict of interests. The Committee looks forward to building on its work to date in the forthcoming year.

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