

STANDARDS COMMITTEE
Thursday 8th January 2009

PRESENT – *Councillors Graham, K Foster, Hirst, Humphrys and Z. Khan*

PARISH COUNCIL MEMBER – *Councillor Malowana-Murphy*

INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE – *Mr L Loft (Chair), Mr K Aziz, Mrs S Entwistle, Ms H Kaur-Kalkat, Mr P Hodgkiss, Mr B Kiernan, and Mrs V Webb*

ALSO IN ATTENDANCE- *Linda Comstive (Director of Legal Services/Monitoring Officer), Mike Henshaw (Deputy Head of Legal Services) Gillian Emmott (Trainee Solicitor) and Paul Jones (Head of Democratic Services)*

RESOLUTIONS

29 Welcome and Apologies

The Chair welcomed everyone to the meeting. There were no apologies for absence.

30 Minutes of the Meetings of this Committee held on 9th October 2008 and 3rd November 2008

RESOLVED: That the minutes of the meetings of this Committee held on 9th October 2008 and 3rd November 2008 be approved and signed as correct records.

31 Declarations of Interest

No declarations were made.

32 Matters Arising

Update on the invitation to Glenys Stacey, Chief Executive of the Standards Board for England

Following the appointment of Glenys Stacey as the Chief Executive of the Standards Board for England (SBE) had accepted an invitation to meet with this Committee however it had not been possible to arrange a mutually convenient time. A further invitation was extended but the position of the Chief Executive had now changed regarding visits to Local Authorities.

The Chief Executives would now only attend individual Standards Committee meetings if there was a particular problem with that Committee or authority. The SBE had indicated that it was a credit to this Committee that the SBE are able to advise the Chief Executive that there is no known concern that would suggest she should visit this Committee.

The Chief Executive was uncomfortable refusing invitations such as ours and has asked that her regards and best wishes are conveyed to the Committee, together with her thanks for the kind invitation.

Update on Progress Developing Guidance for members on the Declarations of Interests

At the last meeting of the Standards Committee it was resolved that the Chair of the Committee and the Monitoring Officer be requested to prepare additional guidance for Members of the Council on completing their notifications and then write to all Members urging them to take action to ensure that their entry is up to date in the Register. Draft guidance was prepared and circulated by email to all Members on 24th December 2008.

Since the Standards Committee meeting in October 2008, 15 notifications of changes had been made to the register by members.

RESOLVED:

1. That the information be noted;
2. That this Committee formally review the Register of Interests every six months; and
3. That the Monitoring Officer be requested to remind Members about the need to declare any hospitality and gifts received during festive periods

33 Welcome to the New Independent Members of the Committee

The Chair thanked the new members for coming forward and supporting the work of this Committee and asked each member of the Committee to introduce themselves.

34 Training Update

A report was submitted updating the Committee on different training events being organised for elected representatives.

Code of Conduct Training for Elected Members

22 Members had attended the session held on 20th October 2008. The session was conducted by Timothy Mould QC from Landmark Chambers. The session had been organised to engage Councillors who had previously been unable to attend the session held on 21st May 2008. Feedback from the event was positive overall although Members of the Committee expressed a view that for future events external speakers should ensure training sessions were well presented.

Code of Conduct Training for Parish Councils

A training session for Parish Councils had taken place on 17th November 2008. The session was conducted by Mike Henshaw, Deputy Head of Legal Services and included a presentation covering aspects of the new code adopted in September 2007 together with a series of case studies.

Code of Conduct Training for the Standards Committee

The report set out in detail the new responsibilities of this Committee under the new Local Assessment Framework and proposed that a half day training session be held during February to assist the Committee in understanding the practical delivery of its new responsibilities.

After a debate the Committee agreed that the session should be delivered through a PowerPoint presentation supported by practical learning and scenarios. The Standards Board for England Website would also be used as a source of materials.

RESOLVED: That the report be noted and that the Chair in consultation with the Monitoring Officer be requested to make arrangements for a training session to be held in February on the new Local Assessment Framework.

35 Consultation on the Codes of Conduct for Local Authority Members and Employees

A report on a consultation from the Department of Communities and Local Government on the Codes of Conduct for Local Authority Members and Employees was considered. The main issues covered by the consultation were the application of the Code when Members were acting in a non official capacity, the response to criminal behaviour by Members and the introduction of an Officer Code of Conduct.

In order to respond to the deadline given by the Department of Communities and Local Government Political Group Leaders, the Chair of this Committee and the Director Team had been invited to comment on the consultation

paper. A copy of the consultation paper and the Council's response was submitted.

Members of the Committee proposed that when any such future consultation papers were received that whenever possible arrangements be put in place to enable all Members of this Committee and the Council to comment on any proposals.

RESOLVED: That the report be noted and the proposal from Members of the Committee be endorsed.

36 Case Tribunals (England) Regulations 2008

A report was submitted on the Case Tribunals (England) Regulations 2008. A copy of the Regulations was submitted.

The Regulations had come into effect on 12th December 2008. The effect of the Regulations was to ensure that case tribunals, which determine allegations that a Member had failed to comply with the Code referred to them by local standards committees or ethical standards officers, had a full range of sanctions available to them.

RESOLVED: That the report be noted.

37 Appeal Tribunal Scrutiny of a Standards Committee Decision

A report was submitted on an Appeals Tribunal decision taken on 10th October 2008 regarding an appeal against sanctions imposed by the Standards Committee of West Sussex County Council against the Appellant, Councillor Roberts following a breach of the Council's Code of Conduct. A copy of the decision notice was submitted.

RESOLVED: That the report be noted.

38 Communications

Standards Board Bulletin: 41

The newsletter was submitted for information.

Guidance on Regulation 17 of the Standards Committee (England) Regulations 2008

Guidance was submitted for information.

39 Date of Next Meeting

The next ordinary meeting would be held on Thursday 26th March 2008.

40 Exclusion of Press and Public

RESOLVED – That the press and public be excluded from the meeting during consideration of the following item in view of the fact that the business to be transacted is exempt by virtue of Paragraph 7 Part 1 of Schedule 12A of the Local Government (Access to Information) (Variation) Order 2006.

41 Outcome of a Complaint

A report was submitted on the outcome of an investigation into a complaint made against a Councillor.

RESOLVED – That the update be noted.

Signed.....

Chair of the meeting at which the Minutes were signed

Date.....