

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held at the District Offices, Dunstable, on Thursday, 20 November 2008

Present:

Councillors: Independent Co-optees: Town/Parish Council Representatives:

Mrs Bird
Hogan
Rawcliffe

Mr Ford
Mrs Hockey
Mr Jones

Mrs K Cursons (Leighton- Linslade Town
Council)
Mrs J Hughes (Barton-le-Clay Parish
Council)

Officers attending: Mrs Lord, Mr Manning and Mr Ronan

27. MINUTES

RESOLVED to approve the minutes of the meeting of the Committee held on 25 September 2008 as a correct record and to authorise the Chairman to sign them.

28. SPECIFIC DECLARATIONS OF INTEREST

None.

29. UPDATE REPORT

The Committee received a report by the Committee Administrator that provided an update on the following matters from its meeting on 25 September 2008:

Minute 21 – Local Assessment of Complaints – Establishment of Sub Committees and Amendment of Constitution

Members were aware that at the last meeting of the Committee they had confirmed the establishment of an Assessment Sub Committee and a Review Sub Committee, the abolition of the Investigations Sub Committee and its replacement by the Hearing Sub Committee and the approval and adoption of terms of reference and other information for the new Sub Committees. It had also been recommended to Council that the Constitution be amended to reflect these changes.

Members noted that the proposed amendments would be considered by Council at its meeting on 2 December.

Minute 22 – Local Assessment of Complaints – Administrative Processes

Members recalled that at the last meeting they were advised of the need to publicise the new complaints system and it was agreed that information on this should be published in the December edition of the Council's 'Information' magazine. Members were advised that details had been submitted to the editor for inclusion and an item would appear in the next (December) edition of the magazine.

Members also recalled that they had considered the content of the 'Information for Potential Complainants' sheet, 'Complaint Form' and 'Ethnicity and Diversity Monitoring Form' and approved their content subject to amendments to the Information sheet and the Complaint Form. The meeting was advised that these documents had been amended as agreed.

Last, the meeting was reminded that it had recommended to Council that the Constitution be amended to reflect the new Code of Conduct complaints system by deleting references to the Standards Board's previous responsibilities and inserting references to the Council's new role in the local assessment of complaints. Members were advised that the proposed amendments would be considered by Council at its meeting on 2 December.

Minute 23 – Standards Committee Training

The Committee was aware that Councillor Ms Rollings had been due to attend a training exercise on 6 October which had been organised by Bedford Borough Council. Members noted that, unfortunately, due to illness, Councillor Ms Rollings had been unable to attend the exercise.

NOTED the report.

30. SUMMARY REPORT ON THE STANDARDS BOARD FOR ENGLAND ANNUAL ASSEMBLY OF STANDARDS COMMITTEES, BIRMINGHAM, 13-14 OCTOBER 2008: DELIVERING THE GOODS – LOCAL STANDARDS IN ACTION

Members received a report by the Chairman of the Committee, with input from Councillor Mrs Hughes, on various issues arising from the Standards Board's Annual Assembly in October which the Chairman and Councillor Mrs Hughes, together with the Monitoring Officer and Deputy Monitoring Officer, had attended.

With regard to the issues highlighted in the report the meeting noted that the consultation paper from the Department for Communities and Local Government (DCLG) on proposed revisions to the Model Code of Conduct for Members and the proposed requirement for a code of conduct for employees was dealt with in a separate report elsewhere on the agenda (minute 31 refers).

Members next considered the receipt of Code of Conduct complaints to be dealt with under local determination. The Deputy Monitoring Officer referred the meeting to the case returns for the quarters April-June and July-September 2008 attached by the Committee Administrator as appendices to the report and stated that no complaints had been received during the first quarter and two complaints had been received in the second quarter. He explained that the officers had processed both of the complaints because the establishment of the Assessment Sub Committee to carry out this task would not be approved until the Council meeting on 2 December. He added that, following examination, the officers had decided that no action could be taken on either complaint because both referred to behaviour outside the individuals' roles as Members.

The meeting then considered the need to review the methods and frequency of contact with parish councils over topics such as training. A Member spoke in

favour of increasing the level of contact though the Chairman queried the value of changing the Committee's ways of working before the new Central Bedfordshire Council came in to being on 1 April. Members acknowledged this but, nonetheless, felt that any views they might have on working practices should be made available to the new Council's standards committee for consideration.

At the request of the Committee the Chairman noted that Members wished to see:

- a) Effective and frequent contact with town and parish councils over such matters as training, agenda content etc;
- b) The use of 'mini' training sessions at standards committee meetings in which groups of three members simultaneously undertook training on different aspects of the local assessment of complaints;
- c) A high profile for the standards committee in order to highlight the strong emphasis placed on ethical behaviour and high standards by the new Council.

The Chairman undertook to pass on these views to the Central Bedfordshire Council standards committee.

NOTED the report.

31. REVIEWING THE MODEL CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS AND INTRODUCING A MODEL CODE OF CONDUCT FOR LOCAL AUTHORITY EMPLOYEES – A DCLG CONSULTATION PAPER

The Committee received a report by the Committee Administrator that asked Members to consider the Department for Communities and Local Government (DCLG) paper entitled 'Communities in Control: Real People, Real Power. Codes of Conduct for Local Authority Members and Employees – A Consultation' and respond to the matters raised.

Members noted that comments were sought on two sets of proposals. The first was the proposed revision of the model Code of Conduct for local authority Members whilst the second was a proposed requirement for authorities to incorporate a code of conduct for employees, based on a statutory model code of conduct, into the latter's employment terms and conditions.

Discussion followed during which Members commented that it would be inappropriate for the Committee to comment as it would shortly be superseded by the new Central Bedfordshire Standards Committee. Members were aware that other organisations would provide full comment on the proposals and recommendations within the paper.

RESOLVED that the Department for Communities and Local Government be advised that the Committee has no comment to make on the proposals contained in the paper entitled 'Communities in control: real people, real power: Codes of conduct for local authority members and employees – A consultation'.

32. MEDIATION PROCESS WITH COUNCILLOR THAKOORDIN

The Committee received a report by Mr D Harris setting out the mediation process which he had undertaken with Councillor J Thakoordin of Caddington Parish Council. Members were aware that the mediation was the second and final part of a sanction imposed on Councillor Thakoordin by the District Council's Investigations Sub Committee for his breaching of the Code of Conduct.

The Committee considered the experience gained from dealing with this case.

NOTED the report.

33. FEEDBACK FROM THE CONSTITUTION AND GOVERNANCE MEMBER WORKING GROUP ON THE MEETING OF STANDARDS COMMITTEE CHAIRMEN

The Committee received a report by the Scrutiny and Committees Manager which updated Members on the progress of recent discussions on the establishment of a Central Bedfordshire Standards Committee. The meeting noted that the Constitution and Governance Member Working Group, which had been drawing up the draft constitutional arrangements for the new unitary authority, had sought the views of the three Chairmen of the current County and District Standards Committees on the composition of the Central Bedfordshire Standards Committee and its ethical governance framework. The meeting further noted that the three Chairmen had met on 2 October, considered the Working Group's proposals and responded to them. The report set out the Working Group's eventual recommendations following its consideration of the Chairmen's response.

Following comment by Members the Committee Administrator advised that letters would be despatched to all independent members of the three existing Standards Committees in the near future asking if they wished to stand for selection for the Central Bedfordshire Standards Committee. Interviews would take place in January 2009 and appointments would be made at the shadow Executive meeting on 26 February. The Committee Administrator added that the selection process for town and parish members was under consideration.

NOTED the report.

34. ADJUDICATION PANEL CASE

The Committee received a report by the Committee Administrator that brought Members' attention to the Adjudication Panel's decision on Case Ref: APE 0407 which dealt with an appeal against a local standards committee determination. A copy of the Panel's decision was attached at Appendix A to the report.

NOTED the report.

35. REGISTER OF MEMBERS' INTERESTS - INSPECTION

The Committee received a report by the Committee Administrator on the Register of Members' Interests. Members were aware that a sheet was now present at

the front of each of the files making up the Register which could be signed by a member of the Committee to confirm that the Register had been inspected.

Councillor Mrs Cursons undertook to sign the inspection sheets.

NOTED the report.

(Note: When the meeting finished Councillor Mrs Cursons inspected the Register and signed the inspection sheets.)

36. WORK PROGRAMME

The Committee considered the Committee's work programme for 2008/09.

NOTED the work programme.

37. PROPOSED EXTENSION TO TERMS OF OFFICE

The Committee considered a report by the Committee Administrator that advised the meeting that the terms of office for Independent Members Keith Ford and Mike Jones expired on 30 January 2009. Given that South Bedfordshire District Council would cease to exist some two months later (1 April 2009 being the vesting day for Central Bedfordshire Council) the meeting indicated its support for an extension to Mr Ford's and Mr Jones' current terms of office as members of the Council's Standards Committee for the remaining period of its existence.

(Note: The above report was admitted to the Agenda by the Chairman of the Standards Committee pursuant to Section 100 (B)(4)(b) of the Local Government Act 1972 (as amended), the Chairman being of the opinion that consideration of this matter could not be delayed because a decision was required before the next scheduled meeting of the Committee on 22 January 2009; any recommendation being made to extend the terms of office could not then be approved by Council until its meeting on 24 February 2009).

RECOMMENDED that an extension to the terms of office for Independent Members of the Standards Committee Keith Ford and Mike Jones, with effect from 31 January 2009 until 1 April 2009, be approved.

CHAIRMAN