

MINUTES OF THE STANDARDS COMMITTEE
25 March 2002

Councillors: *Robertson (Chair), *Featherstone, *Haley, Knight, MacDougall, *Reynolds and *Rice. *Mr R.Celaire, Ms I. Francis, *Mr R. Lovegrove and *Mr N. Weber.

*Members present.

SC1. APPOINTMENT OF CHAIR:

RESOLVED:

That Councillor Robertson be appointed Chair and Roger Lovegrove be appointed Deputy Chair.

(Councillor Rice requested that his dissent be recorded).

SC2. APOLOGIES: Apologies for absence were received from Councillor MacDougall and Ms Francis.

SC3. MINUTES:

RESOLVED:

That the minutes of the meeting held on 26 March 2001 be confirmed and signed.

SC4. TERMS OF REFERENCE: The Committee requested that a review of the terms of reference be undertaken in six months.

RESOLVED:

That the following terms of reference be approved and a review undertaken in six months time:

1. To advise the Council on the adoption of a local Code of Conduct for Members, to promote, develop and maintain high standards of conduct by the members and co-opted members of the authority, including:
 - providing and organising training of Councillors in ethical conduct
 - to be a source of advice and guidance to Members on matters of conduct
 - giving advice to individual Councillors on such issues as the treatment of personal interests including the declaration and registration of interests, and, generally, on matters of conduct.
2. To monitor and update the Code as necessary;
3. To be responsible for the implementation of the Code and providing or organising training for members on ethical conduct;
4. To consider a report of the Monitoring Officer on any matter referred to them by an Ethical Standards Officer of the Standards Board for England under Sections 60 or 64 of the Local Government Act 2000 and to report any relevant issues to the Council.
5. To respond to national reviews and consultations on standards related issues
6. To provide high level oversight of the following :
 - internal and external audit.
 - Complaints and ombudsman cases.
 - the authority's constitution.
 - the Council's Member/officer protocol.

SC5. PROCEDURE FOR DEALING WITH COMPLAINTS OF MISCONDUCT (Report of the Deputy Monitoring Officer – agenda item 6):

Clarification was sought as to whether the Council could overturn decisions of the Committee, with reference in particular to paragraph (d) of terms of reference and paragraph 2 of the report (sanctions). Officers were also requested to clarify whether complaints of misconduct would be held in public.

RESOLVED:

1. That subject to the following comments, the proposed procedures for dealing with complaints of misconduct, both prior and after the adoption of the Model Code of Conduct, be agreed:
 - i. That a time limit be applied to application of the procedures governing the period prior to adoption by the Council of the Model Code of Conduct.
 - ii. That any decision by the Monitoring Officer not to progress a complaint on the basis that it was vexatious or an abuse of the process be reported to the Committee.
 - iii. Deletion of the word “normally” in the first sentence of paragraph 5.2.
 - iv. Deletion of paragraph 5.10
 - v. Alternatives to an appeal to full Council to be investigated (paragraph 6.3) together with the form the appeal would take.
 - vi. To amend paragraph 2.1 replacing at the third bullet point “subject to the agreement of his/her group” with “subject to consultation with his/her group”.
2. That a copy of the regulations relating to exempt and confidential issues be sent to the Independent Members.

SC6. IMPLEMENTING NEW ETHICAL GOVERNANCE ARRANGEMENTS (Report of the Deputy Monitoring Officer – agenda item 7):

RECOMMENDED:

1. That the terms of reference be agreed, as above.
2. That the new model Code of Conduct (attached as Appendix 1), as amended by (3) below, be adopted.
3. That a local addition to the Code be added, requiring Members to provide the Monitoring Officer with details of any complaints made to the Standards Board.

RESOLVED:

1. That approval be given to the form of written undertaking that Members and Co-opted Members will be asked to sign following adoption of the Code by the Council.

SC7. MONITORING OFFICER PROTOCOL (Report of the Deputy Monitoring Officer – agenda item 8):

RESOLVED:

That the protocol be adopted and incorporated into the Council’s Constitution, subject to the Deputy Monitoring Officer confirming that there is no potential conflict at paragraph 2(e) below:

The Monitoring Officer will have a special relationship with the Chair of the Council, Chair of the Standards and Overview and Scrutiny Committees and will ensure the Head of Paid Service and Chief Financial Officer have up to date information regarding emerging issues.

SC8. PROPOSAL FOR A TRAINING PROGRAMME FOR MEMBERS AND CO-OPTED MEMBERS IN THE NEW ETHICAL GOVERNANCE ARRANGEMENTS (Report of the Deputy Monitoring Officer – agenda item 9):

RESOLVED:

1. That the training programme as set out in the report be agreed.
2. That the Deputy Monitoring Officer be requested to check whether the provisions relating to hospitality and gifts applied to the Mayor.

SC9. NATIONAL CONFERENCE ATTENDANCE:

RESOLVED:

1. That the Deputy Monitoring Officer, Mr R Lovegrove and possibly one other, be requested to attend the Conference.
2. That the Deputy Monitoring Officer be requested to confirm that there was no legal barrier to existing Council members of the Standards Committee attending the Conference.

IRENE ROBERTSON
Chair

