

**MINUTES OF THE STANDARDS COMMITTEE
MONDAY, 15 JUNE 2015**

MEMBERS:	Councillors Ryan, Weston, Reith and Sahota (Chair)
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Apologies Councillor Morris

MINUTE NO.	SUBJECT/DECISION
STCO13.	<p>FILMING AT MEETINGS</p> <p>The Committee noted the arrangements in respect of filming at meetings, as outlined by the Chair.</p>
STCO14.	<p>APOLOGIES FOR ABSENCE</p> <p>An apology for absence was received from Councillor Morris, for whom Councillor Beacham was substituting.</p> <p>NOTED</p>
STCO15.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p> <p>NOTED</p>
STCO16.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interests.</p> <p>NOTED</p>
STCO17.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the unrestricted minutes of the meetings of the Standards Committee held on 7 July 2014, 29 January 2015 (special), and 12 May 2015 (special) be agreed and signed as an accurate record of the proceedings.</p>
STCO18.	<p>CODE OF CONDUCT FOR MEMBERS - COMPLAINTS 2014-15 MONITORING REPORT</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Assistant Director Corporate Governance & Monitoring Officer – Mr Ryan, advised that the main purpose of the Standards Committee was to have responsibility for promoting and maintaining high standards of conduct, including monitoring the operation of the Members’ Code of Conduct.</p>

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For the Municipal Year 2014-15 Mr Ryan advised that he had, as the Monitoring Officer, received ten complaints that a member had breached the Code. Mr Ryan highlighted that in one case the complainant complained about the behaviour of three councillors arising from the same set of facts (behaviour at a council and cabinet meeting) and in another complaint the complainant complained about the behaviour of two councillors arising out of the same set of facts (behaviour at a meeting). Out of the ten complaints eight were rejected by the Assessment sub-committee and no further action was taken, with two being referred for investigation. With regard to those referred for investigation, Mr Ryan advised that for one the independent investigation report found no breach of the Code and the recommendation was accepted by the Standards Committee and the complaint dismissed. In the other case, the investigation was yet to be completed and the recommendations were expected shortly for consideration by the Standards Committee.

Mr Ryan further advised that where appropriate, any lessons learned from complaints were considered by the Standards Committee and/or the Monitoring Officer and any improvements that might assist members were implemented. As a result the chair of the Standards Committee sent a general note to all councillors in May 2015 about the importance of members behaving properly at meetings and the public perceptions that may arise from certain behaviours.

In response to questions from the Chair and members Mr Ryan commented that prior to 2011 the previous ethical standards regime had had a number of possible sanctions it could impose on members who had breached the code and these included censure, suspension, restrictions on sitting on Council or outside bodies, withdrawal of use of council facilities, and disbarring. The pre 2011 regime also allowed for an independent membership on the Committee with full voting rights, and was chaired by an independent person. This arrangement also meant that the independent members were in the majority on the Committee.

Mr Ryan advised that the Localism Act 2011 abolished the previous regime and gave Councils the power to set up a localised standards regime with its own code of conduct, and membership, and it abolished the Independent membership on the Committee, and the level of sanction imposed was reduced to only allow censure, recommending restrictions on sitting on Council or outside bodies, and withdrawal of use of council facilities, recommending training and development as well. The Standards Board for England was also abolished.

In terms of the current system Mr Ryan advised that the Localism Act allowed for the appointment of an Independent person and deputy who were appointed and consulted on the findings of an investigation into a referred complaint as a result of a referral from the Standards Assessment Sub-Committee, and that those considerations/views had to be taken account of by the Standards Committee when considering the reported outcome of the investigation.

In response to clarification from the Chair as to the composition of an

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Assessment Sub-Committee Mr Ryan advised that it was proportionally split on a 2:1 ratio comprising of 3 members of the Standards Committee or substitutes. The Assessment Sub-Committee's function was to receive and consider a complaint referred to it by the Monitoring Officer. The Monitoring Officer did have the authority to rule complaints out but this was limited. Mr Ryan further commented that once referred it was for the Assessment Sub-Committee to decide whether or not there was a possible breach in the Members code of conduct. It could also decide that technically there could have been a breach in the code but to carry out an investigation would be disproportionate in that given the nature and degree of complaint it did not warrant an investigation. The Sub-Committee also could then rule it out or referred it for investigation – usually then referred to an external investigator for the investigation, by the monitoring officer.

Mr Ryan further commented that similarly the Hearing Sub-Committee comprised of 3 members of the Standards Committee or a substitution. A set laid down process was defined for the purpose of the hearing, with the decision taken that there had been no breach of the code, a finding of a breach and then an appropriate sanction. Mr Ryan also advised that the Independent Person would sit on any hearing sub-committee which had been convened as a result of the Standards Committee's decision to refer the findings of an investigation to a hearing sub-committee to determine whether a complaint was indeed a breach in the member code and warranted a hearing. The Independent person would be able to question both the subject member, and complainant during a hearing, and also to give the Hearing Sub-Committee their view of what they thought should be the outcome of a hearing, and also they would give a view as to the sanction to be imposed should a finding of a breach of the members code be found. As stated earlier the level of sanction now imposed censure, recommending restrictions on sitting on Council or outside bodies, withdrawal of use of council facilities, and recommending training and development

In addition to the member conduct powers Mr Ryan advised that the Standards Committee was responsible for considering and recommending any changes to the Council's constitution which previously had been considered informally and recommended to Full Council for adoption. Any proposed amendments were now recommended to the Standards Committee who considered them and recommended adoption by Full Council.

The Chair then thanked Mr Ryan for his succinct summary of the functioning.

In asking that the Committee note the report the Chair felt that on the back of the recent communiqué sent to members regarding their conduct at meetings, it would be useful to send all members of the council the main points of the member code of conduct – and brief summary of the code.

It was:

RESOLVED

- i. that the contents of the report be noted: and

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	<p>ii. that officers prepare a communiqué for all members regarding the main points of the member code of conduct – and brief summary of the code.</p>
STCO19.	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>Nil Items.</p>
STCO20.	<p>EXCLUSION OF THE PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the press and public be excluded the from the meeting for consideration of Item 9 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paragraphs 1 & 2; namely information relating to any individual, and information likely to reveal the identity of an individual.</p>
STCO21.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the exempt minutes of the meeting of the Standards Committee held on 29 January 2015 (special), be agreed and signed as an accurate record of the proceedings.</p>
STCO22.	<p>NEW ITEMS OF EXEMPT URGENT BUSINESS</p> <p>There were no additional items of exempt urgent business.</p> <p>Councillor Reith referred to the outstanding ongoing investigation and asked what were the reasons for the delay.</p> <p>Mr Ryan advised that the delays were due to the interviewing of witnesses.</p> <p>NOTED</p>
STCO23.	<p>DATES OF NEXT MEETINGS</p> <p>The following dates were NOTED :</p> <p>15 October 2015 28 January 2016 7 March 2016</p>

The meeting ended at 19.40hrs.

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COUNCILLOR R SAHOTA

Chair

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