

Standards Committee – 1 March 2007

Minutes of the meeting of the **Standards Committee** held on **1 March 2007** when there were present:-

Chairman: Cllr P F A Webster
Vice-Chairman: Cllr J M Pullen

Cllr J Thomass

INDEPENDENT MEMBERS

Mr D J Cottis
Mr B M Flynn
Mr S C Shadbolt

PARISH MEMBERS

Cllr R E Vingoe, Hockley Parish Council

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C I Black, Mrs S A Harper and M J Steptoe.

OFFICERS PRESENT

R J Honey	-	Corporate Director (Internal Services)
J Bostock	-	Principal Committee Administrator
J O'Brien	-	Committee Administrator

56 MINUTES

The minutes of the meeting held on 19 October 2006 were approved as a correct record and signed by the Chairman.

57 INDEPENDENT MEMBERSHIP

The Chairman welcomed newly appointed Independent Member, Mr Stanley Shadbolt, to his first meeting of the Standards Committee. Members also wished to record their thanks to Mr Anthony Comber, the retiring Independent Member, for his valuable contribution to the work of the Committee during his 5 year term of office.

58 REVISED MODEL CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS

The Committee considered the report of the Corporate Director (Internal Services) which provided details of a Government consultation on proposed changes to the Members' Code of Conduct.

In presenting the report and answering questions, the Corporate Director (Internal Services) advised that:-

- Although somewhat delayed, it was hopeful that the new code was still on target for introduction by regulations in April 2007 to be adopted by Annual Council in May 2007. However, it could not be certain that proposed changes would be published and available for discussion on the 28 March as already pre-scheduled as part of the 2006/07 Member Training and Development Programme. It could, therefore, be more appropriate to postpone the Members' briefing until after the May elections.
- Whilst not a requirement of the revised code, the expectation would be for a Member to discuss serious concerns about the conduct of another Member with the Monitoring Officer.
- The provision to exclude “sensitive interests” from the Register of Interests was too restrictive and should be available more widely than in cases where there is a risk of “violence or intimidation”.
- The proposed text to allow a Member, otherwise having a prejudicial interest, to attend a meeting for the purpose of making representations, answering questions, or giving evidence would apply to Parish Councils.
- It would be beneficial for the Publicity Code to be reviewed due to advances in communications technology since its introduction in 1986.
- The opportunity to bring the application of the Code and law of bias closer together had not been taken in the draft. For clarity, an additional clause could include a finding of bias against a Member as conduct amounting to disrepute with an additional exception for public services interests.
- It would be more clear if the various references to public service issues could be brought together in one paragraph.
- There were a number of new phrases in the draft that required definition. These included “close personal association”, “family”, “lobbying organisations”, “of a financial nature” and “philanthropic organisations”.
- In looking at the relaxations of the revised code, the Committee welcomed the removal of the obligation to report other Members for failure to comply with the code. However, some Members were concerned that this relaxation could result in breaches of the Code being ignored or even condoned. The Committee agreed with the suggestion of the Corporate Director that the 10 General Principles of Conduct should be embodied in the Code to highlight the requirement for honesty and integrity, openness and accountability to militate against the likelihood of such behaviour.

The Committee concurred with observations of the Chairman that the provision regarding gifts and hospitality was excessive and that the sum of

£25 should be increased to £100 and the term of years reduced from five to one year in the formal response.

Resolved

- (1) That a formal response to the consultation be made as set out in appendix 2 to the report together with additional comments as set out above.
- (2) That the timetable and implications for Member Training and the Annual Council be noted. (CD(IS))

59 OFFICERS' CODE OF CONDUCT

The Committee considered the report of the Corporate Director (Internal Services) which proposed a revised Officers' Code of Conduct.

It was noted that UNISON had given qualified endorsement of the revised code pending a forthcoming union meeting.

Recommended to Full Council

That the draft Officers' Code of Conduct appended to the report be adopted and the Constitution amended accordingly. (CD(IS))

60 ETHICAL GOVERNANCE HEALTH CHECK

The Committee received a verbal update from the Corporate Director (Internal Services) on the forthcoming Ethical Governance Health Check.

Copies of a draft timetable for 27 and 28 March 2007 were provided to the Committee, from which the Corporate Director (Internal Services) explained that:-

- The Chairman and officers had met with the Improvement & Development Agency (IDe&A) a few weeks ago and the 27 and 28 March 2007 were now agreed dates for the Health Check to take place on the Council's premises with both officer and Member participation over the two days.
- An Audit Commission questionnaire had been sent to all Members and senior officers to be completed in advance of these dates and a survey of the results would be produced for the team carrying out the Health Check.
- A team of 4 people would undertake the Health Check: 2 IDe&A consultants, 1 peer Member and 1 peer Monitoring Officer.
- Per the timetable, each day would be divided into allocated time slots to allow for initial introduction and briefing, individual discussions with a Member or officer, officer and separate Member Focus Group and feedback/wash up session.

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- An action plan would be developed as an outcome of the Health Check, and subsequent workshop sessions could then be arranged as part of the next step in the overall process.

Every endeavour would be made to ensure that time slots were allocated within the two-day programme to accommodate Members work or other commitments.

The Committee agreed that 28 March 2007 would be used for the purpose of the Members' Focus Group as part of the Health Check, in place of the Code of Conduct Member Training previously scheduled and which would now be re-arranged to a date post the May elections.

The meeting closed at 8:29pm.

Chairman

Date

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