

Standards Committee – 17 July 2008

Minutes of the meeting of the **Standards Committee** held on **17 July 2008** when there were present:-

Chairman: Mr D J Cottis (Independent Member)
Vice-Chairman: Cllr P A Capon

Cllr C I Black
Cllr D Merrick

Cllr J Thomass

INDEPENDENT MEMBERS

Mr S Shadbolt
Two vacancies

PARISH MEMBERS

Three vacancies

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M J Steptoe.

OFFICERS PRESENT

J Honey - Corporate Director (Internal Services)
D Britnell - Personal Assistant
M Power - Committee Administrator

236 MINUTES

The Minutes of the meeting held on 22 May 2008 were approved as a correct record and signed by the Chairman.

237 MEMBERS CODE OF CONDUCT - COMPLAINTS PROCEDURE

The Committee considered the report of the Corporate Director (Internal Services) on a procedure for the local assessment, review and hearing of complaints that a Member may have breached the Code of Conduct.

It was agreed that three sub-committees would be formed, each with a fixed membership, and each to consist of one Independent Member, one parish member and District Council Members. Any one of these sub-committees could be asked to sit as an Assessment, Review or Hearings Sub-Committee.

In response to questions, the following was noted:-

- Interviews for the two available Independent Member positions would commence as soon as possible after the closing date for applications had passed. The Standards Board website listed those characteristics

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and personal specifications considered desirable for Independent Members.

- Interviews for Independent Members would be conducted by the Standards Committee Chairman, Vice-Chairman and Monitoring Officer.
- Induction of the newly appointed Parish and Independent Members would take place as soon as possible. In September a training session in respect of hearing complaints would be arranged.
- A first complaint had been received, which would necessitate the formation of an Assessment Sub-Committee, within the next 2 weeks.
- As soon as a received complaint had been passed to the Standards Assessment Sub-Committee details of the complaint would be released to the Member concerned.

In considering the terms of reference and procedure rules for the Assessment Sub-Committee and Review Sub-Committee it was agreed to delete the words 'who shall chair the Sub-Committee' in paragraph 2.1.

In considering the Procedure Rules for Local Investigation and Determination of Complaints it was agreed to amend paragraph 12 with the addition of a sub-paragraph 12(1)(b) 'that the matter shall be considered at a hearing of the Standards Committee conducted under the Hearing Sub-Committee Procedure Rules'. It was also agreed to amend paragraph 26 with the addition of the words 'and service of notice as hereinafter provided' after the word 'imposition'.

Given the complexity of the Procedure Rules for Local Investigation and Determination of Complaints, it was agreed to approve these in principle but consider them further at the next meeting of the Standards Committee.

In considering the Monitoring Officer Protocol, Members concurred with the view that anonymous complaints should not be accepted and it was agreed that the complaint form, which was based on the model supplied by the Standards Board, should make this clear. However, it was noted that any complaint received in writing and signed would be dealt with.

The membership of the three Sub-Committees of the Standards Committee formed to assess, review and hear complaints on a rota basis, chaired by an Independent Co-opted Member, was agreed as follows:-

Sub-Committee A

Mr S Shadbolt
Cllr P A Capon
Cllr M J Steptoe
Parish Councillor

Sub-Committee B

Independent
Cllr C I Black
Cllr J Thomass
Parish Councillor

Sub-Committee C

Independent
Cllr D Merrick
Mr D J Cottis
Parish Councillor

Resolved

- (1) That complaints concerning Members' conduct are dealt with separately from other complaints except in so far as the Habitual and Vexatious Complainants Policy will apply.
- (2) That an Assessment Sub-Committee and Review Sub-Committee be set up with the terms of reference and procedure rules as set out at appendix 2 and 3 of the report as amended.
- (3) That a Hearings Sub-Committee be set up with the terms of reference and procedure rules as set out at appendix 4 of the report as amended.
- (4) That the Procedure Rules for Local Investigation and Determination of Complaints set out at appendix 4 as amended are agreed in principle subject to further consideration at the next meeting of the Standards Committee.
- (5) That the Monitoring Officer Protocol, attached at Appendix 5, be adopted. (CD(IS))

238 RECORD OF ATTENDANCE AT COMMITTEE MEETINGS 2007/2008

The Committee received the report of the Head of Information and Customer Services relating to Members' attendances at meetings during 2007/08.

In response to questions, it was noted that in practice only those Councillors who were fully trained were invited to sit on the Licensing and Appeals Committees. It was anticipated that the recent Comprehensive Performance Assessment (CPA) would be making recommendations regarding the Member Learning and Development programme. The Standards Committee was empowered to make recommendations regarding attendance at Member training to Council.

Resolved

That the summary statistics relating to Members' attendances at meetings during 2007/08 be received. (HICS)

The meeting closed at 8.26 pm.

Chairman

Date

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