

Minutes of:	STANDARDS COMMITTEE
Date of Meeting:	23 September 2004
Present:	Councillor K S Briggs (in the Chair); Councillors J Grimshaw, S P Magnall, J Smith and B Theckston
Independent Members:	Mr A Loyns, Mr K Wainwright and Mr A Withington
Public Attendance:	One member of the public attended the meeting.
Apologies for Absence:	Councillors K Audin and A J Garner Mrs A Brown

S.388 WELCOME AND INTRODUCTION

The Chair welcomed Councillor Sheila Magnall to the Committee and also welcomed Mr Kenneth Wainwright who had been successful in his application to become an Independent Member.

S.389 DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

S.390 PUBLIC QUESTION TIME

There were no questions asked by the member of the public present.

S.391 MINUTES OF THE LAST MEETING

Delegated decision:

That the Minutes of the meeting held on 28 April 2004 be approved and signed as a correct record.

S.392 STANDARDS COMMITTEE (HEARING PANEL) – MINUTES

The Minutes of the meeting of the Standards Committee (Hearing Panel) held on 28 July 2004 were submitted.

Delegated decision:

That the Minutes be approved and signed as a correct record.

S.393 ANTI-FRAUD AND CORRUPTION STRATEGY

Mr J Butterworth ,Chief Internal Auditor, presented the Council's Anti-Fraud and Corruption Strategy. It was reported that the Strategy had started life as a series of short statements declaring the Council's determination to root out and deal with fraud and corruption. It had gradually evolved into a compendium of strategies and the structure of the Strategy acknowledged that each of the component

parts may need to be considered in its own right. At present, the Strategy contained the following:-

- Part 1 - Policy and Strategy.
- Part 2 - Confidential Reporting (Whistleblowing) Policy.
- Part 3 - Housing Benefit/Council Tax Benefit Fraud Prosecution Policy.
- Part 4 - Standards of Conduct.
- Part 5 - Guidance for Members and Officers.
- Part 6 - Local Code of Corporate Governance.

The Strategy was currently available on the Council's Intranet. It was seen to be important that the Strategy was seen as high profile and observed by employees.

Delegated decision:

That the Strategy be approved and Mr Butterworth be thanked for his presentation.

S.394 LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REPORT AND REMEDIES

A report of the Monitoring Officer was submitted which set out information contained in the Local Government Ombudsman's Annual Report for 2003/2004 and provided information on remedies to complaints.

The Annual Report provided a breakdown of complaints received in Bury MBC in 2002/2003 and 2003/2004 and particular attention was drawn to the fact that in two instances complaints had resulted in the issuing by the Ombudsman of reports finding maladministration with injustice.

The report also set out examples provided by the Ombudsman of action which could be taken where fault was found in a Local Authority's actions. The report also referred to how the Ombudsman tried to arrive at a suitable financial settlement where appropriate.

Delegated decisions:

1. That the report be noted.
2. That information on Ombudsman complaints across Greater Manchester be extracted from the Annual Report and circulated to Members.

S.395 TRAINING

A discussion took place as to what would be the most appropriate form of training for elected and voting Co-opted Members on standards and ethics.

The Members present acknowledged the merit of the Guidance Document which was being circulated at meetings, but considered that the issue of Personal and Prejudicial Interests required further in-depth training. Such training should be undertaken on behalf of all Members rather than through political groups, and should involve case studies and be interactive.

Delegated decision:

That the Monitoring Officer arrange training for elected and voting Co-opted Members taking on board views expressed at this meeting.

S.396 STANDARDS NATIONAL CONFERENCE – 13 AND 14 SEPTEMBER 2004

The Chair provided information on the Third Annual Assembly of Standards Committees which had taken place in Birmingham on 13 and 14 September 2004 and which she had attended with the Monitoring Officer.

Some of the issues discussed were as follows:-

- § Should Standards Committees be composed entirely of independent members.
- § There were potential tensions between the provisions on confidentiality in the Code of Conduct for Members and the Freedom of Information provisions.
- § Steps taken to improve standards will feature as part of the Corporate Performance Assessment.

It was reported that keynote speeches had presented differing views as to whether or not Local Standards Committees should have more power in determining whether in the first instance complaints should be pursued.

Members felt that the current Code of Conduct was prohibitive in terms of Elected Members representing their constituents and expressing views on matters in which they had expertise. It was reported that the Code was under review nationally.

A new publication by the Standards Board headed "The Case Review" was available in the Members' Room.

Delegated decision:

That the report be noted.

S.397 CONSULTATIONS ON (1) A DRAFT CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES AND (2) A REVIEW OF RESTRICTIONS ON THE POLITICAL ACTIVITIES OF LOCAL AUTHORITY EMPLOYEES AND PAY OF POLITICAL ASSISTANTS

It was reported that the Office of the Deputy Prime Minister had issued two consultation papers and was seeking responses by 19 November 2004.

The paper "A Model Code of Conduct for Local Government Employees" sought views on proposals for a Code of Conduct which would apply to employees in Local Government. Section 82 of the Local Government Act 2000 made provision for the Secretary of State to specify by order that such a Code be made; that it form part of a Local Authority's standing orders; and that it become part of employees terms and conditions.

The paper “Review of the Regulatory Framework Governing the Political Activities of Local Government Employees”, sought views on proposals arising from a review of the current restrictions which apply to Council employees’ political activities, which had been put in place under the Local Government and Housing Act 1989. The paper also sought views on the current arrangements for remuneration of political assistants.

Delegated decisions:

1. That comments on the two Consultation Papers be forwarded to the Monitoring Officer.
2. That the Monitoring Officer, in consultation with the Chair, be authorised to respond to the two Consultation Papers on behalf of the Council.

S.398 CLOSING REMARKS

The Chair circulated a copy of a letter to the Editor of the Bury Times which responded to recent correspondence on the issue of Members’ Allowances.

COUNCILLOR K S BRIGGS
Chair

(Note: The meeting started at 7.00 pm and ended at 8.30 pm)