

Minutes of: STANDARDS COMMITTEE

Date of Meeting: 16 February 2006

Present: Councillor K Audin (in the Chair);
Councillors R C A Brown, V D D'Albert, J Grimshaw, T Holt
and J F Walton

**Independent
Members:** A Brown, A Loyns, K Wainwright and A Withington

Public Attendance: There were no members of the public in attendance at the meeting.

**Apologies for
Absence:** Councillor E B Briggs

S.1101 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

S.1102 PUBLIC QUESTION TIME

There were no members of the public present to ask questions under this item.

S.1103 MINUTES OF THE LAST MEETING

Delegated Decision:

That the minutes of the meeting held on 17 November 2005 be approved and signed as a correct record.

S.1104 'STANDARDS OF CONDUCT IN ENGLISH LOCAL GOVERNMENT: THE FUTURE'

The Monitoring Officer submitted a report which considered the main recommendations of the Government Paper entitled 'Standards of Conduct in English Local Government: The Future' which was published on 15 December 2005.

The changes proposed in the Paper involved the role of Local Standards Committees in relation to the Standards Board and changes to the Code of Conduct for Members.

In future, local Standards Committees would be responsible for investigating and determining most cases with initial assessment of all misconduct allegations being undertaken by Standards Committees, rather than the Standards Board, which would become a more strategic and advisory body.

The Standards Board had received a good deal of comment on the Code of Conduct which it had made available to the Government.

As a result, a number of changes would be made which would ultimately make the Code clearer and simpler. In particular, changes would be made to the regime for declarations of interest and speaking at Council meetings, particularly for Members who serve on other public bodies. In addition, the 'whistleblowing' obligation to report breaches of the Code would be abolished.

The Government would also be introducing a Code of Conduct for Employees.

The Independent Members on the Committee felt that the Paper provided yet more support for the view that the Chair of the Standards Committee should be an Independent Member. They pointed out that this arrangement existed in a number of other authorities.

Delegated Decision:

That the report be noted.

S.1105 CODE OF CONDUCT FOR NON-VOTING REPRESENTATIVES

The Monitoring Officer submitted a draft Code of Conduct for Non-Voting Representatives whereby such persons would be required to sign up to the Statutory Code of Conduct once nominated to serve on a committee in a non-voting capacity.

Final approval of the proposal would be required from the Council as it necessitated an amendment to the Council's Constitution.

RECOMMENDATION TO COUNCIL:

That the Code of Conduct for Non-Voting Representatives as submitted be adopted by this Council.

S.1106 STANDARDS BULLETIN – MARCH 2006

The following suggestions were made regarding the contents of the Standards Bulletin for March 2006:-

- Standards Hearing – a debriefing had now taken place and it was suggested that issues raised would be addressed in the Bulletin. In particular, it was considered that hearings at this Authority had been run on a professional and efficient basis and the positive aspects of such hearings should be stressed. At the same time, particular reference would be made to the issue of timescale and the need to hear all complaints within the three month statutory deadline, was seen as critically important.
- The high profile Islington case had resulted in criticism of the Standards Board and it was considered useful for Members to be aware of this.
- Items from this meeting. It was suggested that a summary of the reports on Standards of Conduct in English Local Government and information on the Code of Conduct for Non-Voting Representatives be included.

Delegated decision:

That the items set out above be included in the March 2006 Standards Bulletin.

S.1107 GOING LOCAL – INVESTIGATIONS AND HEARINGS

A DVD produced by the Standards Board for England was shown to Members which explained how investigations should be undertaken locally and how Standards Hearings should be conducted if an investigation found that there had been a breach of the Code of Conduct.

S.1108 MR A WITHINGTON – EXPIRY OF TERM OF OFFICE

It was reported that although he was entitled to apply for membership again, the term of office of Mr Withington had expired and Members wished to place on record their sincere appreciation for his efforts as an Independent Member of this Committee.

S.1109 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item of business since it involved the likely disclosure of exempt information, namely, information relating to a former recipient of the service provided by the Authority.

S.1110 OMBUDSMAN CASE – SOCIAL SERVICES

(E)

Further to Minute S.770 (E) of the last meeting, Dilys McDonald, Quality Monitoring Reviewing and Vulnerable Adult Protection Manager, attended the meeting in order to answer questions on an Ombudsman case and, in particular, on procedures currently in place where carers visited elderly persons and were unable to gain access to the premises.

It was reported that, in this particular case, the carers concerned failed to follow the procedures in place when they could not gain access to a particular client's premises. An explanation was provided with regard to logging arrangements which took place after the person had gained access to the premises. The provider had taken steps to ensure that staff were fully conversant with the procedures and practices to be followed.

Members expressed concern that the sort of situation which had arisen in this case could occur again and sought further clarification on the following issues:-

- What specific methods had been undertaken to tighten up on procedures following this case?
- What do other providers do and are there differences in practice?

- Are there are gaps in the monitoring process?

Delegated decision:

That the report be noted and the Healthier and Safer Communities Scrutiny Commission be requested to look into the issues surrounding this case, with Members of this Committee being kept apprised of developments.

COUNCILLOR K AUDIN

Chair

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