

**Minutes of: STANDARDS COMMITTEE**

**Date of Meeting:** 31 May 2007

**Present:** Councillors K Audin, R C A Brown, M Connolly, V D D'Albert, D M Higgin, T Holt and J F Walton.

**Independent Members:** A Brown, K Wainwright (in the Chair) and A Withington

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

**Apologies for Absence:** -

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**S.31 DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

**S.32 PUBLIC QUESTION TIME**

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

**S.33 MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 15 February 2007 were submitted.

Further to Minute S.1007, it was reported that the Healthier Communities Scrutiny Commission would be determining its work programme at its first meeting of the Municipal Year. Members expressed concern that to date no consideration had been given to the issue of Care Agencies providing services, in light of the Ombudsman case reported previously to this Committee.

**Delegated Decision:**

1. That the Minutes be approved as a correct record.
2. That the Chair of the Healthier Communities Scrutiny Commission be asked to consider including within her Commission's work programme for this year the issue of Care Agencies providing services.

**S.34 APPOINTMENT OF INDEPENDENT MEMBER FOR 2007/2008**

It was reported that to date, it had not been possible to recruit a new Independent Member to the Committee for the period 2007/2011. It was intended that an appointment would be made in time for the next meeting of the Committee on 24 October 2007.

**Delegated decision:**

That the report be noted.

**S.35 APPOINTMENT OF INDEPENDENT MEMBERS TO OTHER BODIES**

It was reported that the following appointments had been made to other bodies and confirmed at the Annual Meeting of Council on 16 May 2007:-

Resource and Performance Scrutiny Panel  
Audit Committee

Arthur Withington  
Anne Brown

**Delegated decision:**

That the report be noted.

**S.36 INTRODUCTION TO THE WORK OF THE STANDARDS COMMITTEE AND WORK PROGRAMME**

A report of the Monitoring Officer was submitted which reminded Members of the Committee's role and terms of reference; considered items dealt with by the Committee in 2006/2007 and asked Members to consider a programme of work for the Committee in 2007/2008.

**Delegated decision:**

That the following areas of work form part of the Committee's work programme for 2007/2008:-

- The new Code of Conduct including an assessment of any consequential changes to the Council's existing form of Register of Interests, codes, protocols and other documents, and in-depth consideration and reviews of particular sections of the Code.
- To consider a Progress Report on action taken by the Healthier Communities Scrutiny Commission on Care Agencies providing services.
- Training for Members including the content of that training.

**S.37 ADOPTION OF A NEW CODE OF CONDUCT**

A report containing a new draft Code of Conduct, which had been adopted by the Council on 16 May 2007 was submitted.

The report contained a summary of changes relating to when the Code should be applied; the introduction of new provisions about bullying and intimidation and victimisation in respect of Standards proceedings; the deletion of the "offence" of failing to report breaches of the Code of Conduct by other Members; and a new public interest defence for breach of confidentiality.

In terms of the “personal interest” test, the new Code had removed the reference to “friend” and had used a wider term covering any person with whom a Member has a “close association”. At the same time, the number of declarable personal interests was likely to be reduced as the new Code restricted declarations to those matters affecting the majority of the inhabitants of the Ward affected by the decision, as opposed to the majority of the inhabitants of the Borough.

With regard to prejudicial interests, the basic test remained the same as the old Code, but the new Code provided that a Member did not have a prejudicial interest where:

- The matter under discussion did not affect the financial position of the Member or any person or body described within the Code in relation to whom a Member may have a personal interest
- The matter did not relate to the determining of any approval, consent, licence permission or registration in relation to the Member or any personal body described in the Code to whom a Member may have a personal interest
- The matter related to a specific exception such as housing, school meals, school transport, statutory sick pay, Members’ Allowances, payments or indemnities, ceremonial honours or setting the Council Tax.

In adopting the Code, the Council had agreed that a preamble incorporating the ten general principles governing the conduct of Members should be included in the Code and that any consequential changes to the Council’s existing form of Register of Interest, codes, protocols and other documents, needed as a result of the adoption of the Code should be included in the Standards Committee’s work programme for 2007/2008.

**Delegated decision:**

That the report be noted.

**S.38 LOCAL GOVERNMENT OMBUDSMAN – COMPLAINT STATISTICS**

A report of the Monitoring Officer was submitted which presented to Members statistics supplied by the Ombudsman for 2006/2007, and which it was reported would form a major part of the Ombudsman’s Annual Letter for 2006/2007.

**Delegated decisions:**

1. That the report be noted.
2. That at the next meeting of this Committee, information be submitted which provides more details of the nature of complaints received and the length of time taken to deal with those complaints.
3. That the Ombudsman be requested to provide information on decisions against subject area, as well as against outcome

**S.39 CORPORATE COMPLAINTS HANDLING REVIEW**

A report was submitted on the outcome of a review of the Council's Corporate Complaints Handling Procedure. It was intended that the report would be submitted to the Resource and Performance Scrutiny Commission on 6 June 2007 and the Executive on 20 June 2007.

An in-depth analysis of the findings would take place at the meeting of the Resource and Performance Scrutiny Commission. As Chair of that Commission, Councillor Connolly indicated that he intended to monitor progress on the procedure throughout the year and that he would ensure that this Committee was kept informed of developments.

**Delegated decision:**

That the report be noted.

**S.40 STANDARDS ISSUES**

It was suggested that the Committee be pro-active with regard to its hearing procedures in order to be prepared for the time when there is greater local control in processing and determining complaints.

The Independent Members expressed satisfaction with the Council's decision to introduce an independent Chair for this Committee as it demonstrated that the Council was adopting a progressive approach towards its ethical agenda.

**It was agreed:**

That the report be noted.

**K WAINWRIGHT**  
**Chair**

**(Note: The meeting started at 7.00 pm and ended at 7.50 pm)**