

Minutes of:	STANDARDS COMMITTEE
Date of Meeting:	17 November 2008
Present:	Councillors K S Briggs, F Chaudhry, Y Creswell, V D D'Albert and M Wiseman.
Independent Members:	A Brown (in the Chair), A Loyns, K Wainwright and A Withington
Public Attendance:	There were no members of the public in attendance at the meeting.
Apologies for Absence:	Councillors R C A Brown and D M Higgin

S.437 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

S.438 PUBLIC QUESTION TIME

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

S.439 MINUTES OF THE LAST MEETING

Delegated decision:

That the minutes of the last meeting held on 21 August 2008 be approved and signed as a correct record.

S.440 CONSULTATION ON THE CODES OF CONDUCT FOR LOCAL AUTHORITY MEMBERS AND OFFICERS

The Monitoring Officer submitted a report which set out a proposed response to the consultation by the Government on the Codes of Conduct for Members and Officers.

Specific reference was made to the following issues:-

Q1 – Do you agree that the Members' Code should apply to a Member's Conduct when acting in their non-official capacity?

The proposed response acknowledged that in the interests of the reputation of Local Government, it was important that the Code of Conduct for Members should apply to at least some conduct in a Member's private life. However, this would remain a 'grey area' which needed to be handled with caution and

through rigid application of the tests which a Referral or Review Sub-Committee needed to apply when considering a complaint. More clarity about this was therefore required.

Q2 – Do you agree with the definition of “criminal offence” for the purpose of the Members’ Code? If not, what other definition would you support? Please give details.

The response suggested that criminal offences dealt with by way of fixed penalties should not be ignored. The Committee supported this stance as more and more offences are being dealt with in this manner.

Q5 – Do you agree that an ethical investigation should not proceed until the criminal process has been completed?

The response drew attention to the potential for a long interval between the events taking place and a conviction and the difficulties of then considering a complaint so long after the event. The Committee accepted that the ethical investigation could be undertaken whilst there were criminal proceedings outstanding, but considered that it would be wrong to come to any conclusion on matters which may still be dealt with through the criminal justice system.

Delegated decisions:

1. That this report be adopted by the Committee and representations be made to the Department for Communities and Local Government (CLG) accordingly.
2. That the issues relating to the draft employees’ Code be referred to the Human Resources and Appeals Panel for comment.

S.441 ANNUAL STANDARDS CONFERENCE 2008

The Chair reported that she and the Monitoring Officer had attended this year’s annual conference which had been held in Birmingham on 13 and 14 October 2008. The conference focused very much upon local standards in action and how local arrangements were working.

The conference was addressed by the recently appointed Chair and recently appointed Chief Executive of the Standards Board together with the Parliamentary Under Secretary of State for Communities and Local Government, Sadiq Khan, who was in his eighth day of office.

The Chair reported that the training which would take place following this meeting was partly in response to issues raised at the Conference.

Delegated decision:

That the report be noted.

S.442 STANDARDS ISSUES

In response to a question asked by a Member, the Monitoring Officer reported that a complaint referred to at the last meeting, having been considered by a Referral Sub-Committee, had subsequently been considered by a Review Sub-Committee and a decision made that no action be taken.

Delegated decision:

That the report be noted.

A BROWN
Chair

(Note: The meeting started at 6.30 pm and ended at 6.55 pm)