

Standards Committee

19 February 2002

Present: Councillor B Gilfoyle (Chair)
Councillor D E Roberts (Vice-Chair)

Councillors Mrs F E F Anderson D M Elderton
W W Smith

Deputy: Councillor G C J Watt (for Cllr L C Jones)

Co-opted
Members: Councillors Mr J P Haywood Mrs V G Robertson

24. MINUTES

The Borough Solicitor and Secretary submitted the minutes of the meeting held on 3 December 2001, which had been approved, without amendment, by the Council on 17 December 2001.

Resolved - That the minutes of the meeting held on 3 December 2001 be received.

25. MATTERS ARISING FROM THE MINUTES

In connection with minute 20 (Ethical Framework), the Borough Solicitor and Secretary reported that she had been advised, at a recent meeting with Mr Paul Hoey, Head of Policy at the Standards Board, that the Government intended publishing, by the end of February, consultation drafts of the code of conduct for council employees and the protocol on member/officer relations.

In connection with minute 21 (Standards Committee - Constitution, Membership and Terms of Reference), the Borough Solicitor and Secretary advised that she would report further to the next meeting on the appointment of an additional independent member. No action had been taken as yet to advertise for applications, in view of developments affecting the political composition of the Council and the prospect that the size and composition of the committee might be changed, either before or after the 2002 local elections.

Resolved - That the Borough Solicitor and Secretary's comments be noted.

26. ETHICAL STANDARDS FRAMEWORK: CODE OF CONDUCT FOR MEMBERS

The Borough Solicitor and Secretary submitted the model code of conduct for councillors which had been published by the Government in connection with the new ethical standards framework to be introduced under Part III of the Local Government

STANDARDS COMMITTEE - 19 FEBRUARY 2002

Act 2000, and requested that the Committee make recommendations to the Council about the adoption of such a code for Wirral.

The Act required all local authorities to adopt a code of conduct for councillors, based on the model code, by 5 May 2002, and all members (whether elected, co-opted or appointed, including lay members of the committee dealing with education), would be required to agree in writing, within two months, to observe the code; failure to do so would result in automatic disqualification.

The code placed a positive duty on members to observe and adhere to the "nine principles" of general conduct; to give written notice of registerable interests - details of employment (including partnerships and directorships), sponsorship, shareholdings, interests in contracts, beneficial interests in land or property within the area of the authority, and their membership of, or significant involvement in other public authorities, outside bodies, companies, provident societies, charitable bodies, private clubs and trade unions or professional organisations.

The Borough Solicitor and Secretary advised that the Council had until 5 May to adopt either the national model code of conduct (which had been favoured by over 95% of councils that had so far adopted a model code), or an acceptable local variation of it, and she suggested that an appropriate implementation date might be 3 May 2002; that would be after the local elections had taken place, it would coincide with the adoption of the new Constitution's executive arrangements, and would be consistent in its timing with most other Merseyside local authorities. By choosing that date, the committee would also allow for training to be given (possibly jointly with other authorities) to Standards Committee members to explain in more detail the role of the Standards Board and to guide and assist them in fulfilling their obligations.

Members considered particularly the provisions of the model code with regard to gifts and hospitality. While the de minimis limit of £25 seemed reasonable, it was suggested that, in the interests of openness and transparency, all gifts or hospitality received should be declared; however, the Committee was prepared to accept the suggestion made by the Borough Solicitor and Secretary that this aspect could be covered by a local protocol.

In response to queries by members of the Committee, the Borough Solicitor and Secretary advised that councillors acting as school governors would be bound by the code; other school governors would not be bound by it, but there was an increasing tendency for members of governing bodies to sign up to codes of conduct and she accepted it might be helpful to produce a modified and abbreviated form of the code for use by other groups of non-councillors. A decision was still awaited as to whether the Standards Board would inform the Council of complaints received affecting its members' conduct; if they did, she would certainly need to log such complaints and the Party Leaders could be made aware of them. She would also consider producing practical guidance for members on the operation of the code of conduct, and the possibility of facilitating electronic registration of interests.

RECOMMENDED - That it be a recommendation to the Council that:

- (1) The national model code of conduct appropriate to authorities operating executive arrangements be adopted, without amendment, with effect from 3 May 2002.
- (2) That a local protocol be adopted, encouraging members to declare and register all gifts and hospitality received, notwithstanding the de minimis limit of £25 included in the model code.
- (3) That the Borough Solicitor and Secretary be requested to make arrangements for Standards Committee members to receive appropriate training, and to explore the feasibility of training being undertaken jointly with other authorities.

27. **STANDARDS COMMITTEE - FUTURE MEETINGS**

In response to a request by an independent member, the Borough Solicitor and Secretary agreed to explore the possibility of re-arranging the meeting scheduled for the evening of 28 March (the day before Good Friday), which she accepted might not be convenient for many members who were likely to be away over the Easter weekend.

She reported that the draft committee calendar for 2002/03 included provision for three meetings of the Standards Committee (on 11 June and 18 November 2002, and on 13 March 2003); other meetings would be arranged as required to deal with complaints or other issues.

Resolved - That the position with regard to future meetings be noted.

Standards Committee

19 February 2002