

# Standards Committee

18 November 2002

Present: Councillor Mrs F E F Anderson (Chair)  
Councillors I O Coates W J Davies  
P J Corcoran L C Jones

Deputy: Councillor G C J Watt (for Cllr DM Elderton)

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

## 4. MINUTES

The Borough Solicitor and Secretary submitted the minutes of the meeting held on 11 June 2002, which had been approved without amendment by the Council on 8 July 2002.

In response to a query by a co-opted member (Mr Haywood) in connection with minute 3 (Local Investigation and Determination of Misconduct Allegations), the Assistant Borough Solicitor advised that the comments made at the previous meeting regarding the cost to members of having to defend unfounded or malicious allegations had been included in the Council's response to the consultation document but he was not aware that the Government had published the results of the consultation process.

**Resolved - That the minutes of the meeting held on 11 June 2002 be approved and adopted.**

## 5. PROTOCOL ON MEMBER/OFFICER RELATIONS

The Borough Solicitor and Secretary submitted for consideration the draft Protocol on Member/Officer Relations and requested that, subject to any amendments the Committee might wish to make, it be endorsed and referred to the Council for formal approval and inclusion in Part 5 of the constitution.

In response to points raised by members, the Assistant Borough Solicitor advised that the protocol precluded the use (however unlikely) of offensive language by elected members about Council officers, and such conduct could give rise to a complaint under the Code of Conduct; all Chief Officers and members of departmental management teams had been made aware of the protocol, and it would be publicised more widely within the organisation once it had been approved by the Council. Because of the delay in issuing regulations under section 66 of the Local Government Act 2000 (permitting local investigation and determination of complaints), he was unable to be precise as to how long it would take to deal with

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complaints (though referrals to the Standards Board would be made in a matter of days), or to provide any examples or case studies; he would also need to consider whether there was provision (as in whistle-blowing procedures) for complaints to be made anonymously.

The Chair referred to recent press reports that the Standards Board for England had been inundated with relatively minor complaints; the likelihood was that many of these would be referred back to local authorities for action by Monitoring Officers or Standards Committees, and it would be necessary to develop procedures for dealing with such cases. The Assistant Borough Solicitor acknowledged that this would give rise to a significant training need, both for Standards Committee members and the officers who advised them.

**RECOMMENDED** - That the draft Protocol on Member/Officer Relations, as now submitted, be endorsed and referred to the Council for formal approval and inclusion in Part 5 of the constitution.

### 6. EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

**Resolved** - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A to that Act.

### 7. LETTERS OF COMPLAINT

(Exempt by virtue of paragraphs 1 and 4)

The Chair advised the Committee that she had authorised consideration of this matter as an item of urgent business to enable one of the co-opted members to receive an explanation as to why a complaint which she had brought to the attention of the Monitoring Officer did not appear to have been processed.

The Assistant Borough Solicitor advised members of the circumstances in which correspondence relating to a complaint against a Council officer, which Mrs Robertson had handed to the Monitoring Officer some months previously, appeared not to have been investigated and Mrs Robertson and the complainant notified of the outcome. He informed the Committee of the outcome of a related investigation which had been carried out by the Local Ombudsman, and gave Mrs Robertson an assurance that he would personally investigate the matter and notify her of his findings.

Mrs Robertson accepted the assurance given by the Assistant Borough Solicitor.

The Chair and Committee members expressed the hope that in the light of the assurances given by the Assistant Borough Solicitor, Mrs Robertson would feel

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able to continue to serve as a co-opted member and to make a valuable contribution to the work of the Standards Committee.

**Resolved - That the Assistant Borough and Solicitor's report be noted and the assurances given to Mrs Robertson be welcomed.**