

Standards Committee

25 March 2004

Present: Councillor W J Davies (Chair)
Councillor L C Jones (Vice-Chair)

Councillors Mrs F E F Anderson D M Elderton
I O Coates D Hawkins

Co-opted
Members: Mr J P Haywood
Mrs L M Rodgers

8. DECLARATIONS OF INTEREST

The Borough Solicitor and Secretary invited members to consider whether they had personal or prejudicial interests in connection with any of the items on this agenda and, if so, to declare them and state what they were. No declarations were made.

9. MINUTES

The Borough Solicitor and Secretary submitted the minutes of the meeting held on 22 July 2003, which had been approved by the Council without amendment on 20 October, 2003.

Resolved - That the minutes be received.

10. APPOINTMENT OF INDEPENDENT MEMBERS

The Borough Solicitor and Secretary reported that, pursuant to minute 97 (Council - 20/10/03), Mr J P Haywood had been re-appointed, and Mr B Lowe and Mrs L M Rodgers appointed as independent members of this Committee for a period of four years from 1 November 2003.

All three independent members had been asked to provide notifications of their financial and other interests in accordance with section 81 (1) of the Local Government Act 2000

Resolved - That the appointments be noted.

11. CORPORATE GOVERNANCE REVIEW

The Borough Solicitor and Secretary reported that the Audit Commission, as part of their corporate governance review, had looked at gifts and hospitality within

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the Authority. They had produced a draft report, which was agreed in February, and an Action Plan had since been prepared. The Committee was requested to consider the Audit Commission's report and approve the action plan and time- scales contained within it.

Mr Ian Myles, Audit Manager, Audit Commission presented the key findings of the report. He reported that the review was carried out in two parts. The first part of the review focused on the procedures and arrangements in place at the Council for recording gifts and hospitality offered and accepted by members and officers of the Council and for members' declaration of interests. This involved:

- visiting a number of departments to examine the guidance provided to staff for declaring and recording gifts and hospitality
- a review of departmental gifts and hospitality registers to gauge the completeness, and comment on the consistency of the details recorded.
- a review of the guidance issued to members for recording and declaring gifts and hospitality.
- a review of members' declaration of interests forms.

The second part of the review involved completion of an 'ethics diagnostic'. This review provided an independent assessment of a local authority's:

- compliance arrangements for Part III of the Act, including standards committees, members code of conduct and disclosure of member interests
- arrangements for positively promoting ethical standards across the council, including users, officers and partner bodies
- local protocols and procedures for carrying out investigations (to be up-dated following OPDM/standards board guidance on local investigations)
- monitoring officer arrangements for working with the standards committee.

Mr Myles reported that a number of recommendations had been made which would strengthen the Authority's procedures and arrangements. These recommendations were detailed in the body of the report and were summarised in a subsequent action plan. The checklist in Appendix 1 provided the detail supporting the current review of arrangements in relation to gifts and hospitality for officers and Members. The 'Ethics Diagnostic' in Appendix 2 provided the detail supporting the current review of Ethical Standards.

A review of this Committee's minutes and agenda indicated that its work to date had focused on general non ethical type issues. It was suggested that the role and effectiveness of the Committee in strengthening the Authority's governance and ethical framework could be enhanced by the committee taking a more proactive role

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in certain areas and some specific recommendations were highlighted for further consideration by the Committee and the Council:-

- (R8) Appoint independent lay members as a matter of urgency.
- (R9) Strengthen the effectiveness of the Standards Committee by increasing its role, remit and responsibilities in relation to ethical and governance issues.
- (R10) Consider appointing an independent lay member as chair of the standards committee.
- (R11) Introduce arrangements to proactively communicate the themes of the code of conduct to member, external stakeholders or partners.
- (R12) Prepare guidance on the role and responsibilities and conduct requirements for independent members.

Mr Haywood welcomed recommendation (R10) (Independent Chair) and the approach adopted by the Council in rotating the appointment of Chair of the Standards Committee because this maintained a degree of independence from the Council.

The Borough Solicitor and Secretary suggested that this Committee may wish to express a view on the appointment of Chair when the newly elected Council considers its committee appointments for 2004/05.

The Borough Solicitor and Secretary reported upon action taken to implement the requirements of Part 3 of the Local Government Act 2000 relating to the role of the Standards Committee and the recommendations contained in the Audit Commission's Report and Action Plan. She referred to arrangements for member training to emphasise the importance of standards, the implementation of an electronic version of the Members Interest Register and the proposed introduction of a similar process for officers' interests, the preparation of an induction pack for newly elected members and further training during the next municipal year. An outline work programme would be forwarded to members for their comments.

Resolved - That the reports be noted and that this Committee continue to monitor the implementation of the action plan.

12. **OUTCOME OF STANDARDS BOARD INVESTIGATION**

The Borough Solicitor and Secretary reported concerning a complaint made to the Standards Board in December 2002 that a member had disclosed confidential information and brought his office or authority into disrepute. The Standards Board had completed their investigation on 4 February 2004, and the case summary received from the Standards Board was attached to the report (Appendix 1) for noting. She reported that the case had raised some practical issues which identified that the Authority could improve in its administration to raise members' awareness concerning exempt items of business.

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There was a general discussion concerning the length of time taken by the Standards Board in reaching its decision and the uncertainty that this had caused for the member concerned. The Borough Solicitor and Secretary agreed to write to the Board concerning this matter.

Resolved - That the Standards Board's case summary be noted.

13. **DATES OF MEETINGS, 2004/05**

The Borough Solicitor and Secretary asked members to note that the committee calendar for 2004/05 included the following dates for meetings of the Standards Committee:

1 September and 8 November 2004;
22 March 2005.

She also reported that it would be necessary to arrange an additional meeting in May, 2004.

Further meetings to consider complaints against members of the Council, or for training purposes, would be arranged as required in consultation with party spokespersons and the independent members.

Resolved - That the position regarding meetings in 2004/05 be noted.
