

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE STANDARDS COMMITTEE

THURSDAY, 12TH JUNE 2008 AT 6.00 P.M.

PRESENT: Independent Members: Mr. S. E. Allard, Mr. N. A. Burke and Mrs. N. E. Trigg
Councillors: Miss D. H. Campbell JP, S. P. Shannon and E. C. Tibby
Parish Councils' Representatives: Mr. J. Cypher and Mr. I. A. Hodgetts

Observers: Councillors S. R. Peters and R. D. Smith

Officers: Mrs. C. Felton, Mrs. D. Warren and Ms. D. Parker-Jones

4/08 **ELECTION OF CHAIRMAN**

RESOLVED that Mrs. N. E. Trigg be elected Chairman of the Committee for the ensuing municipal year.

5/08 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Mr. N. A. Burke be elected Vice-Chairman of the Committee for the ensuing municipal year.

6/08 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

7/08 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

8/08 **MINUTES**

The minutes of the meeting of the Standards Committee held on 28th April 2008 were submitted.

RESOLVED that the minutes be approved as a correct record.

9/08 **MONITORING OFFICER'S UPDATE REPORT**

Member Investigations/associated matters

Members were advised of the outcome of a Final Determination hearing which had taken place on 20th May 2008, for which it was noted there were no ongoing implications. Of the three current investigations which were taking place under the former regime, two (one relating to a district councillor and the other to a parish councillor) were due to have Investigating Officer reports completed on 16th June and 29th June respectively, both of which were on

target for completion. The third (relating to a district councillor) had been retained by the Standards Board for England (SBE) for investigation, the completion date of which was not yet known and in respect of which the SBE had not contacted the Council since officers had responded to SBE queries on 1st May 2008.

Complaints for Local Assessment

A total of 5 complaints had been received since the introduction of local assessment on 8th May 2008, the initial of which had been considered at the first meeting of the Standards Assessment Sub-Committee which had taken place earlier that evening and which had not resulted in referral for investigation. The remaining complaints were due to be considered at a meeting of the Assessment Sub-Committee on 18th June 2008.

Member Training

Officers advised that the Member Development Steering Group was due to meet the following week and would be looking at the training programme for Members for the year ahead, with specific training being established on a quarterly basis. Following recent changes to the Constitution, the Group needed to determine the core elements of what was required in order for Members to sit on each of the Council's committees with effect from 1st September 2008. Mock Council and Value for Money training had recently taken place, with further sessions due to be held on: the Code of Conduct; Planning (appeals and beginners); Licensing; Chaining Meetings (to include the Independent Members on the Standards Committee); Standards Committee and Members' Interests. Equality and Diversity training, on a county wide basis, had also taken place, and officers were due to visit two of the Parish Councils shortly to assist with any training requirements.

Standards Board for England guidance on Local Assessment of Complaints

The Standards Board guidance on Local Assessment of Complaints was noted. Officers advised that the local assessment process had been advertised in the press, with a further article due appear in the next issue of the Council's Together Bromsgrove publication and details of the new regime to be found on the Council's website. A query was raised in relation to page 12 of the guidance which stated that if an authority was responsible for any parish councils there should be a minimum of three parish council representatives on its standards committee. Officers advised that this was guidance only and that legislation required there to be only two such representatives.

First Annual Report of the Standards Committee

A copy of the final draft of the Committee's First Annual Report was tabled at the meeting. Officers advised that there were still a couple of gaps of information to be completed and members of the Committee were asked to direct any comments on this to officers by the end of the following week. A request was made for authority to be delegated to the Monitoring Officer, in

consultation with the Chairman, for any further required changes to be made to the Report. Regarding publicity of the Report, officers advised that this would appear on the Council's website, with a link to be sent to all Parish Council clerks and hard copies to be placed in the Council House reception, Customer Service Centre and all public libraries in the District. An announcement would be made at full Council advising Members of the existence of the Report, with copies also to go in the Members' Room, and a request was made for a supply of hard copy Reports to be sent to each of the Parish Council clerks.

The Chairman stated that the aim of the Report was to raise the profile of the Committee and to ensure the public was aware of the work of the Committee in view, in particular, of the introduction of local assessment of complaints against parish and district councillors. It was queried whether in view of both the need to raise the profile of the Committee and the forthcoming Independent Member vacancy, there was any merit in the Chairman being interviewed by the local press, which officers agreed to look into and report back on.

RESOLVED:

- (a) that the updates provided be noted; and
- (b) that authority be delegated to the Monitoring Officer, in consultation with the Chairman of the Standards Committee, to make any further required changes to the First Annual Report of the Standards Committee.

10/08 **PARISH COUNCILS' REPRESENTATIVES UPDATE REPORT**

Mr. Cypher advised that at the last meeting of the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils (CALC), it had been agreed that both himself and Mr. Hodgetts be put forward as nominees to serve on the Standards Committee for 2008/09, with Mr. S. Malek having been nominated as the Deputy Parish Councils' Representative. The nominations would be considered at the meeting of the Council on 16th July 2008.

RESOLVED that the update provided in relation to Parish Councils' Representatives on the Standards Committee be noted.

11/08 **LOCAL ASSESSMENT - COMPOSITION OF SUB-COMMITTEES**

The Committee considered a report which provided an update on the Standards Board for England guidance on the composition of sub-committees of standards committees, and which also sought a minor amendment to the composition of the Standard Committee's Final Determination Sub-Committee.

RESOLVED that the composition of the Standards Committee's Final Determination Sub-Committee be amended to allow up to two parish councillors to sit on the Final Determination Sub-Committee when the subject member is a parish councillor.

12/08 **APPOINTMENT OF INDEPENDENT MEMBERS**

The Committee was asked to consider a report on issues affecting the appointment of independent members to the Standards Committee, including how vacancies for independent members should be advertised, the information which should be provided to prospective candidates and the selection criteria to be applied, with recommendations to be made to the Council in this regard.

Members did not wish for any recruitment pack to be too onerous and felt that an application form might not be necessary. Details regarding the role and function of the Committee were deemed to be useful, as was the selection criteria. In addition to advertising in the local press, the Committee felt that it would be useful, should timings permit, for an article to be included in the Together Bromsgrove publication, which was issued to all households in the District.

RECOMMENDED:

- (a) that authority be delegated to the Monitoring Officer, in consultation with the Chairman of the Standards Committee, to compile a suitable recruitment pack for prospective independent members of the Standards Committee;
- (b) that authority be delegated to the Monitoring Officer, in consultation with the Chairman or Vice-Chairman of the Standards Committee, to undertake shortlisting of candidates for vacancies for independent members of the Standards Committee;
- (c) that in cases where, following shortlisting, there is only one suitable candidate, authority be delegated to the Monitoring Officer, in consultation with the Chairman or Vice-Chairman of the Standards Committee, to make a recommendation to the Council; and
- (d) that in cases where there are two or more shortlisted candidates, authority be delegated to the Appointments Panel to interview shortlisted candidates, with the assistance of the Chairman or Vice-Chairman of the Standards Committee who shall act in an advisory (but non-voting) capacity, and to make a recommendation to the Council.

13/08 **REVIEW OF THE CODE OF CONDUCT**

Members were asked to review the operation of the Code of Conduct since its adoption by the Council on 17th July 2007 and to decide if any further action was required in respect of both the Council and parish councils within the District. The Chairman commented that it might be useful for any future Code of Conduct training session to include some of the decisions reached by the Council's Standards Committee, particularly where such decisions related to a technical breach of the Code. It was noted that any trends in complaints received for alleged breaches of the Code might result in recommendations being put forward to the Member Development Steering Group for training for all Members - both at district and parish level, and that such data would also be useful in making Members think about the relevance of making certain complaints and for them to have regard to the time and costs involved in the process.

Members were not in favour of making the Code any more onerous or prescriptive than it currently was and felt that more time was needed, particularly in view of the recent introduction of local assessment, to see how the new Code operated. Accordingly, the proposed amendment detailed at paragraph 3.7 of the report was not supported.

RESOLVED subject to the comments in the preamble above, no amendments be made to the Code of Conduct at this stage and the Code be reviewed in due course once this has been in operation for a sufficient period of time.

14/08 **ANNUAL OMBUDSMAN STATISTICS**

A report setting out provisional information on the annual statistics compiled by the Local Government Ombudsman's office on complaints recorded against the Council during the twelve month period ending 31st March 2008 was submitted. Officers reported that the statistics were significantly better than in the previous year, with there being only one local settlement in 2007/08 compared to seven local settlements in 2006/07. It was noted that the statistics relating to neighbouring authorities had not been published at that stage and that these would be referred to the Committee once available.

RESOLVED:

- (a) that the report be noted; and
- (b) that the Ombudsman statistics relating to neighbouring authorities be referred to the Standards Committee once these were available.

15/08 **WORK PROGRAMME**

Consideration was given to the Committee's Work Programme, which included an additional item on a twelve month review of the local assessment process. Members felt that it would be useful for the meeting on 14th August 2008 to proceed and, subject to any additional business arising in the interim, for the meeting to be used to review any matters which had arisen as part of the local assessment process.

RESOLVED:

- (a) that the Work Programme be approved; and
- (b) that the meeting scheduled for 14th August 2008 proceed.

16/08 **LOCAL ASSESSMENT TRAINING EXERCISE**

Members did not wish to undertake a training exercise on the local assessment of complaints that evening and opted instead to read the case studies and answers circulated in their own time, and to raise any issues which had arisen under local assessment at the next meeting of the Standards Committee on 14th August 2008.

The meeting closed at 7.30 p.m.

Chairman