



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE STANDARDS COMMITTEE**

**WEDNESDAY 24TH MARCH 2010, AT 4.00 P.M.**

**CONFERENCE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE**

**MEMBERS:** Independent Members: Mr. N. A. Burke (Chairman) and Ms. K. J. Sharpe  
Councillors: Miss D. H. Campbell JP, Mrs. A. E. Doyle and E. C. Tibby  
Parish Councils' Representatives: Mr. J. Cypher (Alvechurch Parish Council) and Mr. I. A. Hodgetts (Romsley Parish Council)  
  
Observer: Mr. S. H. Malek (Non-voting Deputy Parish Councils' Representative - Clent Parish Council)

### **AGENDA**

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest
3. To confirm the accuracy of the minutes of the meetings of the Standards Committee held on 23rd September 2009, 3rd February 2010 and 24th February 2010 (to follow)
4. Monitoring Officer's Report (to follow)  
  
[To receive a report from the Monitoring Officer on any matters of relevance to the Committee.]
5. Parish Councils' Representatives' Report  
  
[To receive an oral report from the Parish Councils' Representatives on any matters of relevance to the Committee, and to include an update on the recent meeting(s) of the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils (CALC).]

6. Links between the Standards Committee, the Cabinet and the Senior Management Team (Pages 1 - 4)

[To consider whether it is appropriate to develop links between the Standards Committee, the Cabinet and/or the Senior Management Team, and if so, how those links should be developed and what form they should take.]

7. Ombudsman Statistics (Pages 5 - 8)

[To provide the Committee with a six-monthly update on Ombudsman statistics.]

8. Publications

[Attention is drawn to the list of publications below which the Committee may find of interest. Any publications which are of direct relevance to the Committee will be copied into the agenda papers for reference. The links of all publications are included for online viewing:

- (i) University of Hull and Teesside University: *Assessing the impact of standards committees* - link:  
<http://www.standardsforengland.gov.uk/media/AssessingTheImpactOfStandardsCommittees2009.pdf>
- (ii) Standards for England: *Bulletins* - link:  
<http://www.standardsforengland.gov.uk/News/Newsletters/TheBulletin/>
- (iii) Standards for England: *Notifications to parish and town councils concerning complaints about their members and the Standards Committee (England) Regulations 2008* - link:  
<http://www.standardsforengland.gov.uk/Guidance/TheCodeofConduct/Guidance/Quickguides/Notificationstoparishandtowncouncilsconcerni/> ]

9. Review of Operation of the Standards Committee and its Sub-Committees (Pages 9 - 12)

[To seek Members' views on the general operation of the Standards Committee and its Sub-Committees over the last twelve months.]

10. Calendar of Meetings 2010/11 (Pages 13 - 16)

[To advise Members of the meeting dates of the Standards Committee for the 2010/11 Municipal Year.]

11. Work Programme (Pages 17 - 22)

[To consider the future Work Programme of the Committee.]

12. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

13. Exclusion of the Public

[Should it prove necessary, in the opinion of the Chief Executive, to exclude the public from the meeting at any point during the proceedings in relation to any item(s) of business on the grounds that either exempt and/or confidential information is likely to be divulged, the following resolution(s) will be moved:

"That under Section 100 I of the Local Government Act 1972, as amended, it/they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being (...*to be specified by the Chairman at the meeting*), and that it is in the public interest to do so.", and/or

"That under Section 100 A of the Local Government Act 1972, as amended, it/they involve the likely disclosure of confidential information which would be in breach of an obligation of confidence."]

K. DICKS  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

16th March 2010

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## BROMSGROVE DISTRICT COUNCIL

### STANDARDS COMMITTEE

24TH MARCH 2010

#### LINKS BETWEEN THE STANDARDS COMMITTEE, THE CABINET AND THE SENIOR MANAGEMENT TEAM

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton, Monitoring Officer and Head of Legal, Equalities and Democratic Services
Non-Key Decision	

#### 1. SUMMARY

This report requests the Standards Committee to consider whether it is appropriate to develop links between the Standards Committee, the Cabinet and/or the Senior Management Team, and if so, how those links should be developed and what form they should take.

#### 2. RECOMMENDATION

That the Standards Committee develops links with the Cabinet and Senior Management Team in a format to be agreed.

#### 3. BACKGROUND

- 3.1 At present no formal reporting or links exist between the Standards Committee and the leadership of the Council. Whilst there is no requirement for this, Standards for England has indicated that it considers it to be good practice for such links to exist in order for the Standards Committee to fulfil its proactive role of improving standards.
- 3.2 The Portfolio Holder with responsibility for ethical governance will be present at the meeting to discuss this issue with the Committee in order that the Committee can explore ways in which this might be developed in a positive and useful manner.
- 3.3 If links between the Standards Committee and the Cabinet are to be developed, care should be taken to ensure that the independence of the Committee is not seen to be compromised; on the other hand, the legislative framework does permit up to one member of the Cabinet to be a member of the Standards Committee.
- 3.4 Similarly, no formal arrangements currently exist for liaison between the Standards Committee and the Senior Management Team.

3.5 The Committee is requested to consider whether it believes that such links would be beneficial, and if so, to explore how they could be implemented.

**4. FINANCIAL IMPLICATIONS**

None

**5. LEGAL IMPLICATIONS**

The composition and functions of Standards Committee is set out in the Local Government Act 2000 ss53-54 and the Standards Committee (England) Regulations 2008. Paragraph 4(1)(b) of the Regulations sets out the requirement that, where an authority is operating executive arrangements, not more than one member of its Standards Committee may be a member of the executive.

**6. COUNCIL OBJECTIVES**

CO2 – Improvement, Priorities – Reputation and Performance

**7. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

There are no risks associated with the details included in this report

**8. CUSTOMER IMPLICATIONS**

N/a

**9. EQUALITIES AND DIVERSITY IMPLICATIONS**

None

**10. VALUE FOR MONEY IMPLICATIONS**

None

**11. CLIMATE CHANGE AND CARBON IMPLICATIONS**

None

**12. OTHER IMPLICATIONS**

Procurement Issues	None
Personnel	None

Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Biodiversity	None

**13. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Joint Chief Executive	No
Executive Director - Partnerships and Projects	N/a
Executive Director - Services	N/a
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	N/a
Corporate Procurement Team	No

**14. WARDS AFFECTED**

All wards

**15. APPENDICES**

None

**16. BACKGROUND PAPERS**

None

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## BROMSGROVE DISTRICT COUNCIL

### STANDARDS COMMITTEE

24TH MARCH 2010

#### OMBUDSMAN STATISTICS

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton, Monitoring Officer and Head of Legal, Equalities and Democratic Services
Non-Key Decision	

#### 1. SUMMARY

The purpose of this report is to provide Members with a six monthly update on Ombudsman statistics.

#### 2. RECOMMENDATION

Members are requested to note the contents of the report.

#### 3. BACKGROUND

- 3.1 The provisional Ombudsman statistics compiled by the Local Government Ombudsman (LGO) for the year ended 31st March 2010 will be circulated by the LGO in April. This report provides an update on the number of complaints received for the period from 1st April 2009 to 31st October 2009 based on the Council's records.
- 3.2 For the period from 1st April 2009 to 31st October 2009 the number of Ombudsman complaints made about the Council was 9. Of these 3 were referred for formal investigation by the LGO and 2 were classed as premature, meaning that the complainant had not given the Council an opportunity to resolve the complaint but had instead reported it directly to the LGO. These complaints are referred back to the Council to be considered through the internal complaints system. One complaint was discontinued because the subject matter was outside the jurisdiction of the Ombudsman and 3 were discontinued without a formal investigation taking place.
- 3.3 Response times to those complaints that are formally investigated are monitored by the Council as a performance indicator. The target response time is 28 days. The average response time for the 3 formal complaints that were investigated was just over 28 days.

- 3.4 Officers will be able to give Members a more detailed breakdown of the activity relating to the Ombudsman later in the year once the full statistics for 2009/10 are available in the format of the Annual Report issued by the LGO. This item is already included in the Work Programme for the Standards Committee.

**4. FINANCIAL IMPLICATIONS**

None

**5. LEGAL IMPLICATIONS**

None

**6. COUNCIL OBJECTIVES**

Improvement – Customer Service: the statistics will enable the Council to improve its services to customers.

**7. RISK MANAGEMENT**

- 7.1 The main risks associated with the details included in this report are those linked to poor standards of complaint handling. The effects of not handling complaints efficiently can include poor customer service, increased customer dissatisfaction, increased numbers of complaints and damage to the Council's reputation.

- 7.2 These risks are being managed as follows:

- Through the Council's customer feedback system and Customer First Policy.

**8. CUSTOMER IMPLICATIONS**

The statistics should enable the Council to improve service delivery to customers.

**9. EQUALITIES AND DIVERSITY IMPLICATIONS**

None

**10. VALUE FOR MONEY IMPLICATIONS**

None

**11. CLIMATE CHANGE AND CARBON IMPLICATIONS**

None

**12. OTHER IMPLICATIONS**

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

**13. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships and Projects	N/A
Executive Director - Services	N/A
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	N/A
Corporate Procurement Team	No

**14. WARDS AFFECTED**

All wards

**15. APPENDICES**

None

**16. BACKGROUND PAPERS**

None

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## BROMSGROVE DISTRICT COUNCIL

### STANDARDS COMMITTEE

24TH MARCH 2010

#### REVIEW OF OPERATION OF THE STANDARDS COMMITTEE AND ITS SUB-COMMITTEES

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton, Monitoring Officer and Head of Legal, Equalities and Democratic Services
Non-Key Decision	

#### 1. SUMMARY

This report seeks Members' views on the general operation of the Standards Committee and its Standards Sub-Committees over the last twelve months.

#### 2. RECOMMENDATION

It is recommended that, subject to any specific issues highlighted by the Committee which might require specific follow-up action, the report be noted.

#### 3. BACKGROUND

- 3.1 Members were first asked to review the general operation of the Standards Committee, for the preceding twelve months, at the meeting of the Committee on 20th May 2009.
- 3.2 It was agreed at that time that the report should feature annually in the Committee's Work Programme and that this would normally be considered by the Committee as its final meeting of the municipal year; prior to any change in membership of the district councillors on the Committee which might take place at the Annual Meeting of the Council in May.
- 3.3 At its meeting on 23rd September 2009 the Committee revised the constitution of its sub-committees in the light of its previous request to the Monitoring Officer to develop a scheme for determining how substitutes should be selected. The Assessment and Review Sub-Committees were therefore restructured and fixed memberships introduced for these. It was agreed that the position should be reviewed once the new sub-committees had been in operation for six months.

3.4 Reviewing the general operation of the Standards Committee and its sub-committees is beneficial as it provides Members and officers with an opportunity to reflect on the work carried out over the last twelve months and to consider whether any changes are required to the practices or procedures currently in place to facilitate that work.

3.5 Members are asked to consider the operation of the Standards Committee and its sub-committees and to comment on any aspects of these accordingly.

**4. FINANCIAL IMPLICATIONS**

None

**5. LEGAL IMPLICATIONS**

None

**6. COUNCIL OBJECTIVES**

6.1 This report is linked to the Council's Improvement Objective, Priority - Customer Service.

6.2 Reviewing the general operation of the Standards Committee and its sub-committees will assist Members and officers in identifying any areas which show good practice and/or which may require change. This shows that the Committee is conscious of the need to continually review, develop and, where appropriate, refine any systems which are not meeting the needs of Members, the Council and the public in relation to ethical governance under the local standards framework.

**7. RISK MANAGEMENT**

None

**8. CUSTOMER IMPLICATIONS**

None

**9. EQUALITIES AND DIVERSITY IMPLICATIONS**

None

**10. VALUE FOR MONEY IMPLICATIONS**

None

## 11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	Reviewing the general operation of the Standards Committee and its sub-committees on an annual basis will assist the Committee in being proactive in fulfilling its role in ethical governance under the local standards framework.
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

## 12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director (Partnerships and Projects)	N/A
Executive Director (Services)	N/A
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	N/A

Corporate Procurement Team	No
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**13. WARDS AFFECTED**

All Wards

**14. APPENDIX**

None

**15. BACKGROUND PAPERS**

Agenda and minutes of the meetings of the Standards Committee held on 20th May 2009 and 23rd September 2009.

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## **BROMSGROVE DISTRICT COUNCIL**

### **STANDARDS COMMITTEE**

**24TH MARCH 2010**

#### **CALENDAR OF MEETINGS – 2010/11**

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton, Monitoring Officer and Head of Legal, Equalities and Democratic Services
Non-Key Decision	

#### **1. SUMMARY**

This report advises Members of the meeting dates of the Standards Committee for the 2010/11 Municipal Year.

#### **2. RECOMMENDATION**

It is recommended that the meeting dates of the Standards Committee for the 2010/11 Municipal Year be noted.

#### **3. BACKGROUND**

3.1 The Programme of Council and Committee meetings for the 2010/11 Municipal Year was considered by the Cabinet at its meeting on 6th January 2010 and was approved by full Council on 20th January 2010.

3.2 The Council also agreed that authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Leader and relevant Portfolio Holder, to agree the Programme of Council and Committee meetings for future years.

3.3 The final meeting of the Standards Committee of the current (2009/10) Municipal Year will take place on Wednesday 24th March 2010.

3.4 The agreed dates of Standards Committee meetings for the 2010/11 Municipal Year are as follows:

- Wednesday 19th May 2010
- Wednesday 14th July 2010
- Wednesday 22nd September 2010
- Wednesday 24th November 2010
- Wednesday 26th January 2011
- Wednesday 23rd March 2011

3.5 The above meetings are scheduled to commence at 6.00pm but the start times may, on occasion, be subject to change, with the prior approval of the Committee.

3.6 In addition to the meetings detailed at paragraph 3.4 above, meetings of the Standards Assessment Sub-Committee and Standards Review Sub-Committee will also take place as and when required. These will deal with the local assessment of complaints against elected Members for alleged breaches of the Code of Conduct. Sub-Committee meetings, which are not open to the public, will either take place during the daytime or evening, in accordance with any statutory timeframes.

**4. FINANCIAL IMPLICATIONS**

None

**5. LEGAL IMPLICATIONS**

None

**6. COUNCIL OBJECTIVES**

Objective - Improvement, Priority - Customer Service.

**7. RISK MANAGEMENT**

None

**8. CUSTOMER IMPLICATIONS**

None

**9. EQUALITIES AND DIVERSITY IMPLICATIONS**

None

**10. VALUE FOR MONEY IMPLICATIONS**

None

**11. OTHER IMPLICATIONS**

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None

Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

**12. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	No
Chief Executive	No
Executive Director (Partnerships and Projects)	N/A
Executive Director (Services)	N/A
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	N/A
Corporate Procurement Team	No

**13. WARDS AFFECTED**

All Wards

**14. APPENDICES**

None

**15. BACKGROUND PAPERS**

Committee Programme 2010/11 - as referred to the meeting of the Cabinet on 6th January 2010 and Full Council on 20th January 2010.

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## BROMSGROVE DISTRICT COUNCIL

### STANDARDS COMMITTEE

24TH MARCH 2010

#### WORK PROGRAMME

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton, Monitoring Officer and Head of Legal, Equalities and Democratic Services
Non-Key Decision	

#### 1. SUMMARY

This report sets out a Work Programme for the Standards Committee.

#### 2. RECOMMENDATION

It is recommended that, subject to any amendments made to it by the Committee, the Work Programme be approved.

#### 3. BACKGROUND

3.1 The Standards Committee established a Work Programme at its meeting on 7th February 2008.

3.2 A Work Programme is beneficial to the Committee for the following reasons:

- (a) to ensure the Committee is fulfilling its roles and functions in accordance with the Council's Constitution;
- (b) to enable officers to be proactive in supporting the Committee and for the Committee to be equally proactive in introducing change to ensure the Council is an ethical organisation, which promotes and maintains high standards of conduct of elected Members, and is an organisation which relates to the community and improves the service it provides; and
- (c) the rising profile of standards committees and, in particular, the changes brought about by the introduction of the local assessment of complaints of alleged breaches by district and parish councillors of the Members' Code of Conduct, under the Local Government and Public Involvement in Health Act 2007.

3.3 The Work Programme will appear as a regular item on Standards Committee agendas.

3.4 Officers will update the Work Programme, as appropriate, in between meetings and any amendments to this will be referred to the next meeting of the Committee for approval. Members of the Committee are welcome to contact officers, at any time, with suggested changes.

3.5 The Committee is asked to consider the Work Programme and to comment on this accordingly.

**4. FINANCIAL IMPLICATIONS**

None

**5. LEGAL IMPLICATIONS**

None

**6. COUNCIL OBJECTIVES**

6.1 The Work Programme is linked to the Council's Improvement Objective, Priority - Customer Service.

6.2 A Work Programme will assist in informing Members, officers and the public of the work being undertaken by the Committee in ensuring that the Council is an ethical organisation, which is proactively working towards improvement.

**7. RISK MANAGEMENT**

None

**8. CUSTOMER IMPLICATIONS**

None

**9. EQUALITIES AND DIVERSITY IMPLICATIONS**

None

**10. VALUE FOR MONEY IMPLICATIONS**

None

**11. OTHER IMPLICATIONS**

Procurement Issues	None
Personnel Implications	None

Governance/Performance Management	A Work Programme will assist the Committee in being proactive in fulfilling its role in ethical governance.
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

**12. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	No
Chief Executive	No
Executive Director (Partnerships and Projects)	N/A
Executive Director (Services)	N/A
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	N/A
Corporate Procurement Team	No

**13. WARDS AFFECTED**

All Wards

**14. APPENDIX**

Standards Committee Work Programme.

**15. BACKGROUND PAPERS**

None

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## APPENDIX

### STANDARDS COMMITTEE WORK PROGRAMME

[Note: Any items that it is proposed should be removed from the Work Programme are denoted by a strikethrough, with any new additions and/or rescheduled items appearing in bold italics.]

Meeting date	Item(s) for consideration
19th May 2010	<ul style="list-style-type: none"><li>• Appointment of Chairman and Vice-Chairman</li><li>• Standards Committee Annual Report 2009/10</li><li>• <b><i>Appointment of members of the Standards Committee to its Sub-Committees</i></b></li><li>• Annual Review of the Operation and Effectiveness of the Members' Code of Conduct</li></ul>
14th July 2010	
22nd September 2010	<ul style="list-style-type: none"><li>• Annual Ombudsman Complaint Statistics (<i>final report for period ending 31st March 2010 and to include comparison with neighbouring authorities</i>)</li><li>• Parish Councils' Training Programme - 6 month update</li></ul>
24th November 2010	
26th January 2011	<ul style="list-style-type: none"><li>• <b><i>2011 Review of terms of office of Parish Councils' Representatives on the Standards Committee</i></b> (<i>to be completed prior to June 2011 &amp; CALC nominations to full Council - Min. 125/08 (i) of 29th April 2009 Council meeting refers. To go to January or March meeting.</i>)</li></ul>
23rd March 2011	<ul style="list-style-type: none"><li>• Ombudsman Complaint Statistics (<i>interim update for period ending 31st September 2010</i>)</li><li>• Parish Councils' Training Programme - 6 month update</li><li>• Annual Review of the Operation of the Standards Committee</li><li>• Calendar of meetings 2011/12</li></ul>

Date to be confirmed	<ul style="list-style-type: none"> <li>• <b>Review of Planning Services Code of Practice/ Planning Committee Procedure Rules/Public Speaking at Planning Committee Meetings guidance</b> (Min. 125/08 (ii) of 29th April 2009 Council meeting refers - Annual Review to be added into Work Programme on completion of this Review)</li> <li>• <b>'Planning Ahead' training session</b> (for members of the Standards Committee - as developed by Standards for England in partnership with the Planning Advisory Service)</li> <li>• <b>Draft Procedure for Processing Applications for Dispensations</b> (Min. 21/09 (c) of 22nd July 2009 Standards Committee meeting refers)</li> <li>• <b>Annual Review of Council Protocols on Member-Officer and Member-Member Relations</b></li> </ul>
<p>Note: All meetings of the Committee will include regular items such as:</p> <ul style="list-style-type: none"> <li>• Minutes of previous meeting;</li> <li>• Monitoring Officer's Report;</li> <li>• Parish Councils' Representatives' Report; and</li> <li>• Work Programme.</li> </ul>	