

Standards in Local Government

The First Annual Report of the Standards Committee 2007/08



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Introduction from the Chairman

Welcome to this the First Annual Report of Bromsgrove District Council's Standards Committee for the 2007/08 Municipal Year, which I hope you will find both interesting and informative.

The Committee was established under section 53 of the Local Government Act 2000 and first met on 17th January 2002. The Committee comprises elected Members (local Councillors), Independent Members (not a Member or officer of this or any other relevant authority) and a Parish Councils' Representative. There are set rules which govern the membership of standards committees and at least 25% of our Committee members must be independent of the Council.

The main responsibilities of the Committee are: to promote and maintain high standards of conduct by Members (and co-opted Members) of the Town and Parish Councils; to advise on the Code of Conduct for local authority Members and Co-opted Members; to train Members on conduct issues and help them to observe the Code of Conduct; and, where appropriate, to hold local hearings and determine complaints against Members for alleged breaches of the Code of Conduct.

Codes of Conduct and the regulation of standards issues are now part of public life. There is no doubt that they play an important part in enhancing and maintaining public confidence. The credibility of the system in local government, as elsewhere, depends upon it being open, fair and proportionate. These principles are at the heart of the Committee's approach.

2007/08 was a busy year for the Committee as it worked to raise its profile in order to enhance the reputation of local government. The Committee worked on the introduction of the revised Model Code of Conduct and recommended to the Council a number of local modifications to the national Code, all of which were accepted by the Council. Particular emphasis has been given to assisting Member development in ethical matters, with a number of training events having taken place in this area. The Committee also dealt with local investigations into alleged Member breaches of the Code of Conduct referred to it from the Standards Board for England.

The year ahead will see a particularly challenging time for the Committee as it embarks on the new system of local assessment of all allegations that a Member of the authority may have breached the Code of Conduct. This role was previously carried out by the Standards Boards for England and has now transferred to standards committees following changes brought about by the Local Government and Public Involvement in Health Act 2007. Details on making a complaint against a Member can be found at pages 9 and 10 of this report.

Nichola Trigg
Chairman (Independent Member)

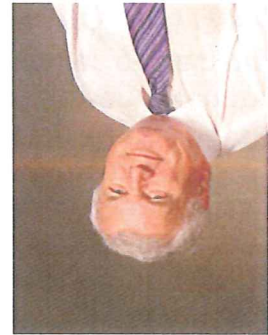
Nichola Triggy Chairman – Independent Member)

Nichola Triggy has been an Independent member of the Standards Committee since November 2001 and Chairman of the Committee since June 2003. She qualified as a Chartered Accountant in Birmingham with Coopers and Lybrand (now PriceWaterhouseCoopers), after graduating with a BSc (Hons) in Microbiology and has held a number of senior posts in commercial organisations. She is currently Finance Director and Company Secretary of Redcliffe Catering Group, which provides banqueting and conference facilities (including Birmingham Botanical Gardens and the Centennial Centre), event management and contract catering. Nichola is also a non-executive director of the Worcestershire Acute Hospitals Trust. Locally she is Treasurer of the Hagley Community Association which is a voluntary organisation running Hagley Community Centre and the Hagley Village News. She lives in Hagley Parish and is married with an 11 year old son.



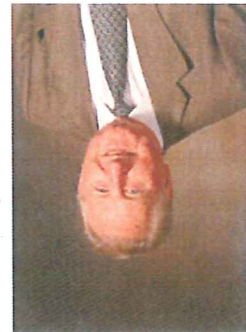
Councillor Chris Scurrall (Vice-Chairman)

Chris Scurrall has been a District Councillor for Hagley since June 2001, a Parish Councillor on Belbroughton Parish Council for 12 years and was previously a District Councillor in Oxfordshire for 3 years in the 1970's. He has been a member of the Standards Committee for 6 years and is currently a member of the Council's Planning Committee and Audit Board. Chris is also Chairman of the Refuse and Recycling Task Group, a member of the Bromsgrove Transport Partnership Theme Group and was a member of the Air Quality and Public Transport (Buses) Task Groups. He has also served on the Council's Licensing, Electoral Matters and Appeals Committees. He is currently Vice-Chairman of Dodford School Governing Body and was previously a member of the governing bodies of Fairfield First and Hagley Middle Schools. Chris worked for Rover and Land Rover for over 33 years as a Production Engineer, taking voluntary redundancy in 2000.



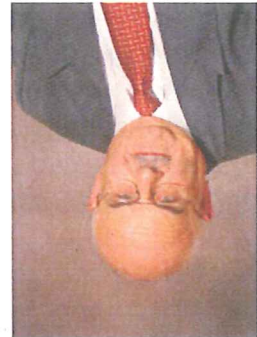
Ted Tibby was first elected to the Council in 1987. During his time as a District Councillor he has served on most of the Council's committees. He was elected Chairman on the Council in 2004 and is currently Chairman of the Planning Committee. He is a Board member of the Bromsgrove Citizens' Advice Bureau, a member of the Bromsgrove Institute and a former member of the Institute of Supervisory Managers. Ted served 22 years in the army and spent 18 years in the prison service.

Councillor Ted Tibby



Sean Shannon has been a District Councillor, representing Charford Ward, for 6 years and previously represented Stoney Hill Ward for 4 years. He has been a member of the Standards Committee since its inception and is also a member of the Council's Licensing Committee. He holds Board member positions on both Bromsgrove District Housing Trust and Avoncroft Museum. Sean is also a County Councillor, representing Bromsgrove West Division, and serves on the County's Health Overview and Scrutiny Committee and the Schools Anti-Bullying Task Group. He worked in the motor industry for 35 years and was an active trade union representative. He then moved into the catering industry and managed his own business before retiring.

Councillor Sean Shannon



Simon Allard has been an Independent Member of the Standards Committee since 2002. He studied law, criminology, social work and management at Bristol, Keele, Leicester and Aston Universities respectively. He is now retired but worked in the voluntary and public sector at local, regional and national levels. He ended his career with the Department of Health, responsible for inspection, policy development and performance review, predominantly in the social services field.

Simon Allard (Independent Member)



Noel Burke was appointed as an Independent Member of the Standards Committee in April 2007. He takes a keen interest in the activities of the town and the community and serving on the Standards Committee allows him to become involved with the community in a pro-active way. Noel is employed as a Sales Manager for a manufacturing company within the construction industry and has experience of working with and leading teams. He is married with 2 children.

Noel Burke (Independent Member)



John Cypher joined the Standards Committee in August 2007 as the representative of the 20 parish councils within the Bromsgrove district. He has been a member of Alvechurch Parish Council since May 2008. He also serves on committees that promote parish council interests at County and West Midlands regional levels. John is a recently retired civil servant (Department of Health) and prior to that worked in social services and higher education. He has had longstanding interests in the better management and organisation of local public services.

John Cypher (Parish Councils' Representative)



Ivan Hodgetts was appointed Deputy Parish Council's Representative on the Standards Committee in 2007. He became a Parish Councillor for Romsley in May 1976. Ivan was Chairman of Romsley Parish Council for 11 years from the early 1980's and was re-appointed to this role in the late 1990's and still holds this position today. He has been an active member of St. Kenelms Church in Romsley for 18 years and is also a member of Dudley Deanery Synod. After leaving College he joined his father's haulage contracting business which served local farmers, handling contracts with Bromsgrove Rural District Council and Worcestershire County Council. He expanded the business into more general haulage, becoming Transport Manager, and currently works in transport management for a small local family business.

Ivan Hodgetts (Deputy Parish Councils' Representative)



(Support Officer details to be added)

I. Training

Following the election of a number of new Councillors in May 2007 various training has taken place as part of the Member induction process under the Modern Councillor Programme. Training has also been held for all Councillors and the Council's Independent Members in areas such as the new Code of Conduct (which was adopted by the Council on 18th July 2007) and Effective Council Meetings.

Members of the Standards Committee are kept up to date with latest developments in relation to the ethical standards framework and members of the Committee receive the Standards Board for England Bulletins.

II. Hearings

During the 2007/08 Municipal Year the Committee considered alleged Member breaches of the Code of Conduct by Members and in cases(insert relevant statistics). No cases of alleged Member breaches were investigated by the Standards Board for England during this period. There has been one application for leave to appeal against a decision of the Standards Committee, which was in 2007. This was refused by the President of the Adjudication Panel for England on the basis that such an appeal had no reasonable prospect of success, a decision which was obviously welcomed by the Committee.

The Committee takes a critical look at hearings guidance and best practice elsewhere, and adopts it when possible.

III. Dispersations

The Committee is also charged with considering requests from town and parish councils for "dispensations" - that is, for its permission for Members who have a prejudicial interest to be able to participate in Council business when the subject of that interest is being discussed. Examples of when this might arise would include, for example, trustees of a village hall or of a playing field.

No requests for dispensation were made to the Committee during the 2007/08 Municipal Year.

Making a complaint about a Councillor

What complaints does the Standards Committee deal with?

The Standards Committee can only deal with complaints about the behaviour of a Member of its council or authority. It will not deal with complaints about things that are not covered by the Members' Code of Conduct. If you make a complaint to the Standards Committee it must be in writing. You should say who it is about and why you think they have not followed the Code of Conduct.

Once you have made a complaint you will be told in writing what will happen to it. If the authority decides that the Standards Committee will deal with your complaint it will set up a meeting of no less than three members of the Committee to decide what should happen next.

The meeting will be chaired by one of the independent people on the Standards Committee. This should happen within 20 days.

The Committee can decide to:

- Investigate your complaint.
- Take some other action.
- Send it to the Standards Board for England to investigate.
- Send it to the standards committee of another authority if the Member belongs to that authority, or one of the parish or town councils that come under it.
- Take no further action.

What is "other action"?

"Other action" is usually some form of conflict resolution, mediation or training. This decision is reached where the Standards Committee decides that it is likely to resolve the situation more effectively than an investigation and possible sanction.

What if the Standards Committee decides to take no further action and you don't agree?

The law says that the Standards Committee should take reasonable steps to tell you the reason for its decision. You may not agree with the reasons, or think that it did not make the decision properly, or you may have new information that you think might affect its decision. If so, you can ask the Committee to review its decision. You have to ask it to do this in writing within 30 calendar days of receiving its decision.

I. The Standards Board for England

The Standards Board for England provides an independent, national overview of how local authorities promote and improve the ethical behaviour of their Members.

It assists local authorities in this work by providing support and guidance, as well as investigating cases which it is inappropriate for authorities to deal with themselves. It is a non-departmental public body, set up by an Act of Parliament.

II. The Adjudication Panel for England

The Adjudication Panel for England is an independent judicial Tribunal which was established by Part III, Chapter IV of the Local Government Act 2000 to hear and adjudicate on matters concerning the conduct of local authority Members.

The Adjudication Panel considers references made to it by an Ethical Standards Officer of the Standards Board for England. The Panel also consider appeals pursuant to Part 3(9) of The Local Authorities (Code of Conduct) (Local Determination) Regulations 2003.

III. Worcestershire County Association of Local Councils

The Worcestershire County Association of Local Councils (otherwise known as 'CALC') is the representative body for Parish and Town Councils - the first tier of government - in Worcestershire.

The Committee will continue to work with the Worcestershire CALC on relevant matters and to forge links with the Association.

IV. West Mercia Independent Members' Forum

The Standards Board for England has encouraged the development of regional forums to support independent members of standards committees

The West Mercia region has a forum comprising standards committees from Shropshire, Herefordshire and Worcestershire. Where possible, a representative of our Committee (usually the Chairman) will aim to attend each of the meetings. The Forum has a valuable role to play in ensuring that independent members do not feel isolated and lacking in support.

The Standards Committee must consider your request within three months. The decision will be reviewed by at least three members of the Standards Committee. None of the people who made the original decision are allowed to take part in the review. This meeting will be chaired by one of the independent people on the Standards Committee. They can uphold the original decision or overturn it, and will tell you in writing what they have decided. In the event that the Committee overturns the decision a full investigation will take place, which may lead to a final determination hearing.

Complaint form

A copy of the complaint form and guidance on how to complete this can be found under the 'Your Council' – 'Councillors' section of the Council's website at www.bromsgrove.gov.uk, or by contacting the Monitoring Officer at the details set out below.

Complaints should be returned to:

Claire Felton
Monitoring Officer
The Council House
Burcot Lane
Bromsgrove
B60 1AA

Telephone: 01527 881429

Email: c.felton@bromsgrove.gov.uk

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Bromsgrove
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