

STANDARDS COMMITTEE

At a meeting of the Standards Committee on Wednesday, 21 November 2007 in Conference Room 1, Municipal Building

Present: Mr B. Badrock (Chairman) and Mr T. Luxton, and Councillors Lewis, Parker, Redhead, Wainwright and Wharton

Apologies for Absence: Parish Councillor Crawford

Absence declared on Council business: None

Officers present: M. Reaney and L. Cairns

Also in attendance: None

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE COMMITTEE

STC9	MINUTES	<i>Action</i>
	<p>The minutes of the meeting held on 5th September 2007, having been printed and circulated, were signed as a correct record.</p>	
STC10	ACTION LIST	<i>Monitoring Officer</i>
	<p>The Committee considered the action list in detail and agreed the following:</p> <ul style="list-style-type: none">• Action 1 - a report be submitted to the next meeting.• Action 2 – this be deleted.• Action 3 – the Monitoring Officer liaise with Wigan to see if any hearings were imminent.• Action 4 – this be deleted.• Action 6 – the Monitoring Officer and Chairman liaise about potential costs and their inclusion in the budgetary process.• Action 7 – a copy of the information currently available on the Council’s website be provided for consideration at the next meeting and advice be sought as to whether or not the number of “hits” to this area can be ascertained.• Action 11 – this be removed as a consortium was in	

place – a commission for the individual case at the appropriate time would set out exactly what was expected from the consortium.

- Action 14 – this be removed as now complete.
- Action 16 – refer to minute number STC13 (2).
- A further action be added (see minute number STC11 (3)).

STC11 SIXTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES - FEEDBACK

The Committee received a report from the Chairman on the Sixth Annual Assembly of Standards Committees, which he had attended on 15th and 16th October 2007. A variety of information had been received, for example notes regarding the filter process, and it was requested that this be circulated to Members of the Committee for information.

Monitoring Officer

The Chairman reported that a number of case studies had been worked through within workshops. In addition, the following issues had been considered at the event:

- the introduction of the local filter system the following year;
- the “gentler” Code and devolution to local authorities;
- resource implications;
- the need for Members to register all interests by April 2008 for June 2008;
- implications for Parish Councils, particularly those with a small precept;
- greater responsibility on the Monitoring Officer; and
- the need for a responsible officer to manage the process.

The Committee discussed the following:

- the potential difficulties with the timeframe in respect of the completion of Register of Interest forms;
- would the “gentler touch” be “toothless”? – it was noted that the filter process would be based on the seriousness of the accusation and would be subject to judicial review;
- the possible need to divide the Committee into different groups to deal with various stages of any complaint and the difficulties that could arise as a result of this should a member have an interest, as well as the possible lack of consistency in such a process; and
- the difficulty in recruiting independent members.

Members discussed training requirements and ways of ensuring that Councillors understood the implications of the Code, for example via training sessions prior to full Council meetings, or one-to-one sessions. In addition, it was agreed that representation should be made to the Standards Board for England regarding the distribution of invitations for future conferences.

RESOLVED: That

- (1) guidance be produced for the next appropriate meeting of the Committee setting out actions required at each stage of the complaint process;
- (2) consideration be given to the provision of further Council Member training on the Code of Conduct; and
- (3) a letter be sent to the Standards Board for England requesting that their method of allocating places on conferences be amended so that, in future, an invitation be sent to the Chairs of all Standards Committees initially and they be provided with the opportunity of taking up this offer by a specified date.

Monitoring Officer

STC12 STANDARDS BOARD TRAINING DVD

The Committee watched the new training DVD issued by the Standards Board for England entitled "The Code Uncovered", highlighting the key changes to the revised Code of Conduct.

RESOLVED: That the possibility of providing all Members with access to this DVD be investigated.

Monitoring Officer

STC13 STANDARDS BOARD INFORMATION ROUND-UP

The Committee considered a report of the Strategic Director – Corporate and Policy together with a copy of Bulletin 35 issued by the Standards Board for England. It was noted that the document considered the implications for Authorities of the expected move towards a locally based ethical framework from April 2008 and provided an update on the recent local filter pilot projects. It also dealt with specifications for the roles of independent members of Standards Committees.

The Occasional Paper on predetermination and bias had also been circulated for Members' consideration,

together with advice from Counsel. Both these documents had already been circulated to all Members of the Council via the Information Bulletin. The Committee agreed that further clarification in a simple format was required and it was:

RESOLVED: That the Monitoring Officer examine the guidance and produce proposals for the next meeting regarding:

Monitoring Officer

- (1) the production of information on the Code, predetermination and bias in a simple format; and
- (2) local filter duties.

STC14 LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Committee considered a report of the Strategic Director – Corporate and Policy advising on the enactment of the Local Government and Public Involvement in Health Act 2007 and the implications for the Code of Conduct.

A briefing note from Messrs Weightmans was appended to the report detailing the change in the legislation, which meant that the Code was capable of being applicable to a Member's conduct in his/her private capacity but only where that conduct would amount to a criminal offence.

RESOLVED: That the report be noted.

Meeting ended at 5.00 p.m.