

## **STANDARDS COMMITTEE**

Minutes of the meeting held at 7.00 pm on 5 December 2013

### **Present:**

Councillor Michael Tickner (Chairman)  
Councillor Peter Fookes (Vice-Chairman)  
Councillor Reg Adams and Councillor Peter Dean

### **Also Present:**

Councillor Nicholas Bennett J.P. and Dr Simon Davey

#### **1 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN FOR 2013/14**

Councillors Michael Tickner and Peter Fookes were appointed Chairman and Vice-Chairman respectively for 2013/14. Councillor Tickner took the chair.

#### **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Gordon Norrie and Nicholas Marcar (independent person).

#### **3 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **4 MINUTES OF THE MEETING HELD ON 19th JUNE 2012 AND MATTERS ARISING**

**RESOLVED** that the minutes of the meeting held on 19<sup>th</sup> June 2012 be confirmed.

#### **5 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received.

#### **6 REVIEW OF THE NEW STANDARDS SYSTEM INTRODUCED BY THE LOCALISM ACT 2011** Report RES13212

The Committee considered a review of the standards arrangements adopted by full Council on 25<sup>th</sup> June 2012 under the Localism Act 2011. The Council had adopted a new code of conduct based on the model provided by the Department for Communities and Local Government, appointed two

independent persons, Dr Simon Davey and Mr Nicholas Marcar, decided to retain a Standards Committee and introduced a “light touch” system for investigating complaints relating to breaches of the Code of Conduct.

The Director of Corporate Services and Monitoring Officer informed the Committee that only half of Councillors had completed their new declaration of interest forms under the 2011 Act. Arguably this was not necessary at this stage unless a new interest arose, but it would be mandatory that the forms were completed within twenty-eight days of the election in 2014. Members suggested that the forms could be made clearer, or a guide could be provided to assist Members, and that Members could be provided with their old declarations to act as a reminder when completing the new forms. Councillor Nicholas Bennett commented that many Members overlooked declaring election expenses and party membership. Another issue was the reluctance of some Members to declare their home address as required. The Director explained that he could direct that addresses were not published on-line, but only where there were very serious and exceptional concerns about personal security. Members accepted that they had to declare their address to stand for election anyway.

The Committee discussed whether a further reminder, backed up with a letter from the Chairman, would be appropriate, but it was considered that with the election only a few months away it would be better to concentrate on ensuring that all Councillors completed their declarations within the twenty-eight day period in 2014.

The new arrangements for dealing with complaints against Councillors included five principles for the investigation of complaints (set out in paragraph 3.17 of the report.) The Committee heard how, since the introduction of the new standards system in July 2012, there had been very few complaints about councillors. It was proposed that the new arrangements should continue with the change that complaints about conduct falling below what is expected should be referred to the member’s party group leader for investigation and resolution. This followed the principle in the new arrangements that Councillors should be self-regulating, and that they should be judged by their peers. Where the complaint related to a group leader then the matter could be dealt with by that group’s representative on the Standards Committee. The outcomes from such investigations would be fed back to the Standards Committee via the Monitoring Officer and independent persons.

The Constitution Improvement Working Group had recommended that the independent persons be re-appointed as members of the Standards Committee with effect from the new Council year in 2014. The Working Group had also stated that the present independent persons should be retained for as long as the Council was lawfully able to do so. The Committee strongly supported re-appointing the independent persons to the Committee.

The Committee also received and noted a copy of the report from Transparency International “Corruption in UK Local Government – The Mounting Risks.”

**RESOLVED that**

- (1) That the Committee endorses the current Code of Conduct and the requirements for declarations of interests.**
- (2) That the Chairman of the Standards Committee writes to all Members after the 2014 election informing them that under the new Code adopted on 25<sup>th</sup> June 2012 they have to complete their Register of Interest forms within twenty-eight days of being elected.**
- (3) That the Committee supports the independent persons being co-opted as members of the Standards Committee from 2014/15 onwards.**
- (4) That the Committee endorses the proposed model for investigating complaints, set out in paragraphs 3.11-22 of the report.**
- (5) That the 2014 Induction for Members includes a session on standards with a surgery session following that, providing support to Members on completing their Register of Interest forms, and with additional guidance being prepared to clarify what is required.**

**7 COUNCILLOR INDUCTION 2014**  
Report RES13211

The Committee was asked for its comments on the arrangements for induction of new councillors in 2014, and in particular how standards issues were to be approached.

With the elections now scheduled to be held on Thursday 22<sup>nd</sup> May 2014, the timetable was likely to be more difficult than in previous years, but it was noted that the local count could be carried out during the day on Friday 23<sup>rd</sup>. If so then immediately upon election, Members would be asked to sign a declaration of acceptance of office (which included an undertaking to comply with the Code of Conduct) and would be provided with vital documents, but induction sessions would probably not commence until the following Wednesday (allowing for the Bank Holiday Monday and group meetings on the Tuesday). The Committee considered that standards issues should be covered in this first induction session.

Members noted the suggestion of extending the biographical information already sought from Members to include information on skills and experience to support the Council's work. There were mixed views about how useful this would be, but it was emphasised that this would be done on a voluntary basis. It was suggested that it would be useful to request details of emergency contacts/next of kin.

Councillor Nicholas Bennett informed the Committee that as Chairman of the Constitution Improvement Working Group he had offered to draw up guidance on communications and social media for councillors.

Members also commented that the “marketplace” idea was useful, and Dr Davey offered to assist with staffing a standards stall.

**RESOLVED that the Committee’s comments as set out above be taken into account in planning the induction arrangements for 2014.**

**8 ETHICAL INDICATORS**  
Report RES13201

The Committee received its regular report on a series of ethical indicators. It was suggested that it would be useful for the Committee to receive a summary of the number of cases where judicial reviews were sought against decisions made by the authority.

**RESOLVED that the information on ethical indicators in the report be noted, and that information on judicial review proceedings taken against the Council be included in future reports.**

**9 COMPLAINTS**

The Director of Corporate Services briefed the Committee on recent complaints made against members of the Council. There had only been three cases in 2012/13 and 2013/14, concerning a planning application, failure to respond to correspondence and declaration of interests; in each case the complaint had been dismissed without the need for investigation.

The Meeting ended at 8.00 pm

Chairman