

## **STANDARDS COMMITTEE**

Minutes of the meeting held on 9 March 2010

### **Present:**

Mr Jonathan Prince (Chairman)  
Dr Simon Davey (Vice-Chairman)  
Councillor Martin Curry, Councillor Peter Fookes, Mr Nicholas Marcar, Rabbi Sylvia Rothschild and Councillor Michael Tickner

### **Also Present:**

Councillor David McBride

#### **36 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Peter Dean and Stephen Wells.

#### **37 DECLARATIONS OF INTEREST**

There were none.

#### **38 MINUTES OF THE MEETING HELD ON 8TH DECEMBER 2009 AND MATTERS ARISING**

Amendments to the Minutes were agreed as follows:

- The inclusion of Councillor Curry in the list of attendees
- Minute 28 paragraph 2 to read: "Whilst there were growing legislative powers for the Council to hold non-elected bodies to account, there were still frustrations where unelected bodies such as the Schools Forum were able to exert considerable sway over the Council's ability to deploy resources as it wished".

Councillor Curry expressed his disagreement with aspects of Minute 28 and requested that it record his recollection that the Chief Executive had described the Council as 'member-led' whilst acknowledging that he had after discussion with the administration instructed officers not to consult local ward councillors about a bid for projects that might be undertaken within their wards supported by government funding and his challenge to the Chief Executive on this point at the meeting.

It was agreed that future agendas should contain a specific report on outstanding matters from previous meetings.

Connected to both Minute 26 and 30, the Committee discussed the extent to which public questions of the Standards Committee could and should be

encouraged, and the extent to which there could be issues or confusion about the distinction between service delivery, process and ethical concerns. The Committee requested that practice from other councils should be explored, and that consideration should be given at a future meeting of the Committee to constructing an explicit ethical framework for council decision-making to be measured against. Committee members agreed to pass on any good practice examples they felt could inform the debate to the Monitoring Officer as soon as possible.

**RESOLVED that**

- 1) the Minutes of the Meeting held on 8<sup>th</sup> December 2009 be confirmed, subject to the amendments outlined above;
- 2) future agendas should have a standing item on issues outstanding from previous meetings; and
- 3) a report be put to the November meeting of the Standards Committee on developing an ethical framework for decision-making, with Committee members forwarding good practice examples to the Monitoring Officer in the meantime

**39           QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING  
THE MEETING**

There were none.

**40           DISPENSATIONS**

No requests for dispensations had been received.

**41           LEADER OF LIBERAL DEMOCRAT GROUP**

Councillor David McBride, Leader of the Liberal Democrat Group on the Council, attended the meeting. He had previously been along to discuss ethical governance issues with the Committee in December 2008.

He expressed the view that, from his perspective, councillor behaviour towards officers had improved since the last time he had attended the Committee. He felt that these tensions tended to manifest themselves more in the earlier part of a council term, and confirmed that he would, as a political group leader, be counselling new colleagues to be sensitive to the impact their approach or behaviour might have on officers, and to promote a culture of respect and professionalism where challenges needed to be made. Whilst the Member/ Officer protocol had been longer in gestation than he would have liked he welcomed the fact that it was now in place, would play his part in promoting it to his group colleagues, and would welcome reference to it being included in new councillor induction.

He was pleased to note the shortlisting of the Council in Standards and Ethics category of the LGC Awards which he felt as due to the hard work put in by this Committee to develop their role, and he welcomed the opportunity afforded to him to feed into their thinking in this way.

The Chairman thanked Councillor McBride for coming to the Committee meeting to share his thoughts.

**RESOLVED that as part of the Committee's communications plan, thought be given to ways of promoting the Member/Officer protocol to both councillors and officers**

#### **42 ASSISTANT CHIEF EXECUTIVE (HUMAN RESOURCES)**

The Council's Assistant Chief Executive (Human Resources), Charles Obazuaye, attended the meeting. In a presentation he outlined the Council's HR perspectives on ethical issues, in particular the corporate REAL values (Respect, Empowerment, Ambition, Learning), and also on its promotion of anti-bullying measures, which were of interest to this Committee having been highlighted in the 2008 Ethical Governance Audit.

The Committee discussed the ways in which staff and other stakeholders such as Trades Unions and councillors had been involved in developing the values and competencies described. It was suggested that as and when these were next reviewed that responsibility and accountability might be considered as values rather than competencies, because of the ethical desirability of the Council constantly striving to increase transparency and openness in its decision-making.

Measures taken to ensure that staff and contractors were aware of whistleblowing channels and felt comfortable using them were discussed as were the volume and nature of complaints received in the previous year. They were informed that issues raised had been handled promptly, and that no areas of concern had been identified.

Some concerns were raised about maintaining a fair work/life balance for Council staff, especially given increasing financial pressures; the Council's promotion of flexible working was cited as an example of ways it was exploring to try and meet these challenges. This was amongst the issues explored in the recent staff survey; Charles Obazuaye offered to present the findings of this to Standards Committee members at a future meeting.

The Committee offered to provide support for HR in promoting these issues and the Council's commitment to them; Charles Obazuaye said he would consider how he might take up this offer of reinforcing the ethical context of these initiatives at both staff and new councillor induction sessions.

The Chairman thanked Charles Obazuaye for coming along to discuss these issues with the Committee.

## 43 MONITORING OFFICER'S GENERAL REPORT

The Committee considered a number of guidance documents recently issued by Standards for England relating to:

- \* [Freemasons and the Code of Conduct](#)
- \* [Independent members](#)
- \* [Charitable Trustees and declarations of interest under the Code](#)

They requested the Monitoring Officer to ensure that these were circulated and promoted to all councillors. They noted the suggestion in the guidance on independent members that there could be opportunities to participate on Standards Committees for neighbouring authorities, and requested that options for closer working be explored by the Monitoring Officer.

They noted that a new Code of Conduct for Members would not be laid until after the General Election, due to lack of Parliamentary time available.

The Appointment Panel handling independent member vacancies met on 8<sup>th</sup> March, and will be recommending the appointment of Mr George Kidd and Mr Richard Allen to Council. The new members would take up their roles at the first meeting of the Committee in the new municipal year, in June 2010. There was some concern that the Panel which undertook the interviews was heavily weighted towards councillors, and the Committee requested that this might be reconsidered for future appointments to include a greater proportion of independent members, either from this Committee, or from neighbouring areas to provide an objective outside view.

The Committee noted with pleasure the fact that the Council had been one of six authorities short-listed (out of 20 entries) in the Standards and Ethics category of the 2010 Local Government Chronicle Awards. The winner would be announced at an awards ceremony on March 24th.

***RESOLVED that the Committee:***

- 1) **notes recent guidance issued by Standards for England on various issues, and requests the Monitoring Officer to draw the attention of councillors to those on Freemasonry;**
- 2) **notes the suggestions made in the guidance note on independent members about the possibility of working more closely with neighbouring authorities, and requests the Monitoring Officer to investigate these options further;**
- 3) **notes the delay at national level in taking forward the proposed revised Code of Conduct for councillors;**
- 4) **notes the recommendations to be made to Council by the appointments panel for Independent Standards Members vacancies;**

- 5) asks the Chairman and Monitoring Officer to explore options to change the make-up of future appointment panels to enable a greater participation by independent members; and
- 5) notes the Council's short-listing for the 2010 LGC Awards in the Standards and Ethics category

#### **44 STANDARDS COMMITTEE - ANNUAL REPORT 2009/10**

The Committee considered a draft of its Annual Report for 2009/2010, and agreed that it should be taken forward to Council on 29<sup>th</sup> March

**RESOLVED that**

- 1) the Annual report be agreed subject to minor updates being made by the Monitoring Officer in consultation with the Chairman, for presentation at the meeting of the Council on 29<sup>th</sup> March 2010; and
- 2) The Council be requested to allow Mr Prince to attend their meeting on 29<sup>th</sup> March to present the report to Council.

#### **45 ETHICAL INDICATORS**

**RESOLVED that the contents of the report be noted**

#### **46 STANDARDS COMMITTEE WORK PROGRAMME**

The Committee noted the draft Work Programme circulated with the agenda, and requested the addition of an item on an ethical framework for decision-making to the November meeting.

It was noted that the Chairman would not be present for the 2<sup>nd</sup> June meeting, and the Monitoring Officer for the September meeting, but would be represented by the Vice-Chairman and the Deputy Monitoring Officer respectively in these cases.

A standing item would be added to the Committee's agendas on matters outstanding from previous meetings, and progress on communications initiatives would be regularly updated through the Monitoring Officer's General Report.

**RESOLVED that the 2010/2011 Work Programme be adopted subject to the above changes suggested by the Committee**

#### **47 RABBI ROTHSCHILD - APPRECIATION AND THANKS**

This was the last meeting that Rabbi Rothschild would be attending as a member of the Standards Committee, and the Chairman conveyed the

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Committee's thanks and appreciation for the hard work and commitment she had put in over her six years on the Committee, and for the constructive challenges and insights she had shared during its discussions.

**48 LOCAL GOVERNMENT ACT 1972 AS SUBSEQUENTLY AMENDED**

**The Chairman moved that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of confidential information.**

**49 COMPLAINTS (if any)**

The Committee were updated on progress on the case they had referred to Standards for England in December 2008, which would now be heard by the First Tier Tribunal on 8<sup>th</sup> and 9<sup>th</sup> April at the Bickley Manor Hotel.

A complaint against a councillor had just been received, and arrangements would be made to hold an Initial Assessment Sub-Committee meeting on 24<sup>th</sup> March, comprising Mr Prince, Councillor Tickner and Mr Marcar.

The Meeting ended at 9.20 pm

Chairman