

STANDARDS COMMITTEE

Friday 1st December 2006

PRESENT : The Chair (John Lay), Councillors Hollander and Sanders; Chris Turner (independent representative); John Batey (Parish Council representative).

OFFICERS PRESENT : Jeremy Thomas (Head of Legal and Democratic Services and Monitoring Officer), William Reed (Democratic Services Manager), Mike Newman (Head of Corporate Secretariat) and Helen Lynch (Articled Clerk, Legal and Democratic Services Business Unit).

24. APOLOGIES FOR ABSENCE

No apologies for absence were received.

25. MINUTES

- (1) Resolved that the minutes (previously circulated) of the meeting of the Committee held on 8th September 2006 be confirmed as a correct record.
- (2) With reference to item (3) of minute 15 (that related to training for Standards Committee members), the Democratic Services Manager reported that the Chair and himself had attended a training session at Cherwell District Council's offices on 23rd November 2006. The training had covered the hierarchy of constraints on members' conduct; explained the position in relation to bias, pre-disposition and pre-determination; dealt with the application of the Members' Code of Conduct; and with the procedures that should be followed at local hearings into alleged breaches of the Code.

The Chair reported that the trainer had suggested that a different set of members of a Standards Committee should conduct a local hearing from those considering whether an alleged breach of the Code merited investigation. The trainer had said that local authorities might want to consider increasing the number of independent members on their Standards Committees in order to have enough members to perform the two roles referred to above.

The Chair further reported that West Oxfordshire District Council would be arranging similar training on 11th December 2006 and he urged those who had not undergone training thus far to attend.

The Committee noted the position.

26. DECLARATION OF INTERESTS

Resolved to note the contents of the guidance note (previously circulated and now appended) on declaring interests at meetings. No interests were declared.

27. URGENT BUSINESS

There was no urgent business.

28. OMBUDSMAN INVESTIGATION

The Chief Executive submitted a report (previously circulated and now appended).

Resolved to note the contents of the report.

29. COMPLAINTS MONITORING

The Chief Executive submitted a report (previously circulated and now appended).

In relation to complaints received that related to staff behaviour/attitude, and in response to a question, the Head of the Corporate Secretariat advised that the complaints were largely about staff attitude and "holding the Council's line" rather than about uninformed staff unable satisfactorily to deal with issues raised.

Discussion took place on the number of complaints that were being received about the newly introduced recycling scheme.

Resolved:-

- (1) To receive the report;
- (2) To record that when the Council introduced new policies or initiatives (e.g. the recycling scheme) it was important for all support systems to be in place (e.g. in the case of the recycling scheme, the ability for members of the public to leave messages) in order that staff were not left in a position difficult to defend when responding to requests for service and complaints;
- (3) To ask the Head of the Corporate Secretariat to explain why there was a significant drop between complaints received at Stages 1 and 2 for Revenues and Benefits and the number of those complaints that were felt to be justified.

30. STANDARDS BOARD FOR ENGLAND ASSEMBLY 2006

The Head of Legal and Democratic Services submitted a report (previously circulated and now appended).

Resolved:-

- (1) To receive the report;
- (2) To authorise the Head of Legal and Democratic Services to write to the Standards Board for England and to the Government expressing the Council's concern on grounds of time, cost, consistency of approach and increase in workload of the proposed introduction of the local filter for dealing with alleged breaches of the Members' Code of Conduct, and to say that the central filter by the Standards Board for England did not have the drawbacks referred to above and therefore should be retained.

31. STANDARDS COMMITTEES – INDEPENDENT MEMBERS

The Democratic Services Manager submitted the notes (previously circulated and now appended) of the Berkshire, Oxfordshire and Wiltshire Independent Members' Forum that had been held on 27th October 2006.

Resolved to receive the note and to record that the circulation of local hearings details as referred to in Note 6(d) of the Forum's notes was to be encouraged.

32. INDEPENDENT MEMBERS ON THE COUNCIL'S STANDARDS COMMITTEE

The Monitoring Officer submitted a report (previously circulated and now appended).

Resolved:-

- (1) To note the contents of the report;
- (2) To note with pleasure that Chris Turner (independent representative) would be prepared to continue in that capacity until the end of his term of office (i.e. the end of the 2007/08 Council Year) if the Committee felt that to be helpful;
- (3) To ask the Monitoring Officer to reflect on whether the size of the Committee should be increased by the appointment of additional independent members (Minute 25(2) refers).

33. CODE OF CONDUCT CONSULTATION

The Head of Legal and Democratic Services reported that he understood the draft Statutory Instrument introducing the revised Code would be published before Christmas.

Resolved to authorise the Head of Legal and Democratic Services, in consultation with the Chair, to respond, if appropriate, to the draft Statutory Instrument introducing the revised Code of Conduct once it had been published.

34. WHITE PAPER – “STRONG AND PROSPEROUS COMMUNITIES”

The Democratic Services Manager reported that the White Paper “Strong and Prosperous Communities” had been published on 27th October 2006. It consisted of 2 volumes together with a summary document. There were 16 Chapters to the document. Chapter 3 related to the detail of local government structures. He circulated (now appended) Chapter 3 for the Committee.

Resolved to note the position.

35. DATES OF FUTURE MEETINGS

Resolved to note that the next meeting of the Committee, if there was business to warrant holding it, would take place on Friday, 9th March 2007 at 10.30 am.

The meeting commenced at 10.30 am and closed at 11.41 am.