

# STANDARDS COMMITTEE

Thursday 24<sup>th</sup> April 2008

**PRESENT :** The Chair (John Lay), Councillors Dhall, Hollander Sanders and Sargent; Chris Ballinger, Meryll Dean and Martin Gardiner (independent members); Fred Mogridge (Parish Council member).

Anne Gwinnett ( who had been appointed to serve as an independent member as from 1<sup>st</sup> June 2008) was also in attendance.

**OFFICERS PRESENT :** Jeremy Thomas (Head of Legal and Democratic Services and Monitoring Officer), William Reed (Democratic Services Manager) Helen Lynch (Legal and Democratic Services) and Mike Newman (Chief Executive's Corporate Secretariat).

## 39. APOLOGIES FOR ABSENCE

The Vice Chair (Chris Turner) submitted his apologies for absence.

## 40. RETIRING MEMBERS OF THE COMMITTEE

The Chair said that today's meeting was the last that Chris Turner would have attended because he was standing down from membership at the end of the current Council Year. The Chair paid tribute to Chris's work on the Committee over the years. He also said that Councillor Hollander was not seeking re-election on 1<sup>st</sup> May and so today's meeting was the last one that he would attend as a councillor. The Chair thanked Councillor Hollander for his contribution to the work of the Committee.

## 41. MINUTES

- (1) The minutes (previously circulated) of the Committee's meetings held on 7<sup>th</sup> December 2007 and 13<sup>th</sup> February 2008 were confirmed by the committee as a correct record.
- (2) With reference to resolution (5) of minute 29 that related to publicity for the new Code of Conduct investigation procedure, resolved to note that a report on complaints procedures awareness generally would be presented to the Committee's June meeting.

## **42. DECLARATIONS OF INTERESTS**

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

No member of the Committee made a declaration of interest.

## **43. COMPLAINTS MONITORING**

The Chief Executive submitted a report (previously circulated and now appended). Mike Newman said that a monitoring report upon the second half year complaints (October 2007 – March 2008) would be submitted to the Committee's June meeting.

Members made observations as follows:-

- (i) That it would help the Committee if comparative data not only over time within the Council but also with comparable other local authorities could be presented. In that way the Committee could see how the Council was performing against others.
- (ii) That the word "trend" had a particular statistical meaning and that the details shown for the larger Business Units did not necessarily show a trend for statistical purposes. Care should be taken in the use of terminology.
- (iii) That for the smaller Business Units, the number of justified complaints as a proportion of the whole number of complaints received by that Business Unit might indicate the need for further analysis.
- (iv) That it would be useful if an independent audit was carried out of Stage 1 and 2 complaints handled by individual Business Units.

Resolved:-

- (1) To receive the Chief Executive's report and to note its contents;
- (2) To ask the Chief Executive to consider the points made by members at the meeting as summarised earlier in this minute;
- (3) To ask the Chief Executive to consider an independent audit of Business Unit handling of complaints.

## **44. PROCEDURE FOR LOCAL DETERMINATION OF ALLEGED BREACHES OF THE CODE OF CONDUCT FOR MEMBERS**

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

Resolved to agree the revised procedures for local determination of alleged breaches of the Code of Conduct for members as appended to the report.

#### **45. STANDARDS COMMITTEE – ANNUAL REPORT**

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

Resolved:-

- (1) To agree the draft annual report for submission to Council subject to adjustments as set out in resolutions (2) and (3) below;
- (2) To ask that the Committee's thanks to Chris Turner (independent member, now standing down) be included in the report;
- (3) That paragraphs 13 and 14 of the report should be adjusted to refer to the making of Regulations that introduced local filter arrangements as from 8<sup>th</sup> May 2008.

#### **46. ORDERS AND REGULATIONS RELATING TO THE CODE OF CONDUCT OF LOCAL AUTHORITY MEMBERS IN ENGLAND – GOVERNMENT CONSULTATION**

The Head of Legal and Democratic Services submitted a report (previously circulated and now appended) together with a supplementary report (circulated, now appended). The first report appended the Government's response to comments by consultees on the Consultation Paper that had been considered by the committee on 13<sup>th</sup> February 2008 (minute 22). The second report summarised the Regulations that had been issued after the agenda had been printed and which introduced the local filter arrangements as from 8<sup>th</sup> May 2008.

Resolved:-

- (1) To note the Government's response to comments by consultees on the Consultation Paper;
- (2) On the Regulations:-
  - (a) to agree the proposed arrangements for seeking and appointing a second Parish Council representative (paragraph 3(a) of the report refers);
  - (b) to agree for the time being the proposals for the formation of sub-committees to deal with initial assessments of alleged breaches of the Code of Conduct, and reviews, as set out in

paragraph 3(e) of the report, and to consider the arrangements further at the Committee's June meeting;

- (c) to note that local hearings procedures based on the Regulations would be submitted to the Committee's June meeting;
- (d) to note that as a result of the Regulations, the Committee's powers and duties needed to be adjusted, that Annual Council on 15<sup>th</sup> May 2008 would be invited to agree new powers and duties, and that the new powers and duties would be included on the agenda for the Committee's June meeting.

#### **47. INDEPENDENT MEMBERS OF STANDARDS COMMITTEES – FORUM**

Resolved:-

- (1) To receive and note the contents of the note (previously circulated and now appended) of the meeting of the Independent Members' Forum held on 29<sup>th</sup> February 2008;
- (2) To note that the Forum would next meet on Friday 26<sup>th</sup> September 2008 at the offices of Cherwell District Council in Banbury.

#### **48. STANDARDS BOARD BULLETIN**

Resolved to receive and note the contents of Standards Board Bulletin No. 37 (previously circulated and now appended).

#### **49. OMBUDSMAN ARRANGEMENTS**

Resolved to receive and note the contents of a note (previously circulated and now appended) from the Office of the Local Government Ombudsman.

#### **50. DATES OF FUTURE MEETINGS**

Resolved to note that the Committee would meet as follows in the Council Year 2008/09:-

Friday 6<sup>th</sup> June 2008 at 9am  
Friday 5<sup>th</sup> September 2008 at 3pm  
Friday 6<sup>th</sup> March 2009 at 3pm

The meeting commenced at 5pm and closed at 5.56 pm.