

STANDARDS COMMITTEE

Friday 5th September 2008

PRESENT: The Chair (John Lay), the Vice-Chair (Anne Gwinnett), Councillors Brundin and Sanders; Chris Ballinger and Martin Gardner (independent members).

OFFICERS PRESENT: Jeremy Thomas (Head of Legal and Democratic Services and Monitoring Officer), William Reed (Democratic Services Manager), Carla Gallardo, Helen Lynch and Cathryn Yeagers (Legal and Democratic Services); Mike Newman (Chief Executive's Department) and Daniel Hennessy (Business Systems).

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dhall and Smith and from Meryll Dean (independent member) and Fred Mogridge (Parish Council representative).

18. MINUTES

- (a) Resolved that the minutes (previously circulated) of the meeting of the Committee held on 6th June 2008 be confirmed as a correct record.
- (b) Arising from the Minutes, the following matters were raised:-
 - (i) On resolution (2) of Minute 9 (MEMBERS' CODE OF CONDUCT – ALLEGED BREACHES – PROCEDURE AND PUBLICITY UNDER THE 2008 REGULATIONS) the Head of Legal and Democratic Services reported that upon review of the Regulations that covered the composition of assessment and review panels for complaints against Parish members, each of the two Panels should also contain a City Council member.

Resolved that the composition of the Council's assessment and review panels to deal with complaints against Parish Council members should be as follows:-

2 x Independent Members
1 x City Council Member
1 x Parish Council Member

- (ii) On resolution (3) of Minute 9 (MEMBERS' CODE OF CONDUCT – ALLEGED BREACHES – PROCEDURE AND PUBLICITY UNDER THE 2008 REGULATIONS), resolved to ask the Head of Legal and Democratic Services to ensure that all updated complaints leaflets be submitted to the Committee's December meeting.
- (iii) With reference to Minute 15 (STANDARDS BOARD ANNUAL ASSEMBLY 2008), resolved to note:-
 - (i) that the Standards Board for England's Annual Assembly would be attended by the Chair of the Committee (John Lay), the Monitoring Officer (Jeremy Thomas) and the Democratic Services Manager (William Reed).
 - (ii) that the next meeting of the regional Independent Members' Forum would be held at the offices of Cherwell District Council on 26th September 2008 and that any independent member who intended to attend should advise the Democratic Services Manager by 16th September.

19. DECLARATIONS OF INTEREST

There were no declarations of interest.

20. MEMBERSHIP OF THE COMMITTEE

The Democratic Services Manager reported that the four Oxford Parish Councils had been invited between themselves to agree the name of a second Parish Council representative to serve on the Committee. Standards Committees were now required to have in membership a minimum of two Parish Council representatives. Risinghurst and Sandhills Parish Council had put forward the name of Councillor Paul Phipps, a member of that Council. The other Parish Councils had not demurred and so the meeting of the City Council on 6th October 2008 would be recommended to appoint Councillor Phipps as a Parish Council representative on the Committee.

Resolved to support the appointment of Councillor Paul Phipps as the second Parish Council representative on the Committee.

21. CODE TRAINING AND REGISTER OF INTERESTS

The Democratic Services Manager reported as follows:-

- (a) Register of Interests, City members – all City Councillors had now completed a Register of Interests form.

- (b) Register of Interests – Parish members – as far as he could ascertain, two Parish councillors had not completed a Register of Interests form.
- (c) Code Training - City members - One of the newly elected City councillors had not yet received Code training. A mutually convenient date was being identified. He reminded the Committee that it had been advised on 7th December 2007 that six other City councillors had not received training on the Code when this training had been offered in Summer/Autumn 2007 but they had been sent the material used on the training sessions.
- (d) Code Training, Parish members - the Committee had already been advised that the Monitoring Officer and himself had attended a meeting of Marston Parish Council to talk about the Code. They had also attended a meeting of Littlemore Parish Council (to which Risinghurst and Sandhills Parish Council members had been invited) to talk about the Code. Arrangements had been made to attend a meeting of Blackbird Leys Parish Council on 28th October to talk about the Code.

Resolved:-

- (1) to ask the Democratic Services Manager to write to the Parish Members who had not completed Register of Interest forms to advise them that they were in potential breach of the Members' Code of Conduct because they had not completed a form;
- (2) that the Committee was concerned that some Parish councillors had not yet completed a Register of Interests form and that it would consider the matter further at its next meeting if the Register had not been completed by then;
- (3) Otherwise to note the position.

22. COMPLAINTS MONITORING – QUALITY IMPROVEMENT

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

Resolved:-

- (1) that the Committee would like to continue to receive Complaints Monitoring reports every six months notwithstanding the possibility that information comparable over time still might not be possible in six months' time;
- (2) that in order to resolve difficulties of comparison (because of the management restructure) and to safeguard the position for the

future, to ask the Chief Executive to consider monitoring of complaints taking place on a work area or some other basis smaller than whole Department level because this would not be likely to change if further restructures took place;

- (3) to note that the Customer Relationship Management system would enable more sophisticated monitoring and interrogation to occur;
- (4) that in some cases percentage information would be more useful to the Committee;
- (5) to note that there appeared to be an error in the statistical information in that Table 1 of Appendix I (Analysis By Business Unit) showed the total as 86 whereas in Table II of Appendix 1 (that contained the same information analysed in a different way) the total figure was shown as 75.

23. REVIEW OF CODES OF PRACTICE – PLANNING CODE AND IT CODE

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

On paragraph 5 of the report, Daniel Hennessy (Business Systems) said that if Members were not required to sign up to the Council's security, e-mail and internet policies then the Council would not be permitted to join the Government Connect programme. That programme would enable the Council to information share with Government departments and if it could not do so, this would disadvantage the Council. Arising from questions about security of information, Mr. Hennessy said that there were particular concerns about the transfer of information by, for example, memory sticks and that there might be a need to restrict the use of such mass storage devices in connection with the Government Connect programme, and otherwise.

It was pointed out that there was a conflict between revised paragraph 28.6 of the IT Code and paragraph 4.4 of the security policy. Mr. Hennesey said that the security policy would need to be changed to come into line with paragraph 28.6. In other words, paragraph 28.6 should prevail. Further discussion took place on paragraph 28.6 in terms of the permissibility of members to use their own equipment at all to connect up to the Council's systems.

The Committee discussed revised paragraph 28.8 and the Council's powers to investigate under the Regulation of Investigatory Powers Act 2000 and the circumstances in practice when the Council arranged to look at individual mailboxes.

Resolved:-

- (1) to note the position in relation to the Planning Code of Practice;
- (2) to note that as a result of the Committee's discussion about the IT Code of Practice, officers would reflect upon the points made and present a further revised IT Code to the next meeting;
- (3) To record for the Committee's part that it would expect Members of Council to be required to signed up to the security, e-mail and internet policies:
- (4) To note that once all the codes and Protocols for which the Committee had responsibility had been reviewed, a composite report would be presented to Council, recommending changes.

24. RELATIONSHIP BETWEEN STANDARDS, AUDIT AND SCRUTINY – ETHICAL GOVERNANCE RESPONSIBILITIES.

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

Resolved:-

- (1) To note the position as far as the relationship between Scrutiny Committees and the Standards Committee was concerned (paragraph 2 of the report refers);
- (2) As far the relationship between the Audit and Governance Committee and the Standards Committee was concerned (paragraphs 3 – 6 of the report refer):-
 - (a) That the Committee did not want to see completed audit reports nor, as a matter of routine, to comment upon the Audit and Governance Committee's internal and external audit programmes;
 - (b) That the Committee might from time to time on an ad-hoc basis want to suggest matters that the Audit and Governance Committee might with advantage wish to look at;
- (3) As far as additional powers and duties for the Committee and work were concerned:_
 - (a) not to seek to include the Committee's powers and duties any responsibility for members' remuneration (paragraph 7 (a) of the report refers) because the Committee felt that this would blur the independence of the Committee from the Council;

- (b) on politically restricted posts (7) (b) of the report refers):-
 - (i) To note that this responsibility had been transferred to the Committee by the Local Government and Public Involvement in Health Act 2007;
 - (ii) To ask the Democratic Services Manager to remind the Committee at its next meeting what comments it had made in response to consultation on the change of responsibilities and arrangements for politically restricted posts;
 - (iii) To ask the Head of Legal and Democratic Services to report further to the Committee when guidance on the application of criteria for designation of a politically restricted post had been issued;
- (4) On the matter of raising the Committee's profile (paragraph 7 (c) of the report refers), not to take action to raise the profile of the Committee as an exercise in itself but to:-
 - (a) Ask the Head of Legal and Democratic Services to ensure that members understood the Committee's role;
 - (b) Make sure that work of significance carried out by the Council was pro-actively brought to general attention.

25. APPOINTMENT OF INDEPENDENT REMUNERATION PANEL FOR MEMBERS ALLOWANCES

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

Resolved not to consider the report in view of the Committee's earlier decision (resolution) (3) (a) of Minute 24 refers).

26. DATES OF FUTURE MEETINGS

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

- Friday 19th September 2008 at 9.30 am (special meeting)
- Friday 5th December 2008 at 9.30 am (ordinary meeting)
- Friday 6th March 2009 at 3.00 pm (ordinary meeting)

The meeting commenced at 3.00 pm and closed at 4.35 pm.