

STANDARDS COMMITTEE

Agenda item 2

11 July 2008

Present: Mr Simon Lainé (Chair), Mr Duncan Chittenden, Mr John Cripps, Mr Jon Leamon, Mr David O'Connor
Parish Councillors Stuart Fowler and Barrie Lewis
Councillors Tina Franklin, Les Godwin and David Hall

Apologies: none

Also in attendance: Peter Lewis, Borough Solicitor and Monitoring Officer
Peter Cruden, Head of Legal Services

(4.00 – 5.55 pm)

The chair welcomed the new members to the committee.

1. MINUTES

RESOLVED that the minutes of the meeting held on 7 March 2008 be approved and signed as a true record.

2. MATTERS ARISING

None.

3. DECLARATIONS OF INTEREST

None.

4. MEMBERS REPORTS ON ATTENDANCES AT COUNCIL, COMMITTEE AND PARISH COUNCIL MEETINGS AND OTHER MEETINGS

Mr Leamon advised that he had attended Council in March to present the Standards Committee annual report and had stayed for the rest of the meeting. Mr O'Connor had also attended a meeting of Council on 28 June. It was noted that there had been a good attendance of Standards Committee members at the open day for new members on 7 May. Members had found this a very interesting and informative day and it had been very useful to meet the new members. The chair had attended a meeting of Swindon Parish Council and Mr Leamon a meeting of the Leckhampton and Warden Hill Parish Council. All members agreed that their attendance at these meetings helped to raise the profile and visibility of the Standards Committee and they had been welcomed at the meetings they had attended.

5. UPDATE ON LATEST BULLETINS, CASES AND COMPLAINTS

The Borough Solicitor and Monitoring Officer updated members on the Bulletins 38 and 39 from the Standards Board for England which had been circulated with the agenda. In response to a question from a member about the requirement to publicise the procedures, he advised that the council had agreed an arrangement with

To be approved at the next meeting of the Standards Committee on 26 September 2008

Gloucester City Council to share the advertising costs and the county were also involved. The material relating to the complaints procedures would also be made available on the council's website and in hard copy format.

Members agreed that they would like to continue to receive the bulletins with their agenda papers.

Regarding complaints, the Borough Solicitor and Monitoring Officer advised that he had no cases or complaints of particular interest to report to the committee.

6. TERMS OF REFERENCE AND PROTOCOLS FOR INITIAL ASSESSMENT OF COMPLAINTS

The Borough Solicitor and Monitoring Officer introduced his report which had been circulated with the agenda. He also referred members to a revised appendix A which had been circulated at the meeting. This contained a number of changes to support clarity and consistency in the document.

The Head of Legal Services referred members to appendix A, paragraph 2, which set out the membership of the committee. He advised members that currently they only had two parish council members on the committee and that Council in February 2008 had agreed that there should be three parish council representatives. He suggested that the committee might like to invite the parish council deputy representative, Ms Gloria Coleman to join the committee as a full member. Members supported this proposal and considered that with three Parish Council members it would be unnecessary to appoint a deputy.

The Head of Legal Services also advised members of two minor amendments to appendix B. In the second paragraph of "making a complaint", the subcommittee should be given its full title of Standards (Initial Assessment) Sub-committee and the reference to 30 working days should be replaced by 30 clear days. A member highlighted that paragraph (f) on page 2 should refer to the Standards (Initial Assessment) Sub-committee and not to the appointments sub-committee.

Resolved :

- 1. Mrs Gloria Coleman should be invited to be the third parish council representative on the Standards Committee.**
- 2. The committee agree to the establishment of the Standards (Initial Assessment) Sub-Committee, the Standards (Review) Sub-Committee and the Standards (Determination of Complaints) Sub-Committee with the terms of reference shown in the amended Appendix A.**
- 3. The Committee adopt the procedures set out in the amended Appendix B and delegate authority to the Borough Solicitor and Monitoring Officer to make any necessary changes to the procedure arising from experience and best practice regarding any minor issues.**
- 4. The Committee recommend to Council the changes to the terms of reference of the Standards Committee arising as a consequence of the new statutory arrangements for dealing with complaints.**

7. PROTOCOL FOR MEMBER OFFICER RELATIONS

The Borough Solicitor and Monitoring Officer advised that following the last meeting of this committee he had referred the member officer protocol to the Staff and Support Services Committee on 12 June. They had been very supportive of the document and had requested a few small amendments. The key one had been regarding bullying where members wished to extend the definition of bullying to include written or verbal communications. The protocol had then gone to Council on 30 June where members had requested further clarity in paragraph 12.2 to make it clear that it was open to assistant directors to divert communications from members to service managers and team leaders when appropriate.

The Borough Solicitor and Monitoring Officer advised that the protocol would now be incorporated in section 5C of the council's constitution and would be communicated to all staff. He agreed that he would circulate the new protocol to the committee with the agenda papers for the next meeting.

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8. REVIEW OF PART 4 OF THE COUNCIL'S CONSTITUTION

The Borough Solicitor and Monitoring Officer advised members that he was currently working on Part 4 of the council's constitution which contained the procedural rules. He advised that an all-party working group had been set up to act as a sounding board and they would be having their first meeting shortly. The plan was to take a revised Part 4 to Staff and Support Services Committee in September and then on to Council in October 2008.

9. REVIEW OF PROGRESS AGAINST WORK PLAN

The work plan circulated with the agenda was updated following discussions.

The Borough Solicitor and Monitoring Officer advised that Tewkesbury Borough Council had agreed a joint approach on the organisation of the November forum and he asked members what subjects they would like to consider. In response members said they would welcome a review of emerging protocols and case law from local assessments and a mock hearing might be useful.

Regarding the Ethical Health Check, the Borough Solicitor and Monitoring Officer agreed that he would carry out some investigation as to what other authorities had done. Following this he would talk to Chief Executive in September and bring a report backed to the next meeting of the committee.

In response to a question from a member, the Borough Solicitor and Monitoring Officer advised that he had taken the review of the mayor's code of conduct off the work plan as he did not consider this within the remit of this committee. He informed members that a review of the Mayor making ceremony was in progress and this may well consider new protocols for the Mayor and their role as chair of Council.

10. DATE OF NEXT MEETING

The date of the next ordinary meeting of the Committee will be on 26 September 2008.

11. ANY OTHER BUSINESS

The Borough Solicitor and Monitoring Officer asked members if they were happy with the day and time of the meeting. Members agreed that future meetings would continue to be held on Friday's but with a 4 pm start. ****RR****

**Mr Simon Lainé
CHAIRMAN**