

## Standards Committee

Friday, 17th September, 2010  
2.30 - 3.27 pm

| Attendees                   |  |
|-----------------------------|--|
| <b>Borough Councillors:</b> | Les Godwin and Rowena Hay  |
| <b>Parish Councillors:</b>  | Gloria Coleman, David Iliffe and Paul Ryder                                |
| <b>Independent Members:</b> | Duncan Chittenden, John Cripps, Simon Lainé, Jon Leamon and David O'Connor |
| <b>Also in attendance:</b>  |  |

### Minutes

**1. APOLOGIES**

The chair welcomed new members to the committee. He reminded members that Barrie Lewis had given his apologies to the last meeting and sadly had passed away shortly after. The chair asked members to join him in a minutes silence in his memory.

Apologies were received from Councillor MacDonald.

**2. DECLARATIONS OF INTEREST**

None received.

**3. MINUTES**

**Resolved: that the minutes of the meeting held on 9 July 2010 be approved and signed as a true record.**

**4. MEMBERS REPORTS ON ATTENDANCE AT COUNCIL, COMMITTEE AND PARISH COUNCIL MEETINGS**

Member had no attendances to report. It was acknowledged that members were awaiting further guidance on this matter.

**5. UPDATE ON THE LATEST BULLETINS AND COMMUNICATIONS FROM STANDARDS FOR ENGLAND**

The chair referred to the latest bulletin 48 from the Standards Board for England. This confirmed that it was still the government's intention to disband the Standards Board for England but no further detail was available at this time.

**6. PROTOCOL FOR MEMBER/OFFICER RELATIONS**

The Borough Solicitor and Monitoring Officer introduced her report which had been circulated with the agenda. She indicated that she had consulted with

Borough Councillors and officers on the Senior Leadership Team and looked at examples of good practice in other councils. The results of the consultation and resulting actions were listed in appendix 1. It was intended that the protocol would go to Staff and Support Services Committee and on to Council in December.

Members raised a number of comments regarding consistency and repetition of some words in the document and these were noted by the Borough Solicitor and Monitoring Officer. It was also noted that Area Committees were no longer operating in the council and therefore should not be referred to. Reference 10 and the subsequent entry in the table in appendix 1 needed to be amended to refer to the correct paragraph.

Referring to reference 7 in appendix 1, a member thought that a timescale for responding to queries from both councillors and members of the public should be included in the protocol. In response the Borough Solicitor and Monitoring Officer said that service levels for response times were set out in other documents and she would include an appropriate cross reference.

A member questioned whether section 13 should cover the rules regarding publication as well as members' right to inspection. The Borough Solicitor and Monitoring Officer advised that this was covered in the access to information section of the constitution and she would not want to repeat it here.

#### **Resolved that**

- 1. The revised draft Protocol for Member/Officer Relations, as amended, be approved for;**
  - **consultation with Members/Officers**
  - **consideration by the Staff and Support Services Committee**
- 2. Authority be delegated to the Borough Solicitor and Monitoring Officer to make any changes to the Protocol arising out of that consultation and consideration prior to referring the Protocol to Council for adoption and incorporation within the Constitution.**

#### **7. REVIEW OF PROGRESS AGAINST WORK PLAN**

The Borough Solicitor and Monitoring Officer introduced the work plan for 2010/11 that had been circulated with the agenda.

Regarding the review of the code of conduct for employees, she indicated that this review was necessary to incorporate some omissions highlighted by the review working group earlier this year. A member asked whether the code of conduct for Tewkesbury Borough Council Employees would be a good model. In response the Borough Solicitor and Monitoring Officer said that the code of conduct was generally tailored to local circumstances but she would certainly consider this suggestion.

Members raised some concerns regarding the item on a Ethical Health Check in view of the length of time it had been on the work plan. In response the Borough Solicitor and Monitoring Officer said there was some uncertainty given the abolition of the Use of Resources Assessment about the future corporate

governance and audit regime. It was agreed that the item would remain on the work plan with a target date of March 2011 but would be retitled "To consider how the Standards Committee will effectively meet its responsibilities to monitor compliance with the code and ethical governance of the authority".

Members had some discussion about action 6 regarding guidance on attendance at other meetings of Council and parish councils. It was noted that the Borough Solicitor and Monitoring Officer was due to bring a report back to the committee in March 2011 on this issue.

Parish Councillor Ryder issued an open invitation to all members of this committee to attend a meeting of his parish council at Leckhampton with Warden Hill.

**Resolved that the work plan as amended be approved.**

**8. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION**

**The Committee approved the following resolution:**

"That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 7C, Part 1, Schedule 12A (as amended) Local Government Act 1972, namely:

Paragraph 7C

Information presented to a Standards Committee, or to a sub-committee of a Standards Committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, or referred under section 58(1)(c) of the Local Government Act 2000

**9. EXEMPT MINUTES**

**Resolved: that the exempt minutes of the meeting held on 9 July 2010 be approved and signed as a true record.**

**10. DATE OF NEXT MEETING**

The date of the next meeting was Friday 10 December at 2.30 pm. Jon Leamon offered his apologies.

The committee agreed that future meetings would be held at 2.30 pm.

**11. ANY OTHER BUSINESS**

A member asked for clarification on the status of current complaints. In response the Borough Solicitor and Monitoring Officer advised that there was one outstanding complaint which would be concluded shortly. If the investigation concluded that there was no breach, a Special meeting of the Standards Committee would be convened and if there was a breach a Hearings

Sub-Committee would be held. At this stage she was not able to give any more information to members on the nature of the complaint.

A member asked whether the Standards Committee should have measures in place to judge how judiciously and quickly complaints were being dealt with.

The Borough Solicitor and Monitoring Officer responded that there were nationally imposed standards in place and these were largely being met. She was aware that one investigation had taken longer than anticipated and this was due to an external investigator being appointed and other procedural delays. In future investigations would be done in house wherever possible. There was also a balance to be achieved between expediency and giving all parties the opportunity to comment on the case. She agreed to provide a report for the next meeting on performance against targets.

The Chair thanked the Borough Solicitor and Monitoring Officer for the training session she had run for the committee prior to this meeting.

The meeting was closed at 3:27 p.m.

**Chairman**