

Standards Committee – 3.04.2006.

STANDARDS COMMITTEE – Meeting held on Monday, 3rd April, 2006.

Present:-

Co-opted Independent Members:-

The Reverend Paul Lipscomb (Chair), Messrs Fred Ashmore and Mike Field.

Elected Members:-

Councillors Neil Arnold, Michael Holledge, Mewa Mann and Lydia Simmons.

Parish Council Representative:-

Wexham Court Parish Councillor David Maclsaac.

Apologies for absence:- Councillors Pauline Key and Sumander Khan and Mr Zahire Khan.

PART I

27. Declarations of Interest

None.

28. Minutes

The minutes of the meeting of the Committee held on 16th January, 2006 were approved as a correct record and signed by the Chair.

29. Minutes of the Standards (Local Determination) Sub-Committee

The minutes of the Standards (Local Determination) Sub-Committee meetings held on 9th January and 1st February, 2006 were noted.

30. Members' Performance Monitoring Panel Proposals

The Standards Committee at its last meeting had deferred consideration of the above Panel's proposals to allow Members' roles, responsibilities and performance indicators to be amended to take into account past changes in the Council's democratic structure and, where applicable, make them less prescriptive to allow changes in practice over time to be accommodated. The revised schedule also incorporated changes proposed by the Standards Committee at its last meeting and the Members' Performance Monitoring Panel's recommendation relating to Member's contact arrangements for constituents.

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The revised document had been sent to all Group Leaders, Deputy Group Leaders and non-Group Members for comment but by the deadline set for responses none had been received.

The Committee's attention was drawn to the recommendation that the Improvement Development Agency's (I&DeA) Political Skills Framework should be incorporated into the Members' roles and responsibilities document as the framework provided positive and negative indicators against which Members would be able to assess their own performance. The medium term aim was to use the I&DeA document as a base for drawing up a Member competency profile tailored specifically for Slough Members. It was envisaged that Members would use the competency profile in assessing/monitoring their own performance and drawing up their personal development plans. The profile would also help inform the content of the Member Development Programme and Members' choices as to which development sessions, over and above the compulsory sessions, they should attend. In the longer term, the profile and associated development work around it might provide a more qualitative indicator of Members' performance.

The Members' Performance Monitoring Panel's proposals had been considered by the Member Panel on the Constitution at its meeting on 23rd March, 2006 and the comments of that Panel were reported to the Standards Committee for consideration. The Standards Committee discussed the Constitution Panel's comments at length during which the following points were made:-

- That the Committee accepted that the only sanction open to the Council was to name and shame Members who failed to meet the standards expected of them but that this could be a powerful and effective tool.
- That the local electorate had the right to know which Members were not fulfilling their duties and responsibilities.
- That a Member's performance should not be judged solely on the number of meetings s/he attended and that the amount of casework a Member undertook and his/her effectiveness in this area should also be taken into account.
- That if Members' performance was to be judged on their attendance at meetings some means of accurately verifying their attendance should be considered. It was suggested that to facilitate this while also improving the security of the Town Hall and obviating the need to have door access codes with the associated administrative work the Council should consider the introduction of an electronic control access system.
- That the random checks proposed in respect of Members attendance at meetings of Outside Bodies would be in respect of only a very few Members i.e. no more than 4 and in the Committee's view this should not be too onerous.

Recommended -

- (a) That the revised Members' roles, responsibilities and performance indicators incorporating the Improvement Development Agency's political skills framework now submitted be approved and adopted.
- (b) That annually an information report should be submitted initially to all Group Leaders, non Group Members and Members of the Standards Committee and then to full Council showing in respect of each Member for the preceding municipal year the following:-

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- Number of meetings called to attend and number of meetings actually attended,
 - In respect of meetings not attended whether or not apologies were tendered and reasons for non-attendance given.
 - Number of training sessions attended.
 - Record of attendance at compulsory training sessions.
 - Attendance record at meetings of outside bodies to which they are appointed as the Council's representative.
- (c) That, at the end of each municipal year, each Member appointed as a Council representative on an outside body be required to submit a short feedback report including details of the number of meetings they were called to attend and actually attended.
- (d) That, in respect of (c) above, random checks on Members' attendance at outside bodies meetings be carried out annually with the Members being selected at random by the Chair of the Standards Committee.
- (e) That no action be taken in respect of the recommendation that a Member failing to attend three successive meetings should be reported to the Standards Committee and his/her Group Leader (if appropriate).

31. Access to Information

The Local Government (Access to Information) (Variation) Order 2006 (the 2006 Order) came into force on 1st March, 2006. It had the effect of amending Part 5A relating to the admission of meetings and substituting a new Schedule 12A concerning access to information to the Local Government Act 1972.

The new Schedule 12A set out simpler and clearer descriptions of exempt information and introduced a new public interest test which provided that information should be exempt if and so long as in all the circumstances of the case the public interest in maintaining the exemptions outweighed the public interest in disclosing that information.

As a consequence of the 2006 Order, the Relevant Authorities (Standards Committee) (Amendment) Regulations 2006 amended the 2001 Regulations to take into account the new Schedule 12A and to add to the Schedule three new categories namely:-

- 7A Information which is subject to any obligation of confidentiality.
- 7B Information which relates in any way to matters concerning national security.
- 7C The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of Section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.

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The current Standards Board for England guidance for Standards Committee determinations has been written prior to the 2006 Order coming into force. The Board had reviewed the guidance in light of the above changes and considered that the substance did not need to be altered. It had indicated that it would incorporate the amendments when it produced guidance on the revised Code of Conduct.

Resolved - That the report now submitted be noted.

32. Standards of Conduct in English Local Government: The Future

The Office of the Deputy Prime Minister had published a discussion paper entitled "Standards of Conduct in English Local Government: The Future" which drew together the Government's response to a number of recommendations, reviews and consultation papers on the future of the current conduct regime for local government in England. It set out the Government's vision for the different elements of the conduct regime including the Members' Code of Conduct, the Standards Board for England and local Standards Committees to work effectively together and be an integrated whole. The Government envisaged that this could be achieved by the retention of a central, strategic and investigatory role for the Standards Board for England, improvements to the operation and effectiveness of Standards Committees and a simplification and clarification of the Code of Conduct for Members. The Government considered that these changes taken together would ensure public confidence in giving Standards Committees powers to make initial assessments of all allegations. It was considered that the proposals put forward by the Government would improve the standards' regime both nationally and locally with local Standards Committees having a far greater role in considering complaints against its Members.

The Office of the Deputy Prime Minister had received a number of responses to the Discussion Paper and there was general support for the proposals with some general concern about resource implications. The Government proposed to consider responses from relevant stakeholders and to put forward a revised standards' regime in a Local Government White Paper in June this year. It was clear that some of the proposals would require primary and secondary legislation before it could be fully implemented but further consultation papers would be issued prior to amendments to the law. It was expected that a consultation paper on a revised Code of Conduct for Members would be issued in May, 2006 with implementation in May the following year. There was less certainty concerning the timetable for primary legislation as this would require a new Local Government Bill being introduced to Parliament. However, the Government had stated that the new ethical framework regime could be fully implemented in 2008/09.

Relevant extracts from the Discussion Paper regarding the conduct of Members and the Standards Board for England's detailed views and recommendations on changes to the Code of Conduct for Members were submitted to the Committee for consideration. The Committee considered each of the Board's recommendations in turn and commented thereon.

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Resolved –

- (a) That the contents of the report and appendices now submitted be noted.
- (b) That the Director of Law and Corporate Governance, in consultation with the Chair of the Committee, convey the Committee's views on the Standards Board for England's recommendations for changes to the Code of Conduct for Members to the Office of the Deputy Prime Minister.

33. Vote of Thanks

Resolved - That the Committee place on record its thanks and appreciation to The Reverend Paul Lipscomb for the courtesy and impartiality he has demonstrated as Chair of the Committee during the past municipal year.

Chair.

(Note: The Meeting opened at 6.15 p.m. and closed at 7.40 p.m.)