

## **Standards Committee – Meeting held on Wednesday, 17th December, 2008.**

### **Present:-**

#### **Co-opted Independent Members:-**

The Reverend Paul Lipscomb (Chair), Mr Fred Ashmore, Mr Mike Field and Dr Henna Khan

#### **Elected Members:-**

Councillors Cryer, Hewitt, Latif Khan and Mann

#### **Parish Councillor Representative:-**

Parish Councillors Dalip Rajput and Laurie Tucker

**Apologies for Absence:-** Councillor Walsh & Parish Councillor Nicoline Brandligt

### **PART I**

#### **17. Declarations of Interest**

None.

#### **18. Minutes**

The minutes of the meeting of the Committee held on 8<sup>th</sup> October, 2008 were approved as a correct record and signed by the Chair.

#### **19. Standards (Local Determination) Sub-Committee Membership**

**Resolved -** That Councillors Derek Cryer, Latif Khan and Mewa Mann be appointed, together with the Independent Co-opted Members, to form a pool from which Members will be drawn to serve on the Standards (Local Determination) Sub-Committee for the remainder of the municipal year.

#### **20. DCLG Consultation Document - "Communities in Control: Real People, Real Power Codes of Conduct for Local Authority Members and Employees"**

The Monitoring Officer submitted for consideration the consultation document entitled "Communities in Control: Real People, Real Power Codes of Conduct for Local Authority Members and Employees" which had been published by the Department of Communities and Local Government in October, 2008. The document invited comments on a number of proposals namely:-

- Amendments to the Local Code of Conduct to clarify its application to Members' conduct when acting in a non-official capacity and to reconfigure

## **Standards Committee - 17.12.08**

the Code into two distinct sections, the first dealing with Members in their official capacity and the second in their non-official capacity.

- Associated amendments to the Relevant Authorities (General Principles) Order 2001.
- The introduction of a Model Employees' Code of Conduct which would form part of the employees' terms and conditions of employment.

The deadline for responses to the Consultation Document was 24<sup>th</sup> December, 2008 and the government was hoping to implement the proposals so that they came into effect in line with the local government elections in 2009.

The Monitoring Officer indicated that he was of the view that the proposed changes to the Local Code of Conduct for Members were sensible and a right balance had been struck in applying the Code to Members' private lives only where a serious criminal offence had been proven. It was also considered right and proper that local authority employees were subject to a similar code of conduct which mirrored, as far as practicable, the Model Code for Members particularly as some senior employees made decisions on behalf of the Council under the Scheme of Delegation in the Council's Constitution.

A copy of a proposed draft response to specific questions posed within the Consultation Document was considered by the Committee and the following amendments were proposed.

- (1) That in respect of a response to question 2 the definition of "criminal offence" for the purpose of the Members' Code should also include Police cautions.
- (2) That in respect of question 9 the proposed timescale of two months during which a Member must give an undertaking to observe the Members' Code should be reduced to one month.

**Resolved** - That the proposed responses to the questions raised in the Consultation Document now submitted be approved subject to the amendments outlined above.

## **21. 7th Annual Assembly of Standards Committees 2008**

The Monitoring Officer submitted for information a report outlining the content of the 7<sup>th</sup> Annual Assembly of Standards Committees held on 13<sup>th</sup>/14<sup>th</sup> October, 2008 which he and his Solicitor colleague had attended on behalf of the Council. The 7<sup>th</sup> Annual Assembly's theme had been "Delivering the Goods – Local Standards in Action" and was primarily concerned with the progress and development of the newly devolved framework to local Standards Committees. The Conference also represented an invaluable opportunity for networking and the sharing of experiences and solutions with

## **Standards Committee - 17.12.08**

other local authorities, their Members, Monitoring Officers and Independent Co-opted Members.

Summaries of the "Breakout Sessions" attended by the Officers were submitted to the Committee for information. The Monitoring Officer drew attention to a matter which had been highlighted at one of these sessions in relation to the use of alternative action such as mediation and conciliation instead of referring a complaint for investigation. He reported that under the current rules if an Assessment Sub-Committee decided that a form of alternative action should be adopted and the Member subsequently withdrew from the process the matter could not be brought back to the Sub-Committee and would fall by the way. In view of this he proposed that wherever possible he would, in consultation with Group Leaders, seek to use an informal approach in cases where mediation or conciliation was thought to be the most effective option.

**Resolved** - That the information report now submitted be noted.

Chair

(Note: The Meeting opened at 6.30 p.m. and closed at 7.00 p.m.)