

STANDARDS COMMITTEE

MONDAY, 14 APRIL 2008

PRESENT:- Mr Keith Carby (Chair), Mr Trevor Davies (Vice-Chair), Mr Mike Compton, Councillor Melanie Duff and Councillor Maurice Fanning.

Apologies for absence were received from Mr Paul Morris.

26. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

27. Minutes

Resolved - That the minutes of the meeting held on 21st January 2008, be confirmed and signed as a correct record.

28. Public Question Time

No public questions were received during the meeting.

29. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred in Agenda Item 7 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 31 refers).

30. Ethical Framework Update

The Committee received a report from the Director of Law and Democratic Services (Monitoring Officer) on the following Ethical Framework matters:

a) Anti-Fraud and Corruption - The Committee noted that Council's achievement of Level 4 (top score) from the Audit Commission on arrangements to secure economy, efficiency and effectiveness in use of resources, including the quality of the anti-fraud and corruption work.

b) Standards Committee (England) Regulations 2008 and the Local Government and Public Involvement in Health Act 2007 - The Monitoring Officer tabled a publication from the Department of Communities and Local Government (DCLG), summarising responses received to the Consultation on Orders and Regulations Relating to the Conduct of Local Authority Members in England. The Committee noted that this set out the intentions of the Government to issue the Standards Committee (England) Regulations 2008 very shortly, which would put in place arrangements for local assessment of Code of Conduct Complaints directly after local elections in May 2008. Other regulations would be issued later in the year to deal with all other elements of the proposals in the Consultation on Orders

and Regulations Relating to the Conduct of Local Authority Members in England. The Committee agreed to authorise the Monitoring Officer to amend the Committee's terms of reference as required as a result of the Regulations when issued.

c) Membership of the Committee - The Monitoring Officer advised that the recommendation to increase the membership of the Committee was going forward to Cabinet and Council in April, and that five applications had been received for the two Independent Member vacancies.

d) Parish Councils – Mr Mike Compton reported back on his visits to four Parish Councils to date to discuss how they were managing the implementation of the New Code of Conduct, to consider if any other ethical governance issues had arisen, or if the Borough Standards Committee could provide any additional support. Mr Compton confirmed that all parishes to date had reported that they were satisfied with their arrangements and that they had no issues to raise or causes for concern.

e) Standards Board Publications – The Standards Board Bulletin for February 2008 (Issue 37) and the Parish Council Standard (March 2008) were noted).

f) Independent Members Forum – Mr Trevor Davies presented the minutes of the Berkshire, Oxfordshire and Wiltshire Independent Standards Committee Members Forum held on 29th February 2008.

g) Annual Standards Committee Assembly – The Monitoring Officer and Mr Trevor Davies (Vice-Chair) confirmed that they would be attending the Annual Assembly on 13th-14th October 2008 on behalf of the Committee. Any other members wishing to attend were invited to advise the Monitoring Officer.

h) Work Programme Update – The Committee noted that two matters were outstanding from the Committee's Work Programme: Review of Hearings Procedure and Standards Committee Conference. The Committee supported the proposal to defer the review of the hearings protocol until the new arrangements for local determination of complaints could be incorporated. The Committee fully supported the proposal for a Standards Conference to take place later in the year focused around the theme of 'Standards in Partnership', and for this to be included in next year's work programme.

Resolved: 1) That the report be welcomed and noted.

2) That the Monitoring Officer be authorised to update the terms of reference of the Standards Committee, to take account of any changes to the remit of the Standards Committee arising from the Standards Committee (England) Regulations 2008 and the Local Government and Public Involvement in Health Act 2007.

3) That the Review of Hearings and Swindon Standards Committee Conference be included in the Committee's work programme for 2008/09.

31. Ethical Framework Compliance Update

The Committee considered a report of the Law and Democratic Services (Monitoring Officer) and the Head of internal Audit concerning the progress and outcome in relation to various ethical framework compliance matters which included an update on five whistleblowing allegations. The Committee were pleased that the whistleblowing policy was being appropriately used. It was noted that there were no Member / Officer protocol or Code of Conduct complaints to report.

Resolved: That the report be noted.