

Standards Committee Update

COUNCIL

Date: 14 January 2010

Purpose

- To receive a report on the work of the Committee in the period 15th September to 1st January 2010.

Recommendation and Minutes for Confirmation

- To note the proceedings of the Standards Committee held on 19th October 2009.

1. Standards Committee Meeting – 19th October 2009**a) Minutes**

The Committee approved its minutes from the meeting held on 13th July 2009. Further to Minute 5, the Monitoring Officer advised that a new Standards for England training DVD was now available on the local assessment of complaints and would be used for a future training session for the Committee. Further to Minute 9 (2), the Monitoring Officer confirmed that he had considered the timescales involved in the current Code of Conduct investigations and was assured that due to the circumstances of each case the time from complaint to investigation and hearing was reasonable, but assured the Committee that complaints would be dealt with, with appropriate speed and due process, to avoid Councillors and Parish Councillors having to wait excessively for the outcome of complaints made against them.

b) Members Planning Code of Good Practice

The Committee considered and approved the 'Swindon Borough Council – Members' Planning Code of Good Practice' as amended and following consultation, to take into account LGA Guidance Note 'Probity in Planning: the role of councillors and officers dealing with planning matters', subject to a typographical correction to the Declarations of Interest flowchart.

c) Ethical Framework Update

The Committee received an update on various matters relating to the Ethical Framework including:

- *Use of Resources Score and Notable Practice* - The Committee noted that the Council had achieved a Use of Resources score of 3, and took account in particular of the notable practice submission accepted in relation to Standards in Partnership.
- *Members Code of Conduct* – The Monitoring Officer advised that the new Members Code of Conduct was due next month and was expected to take effect from April 2010.
- *Consultation on Codes and Protocols* – The Committee agreed that the Monitoring Officer should consult with relevant stakeholders on the Monitoring Officer Protocol, Councillor Role Definitions, Media: Guidelines

Standards Committee Update

COUNCIL

Date: 14 January 2010

for Councillors and Protocol for Member/Officer Relations, as part of their regular review, and report back to the next suitable meeting of the Committee.

- *Outcomes from the Standards in Partnership Masterclass* – The Monitoring Officer advised that he was consulting with the Director of Policy and Performance on a draft action plan arising from the Masterclass, and would report back to the next suitable meeting with an update of ongoing action in relation to standards and probity within each of the partnership relationships. The Monitoring Officer tabled a Standards in Partnership Protocol from Manchester City Council which had been promoted at the Annual Assembly of Standards Committees and it was agreed that the revised action plan should take account of this protocol.
- *Public Perceptions of Ethics* – The Committee noted the outcomes of the two-year research into the public perceptions of ethics carried out by Standards for England, and comparator information collected locally as to the public perceptions of public services in general.
- *Standards Board Publications* – The Committee received the Standards for England Bulletin Issue 45.
- *Annual Assembly of Standards Committees* – The Monitoring Officer reported back on the key messages from the Annual Assembly held on 12th -13th October 2009. It was noted that all documentation was now published on the website, which could provide a resource for Members and standards committees.
- *Training Update* – The Committee received an update on the training undertaken since the last meeting by Members and Parish Councils in relation to ethical standards. A list of the number of Parish Clerks and Councillors having received training was included in the agenda. The Parish Councillors present advised that there had been some confusion providing this information as to whether this should include both training provided by the Monitoring Officer, and that undertaken independently, and therefore it was agreed that clarification be sought from Parish Councils and an updated version provided to the next meeting.

d) Case Study

The Committee explored an Appeals Tribunal decision from the Adjudication Panel for England made on 23rd June 2009, regarding a case concerning Councillor Michael Cox of the London Borough of Hillingdon, and discussed how they would have approached this case. It was agreed that this was a useful training exercise. It was agreed that for future case studies, the Monitoring Officer would remove the outcome of the case in order that the Committee could consider its own judgement before learning the actual decision.

e) Ethical Framework Compliance Update

The Committee noted an exempt report (under Paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972) concerning the progress and outcome of various ethical framework compliance matters, including current

Standards Committee Update**COUNCIL****Date: 14 January 2010**

whistleblowing, Code of Conduct Complaints and Member / Officer Protocol complaints. The Committee agreed that the next hearings panel that is required, should comprise five members of the Committee, excluding the three members who had sat on Assessment Sub-Committee and referred the complaint for investigation.

Background Papers and Information

- Standards Committee Reports and the related Minutes are available in full on the Committee and Member Information Pages of the Council's Intranet and Website (www.swindon.gov.uk) or on request from Committee and Member Services.