

STANDARDS COMMITTEE

MONDAY, 26 MARCH 2012

PRESENT:- Mr Keith Carby (Chair), Mr Trevor Davies (Vice-Chair), Mr Paul Morris, Mr Mike Compton, Mr Gerry Eyles, Mr Richard Hailstone, Councillor Sinead Darker, Councillor Fay Howard, Councillor Peter Stoddart and Councillor Kevin Small.

Apologies for absence were received from Mr David Dawson.

21. 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.

22. Minutes

Resolved – That the minutes of the meeting held on 23rd January 2012, be confirmed and signed as a correct record.

23. Public Question Time

No public questions were received during the meeting.

24. 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 to in Agenda Item 8 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 27 refers).

25. Question and Answer Session - Leader of the Council and Chief Executive

The Leader of the Council, and the Chief Executive, attended the meeting to discuss the Council's approach to ethical governance, and their key priorities in relation to ensuring that high ethical standards are promoted and maintained within the Council.

The discussion included:

- An update on Stronger Together, the new Council management structure and way of working from 1 April 2012, and the context and reasons for these changes.

- The role for Town and Parish Councils under the Localism Act, and the need for close working with the Council, in particular in Localities.
- The context in which the Council was operating with regard to the economic climate, budget pressures and a heightened political environment, and the importance of the public understanding the different roles of officers and Councillors, and the democratic mandate held by Councillors.
- The continuing growth of social media, and the difficulties that presents for Councillors knowing how and when to engage, and ensuring that their contributions are compliant with the Media Guidelines for Councillors and the Member Code of Conduct.

The Committee noted that the Leader of the Council and the Chief Executive both considered that the Protocol of Member / Officer Relations was fit for purpose. In addition, the discussion on social media endorsed an earlier recommendation by the Committee that the new Members Code of Conduct, to be drafted when the Regulations under the Localism Act were published, should include specific reference to use of social media.

Resolved - That the Leader of the Council and the Chief Executive both be thanked for attending the Committee and answering the questions of the Committee.

26. Ethical Framework Update Report

The Committee received a report from the Director of Law and Democratic Services (Monitoring Officer) providing an update on matters relating to the Ethical Framework.

The Committee received an update on the Localism Act 2011 and its implementation. The Director of Law and Democratic Services confirmed that the Corporate Governance Working Group had endorsed the proposals of this Committee, which included the continuation of a stand-alone Standards Committee to oversee the implementation of the Act with a non-voting role for Parish Councillors and Independent Member(s), and for the new Member Code of Conduct to be based broadly on the existing Code. The Committee agreed that it be recommended to Council that the membership of the current Independent Members should continue until the implementation of the new arrangements under the Localism Act 2011.

The Director of Law and Democratic Services advised as to the potential sanctions that could be available to the Committee for breaches of a new Member Code of Conduct.

It was noted that the Monitoring Officer was beginning the review of the Council's Codes and Protocols and would report back with recommendations to the next suitable meeting.

The Committee received and endorsed the proposed preparation process for the Council's Annual Governance Statement as set out in the report.

The Committee also received back an updated record of the ethical training being received by Parish Councillors and Clerks.

Resolved - 1) That the Ethical Framework Update be noted.

2) That it be recommended to Council that the memberships of all four existing Independent Members be extended for a further 12 months or until the statutory Standards Committee ceases to exist, whichever the earlier.

3) That the Monitoring Officer report back to the next suitable meeting of this Committee with the outcome of the review of the Council's Codes of Conduct.

27. Ethical Compliance Report

The Committee considered an exempt report from the Director of Law and Democratic Services (Monitoring Officer) regarding the outcome of various ethical framework compliance matters, including the receipt and progress of Whistleblowing Complaints since the last meeting, a statistical summary of complaints received 2006/7 to date, and an update on the progress of complaints relating to breaches of the Protocol of Member/ Officer Relations and the Members Code of Conduct.

The Committee noted that the statistical summary of the Whistleblowing Cases showed the effectiveness of the scheme, resulting in a number of management actions, dismissals, or process changes, as a result of the complaints made over the 5 year period.

Resolved – 1) That the report be noted.

2) That the 'Procedure for Local Determination of Complaints' and the informal 'Practical Arrangements for the Hearing' established under the Members Code of Conduct be adapted for use in relation to complaints under the Protocol of Member / Officer Relations, and the Director of Law and Democratic Services be authorised to make appropriate amendments to the procedures.