



Stockton-on-Tees
BOROUGH COUNCIL

THE STANDARDS COMMITTEE

ANNUAL REPORT OF 2008/2009

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STOCKTON-ON-TEES BOROUGH COUNCIL
ANNUAL REPORT OF THE STANDARDS COMMITTEE
2008/2009

1. Introduction

This is the fourth Annual Report of the Standards Committee. As in previous years this report provides an overview of the work of the Committee in the past year, and identifies and promotes examples of best practice. The Committee's previous Annual Reports can be accessed at <http://sbcinternet/yourcouncil/standprob/standcomm/>.

2. The Standards Committee

2.1 Function

The Standards Committee's general functions are:-

- (a) promoting and maintaining high standards of conduct by the Members and co-opted Members of the authority; and
- (b) assisting Members and co-opted Members of the authority to observe the authority's code of conduct.

The Committee's specific functions are:-

- (a) advising the authority on the adoption or revision of a code of conduct;
- (b) monitoring the operation of the authority's code of conduct; and
- (c) advising, training or arranging to train Members and co-opted Members of the authority on matters relating to the authority's code of conduct.

The Committee's general and specific functions apply to all Town and Parish Councils within Stockton's administrative area.

The Committee also took on additional responsibilities for member misconduct complaints handling in 2008/09 under the new local assessment regime.

2.2 Membership and Structure

The Standards Committee comprises five Members of the Council, three independent Members and two Parish Council representatives. The Committee continues to be chaired by one of the independent Members, Francis Hayes. The Vice-Chair is also an independent Member. The full membership, showing those individuals who served on the Committee during the year, is attached at the **Appendix** to the report. Decisions were made to provide greater flexibility in the Committee membership for the purposes of the new local assessment responsibilities which the Committee took on during 2008/09. The decisions included establishing a panel of substitute elected Members and appointing substitute parish representatives and a substitute independent member.

2.3 **Comments from the Chair of the Standards Committee**

As expected, this year the primary issue for the Committee has been preparing for and conducting local assessment panels and subsequent review panels. Details of this work are elsewhere in this report.

I am pleased to say that the Council and the Committee's preparations work paid off. The Committee hit the ground running and has kept on top of the workload.

We are very conscious of the efforts that the Officers have to make to arrange meetings, having regard to the constraints of members' appropriateness to the complaint and availability within the prescribed timetables. Thus far all complaints have been dealt with within the time limits.

The principal new issue that has appeared before the Committee this year concerns the standards framework appropriate to partnerships. The topic has been raised by the IDeA and in my regular meetings with Group Leaders, the Cabinet Member with responsibility for Standards and the Chair and Vice-Chair of the Audit Committee. It has now been the subject of a report to Cabinet and work on the matter is in progress.

3. **Conduct of Members - Local Investigation of Misconduct Allegations**

3.1 During the year, the Committee received a total of 11 complaints about Member's conduct under the new local assessment regime. One complaint is ongoing and of the other ten, there have been four referrals for investigation; one referral for other action (by the Monitoring Officer) and five decisions for no further action. Two of the investigations have not yet been reported back to the Committee.

3.2 The relevant reports and minutes can be accessed at <http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>. The agendas for the Committees meetings of 19 December 2008 and 15 January, 12 February and 13 March 2009 are relevant.

4. **Standards Board for England/Adjudication Panel for England**

4.1 The Committee has during the year considered reports and presentations regarding guidance from the Standards Board on the code of conduct and the new local assessment regime together with selected cases heard by the Adjudication Panel.

4.2 The relevant reports can be seen at:-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

Please refer to the minutes of the Committee's meetings of 25 September and 20 November 2008 and the 15 January and 12 February 2009.

5. **Training in Standards of Conduct and Probity**

5.1 Training and development was provided regularly throughout the year on the Code of Conduct and the new local assessment framework. This included an event at the Swallow Hotel, Stockton on 17 September 2008, which was facilitated by the IDeA and the Standards Board and a Monitoring Officer from another local authority. Committee Members also attended the Standards Board's Annual Assembly of Standards Committees on 13 and 14 October 2008.

5.2 The local assessment framework (and the proposed new code of conduct for members) will continue to be a major priority for training and development for Stockton's Members and Officers; Town and Parish Councils and for the Standards Committee itself. An event for Tees Valley Town and Parish Councils is proposed for 8 May 2009. Other events for the Tees Valley Standards Committees and for independent members are also planned.

5.3 Reports on Local Assessment are accessible at :-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

Reports have been submitted to each of the Committee's thirteen meetings during 2008/09.

6. Interests and Gifts and Hospitality

6.1 Regular reminders have been provided to Members and Officers about the need to review and update their interests details and to record details of gifts and hospitality.

6.2 Members' register of interests details, including gifts and hospitality information are accessible on the Council's website
(<http://sbcinternet/yourcouncil/standprob/membsintsgifts/>) .

6.3 Town/Parish Councils have also been asked to continue to provide updated details of their Councillors' interests. These details are retained in the Monitoring Officer's office.

6.4 Monitoring reports have been submitted regularly throughout the year to the Standards Committee. These can be seen at <http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl> and as part of the minutes of the Committee meetings of 8 May, 5 June, 28 August, 23 October 2008 and 15 January 2009.

7. Local Government Ombudsman

7.1 The Committee received details of the Ombudsman's Annual Letter and Annual Report for 2007/08.

7.2 The Committee also received details regarding various other matters concerning the Ombudsman's service
(<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl> - please see the Committee minutes for 5 June 2008 meeting).

8. Audit

8.1 In accordance with its joint working arrangements with the Audit Committee regarding issues of common interest, and also its wider governance role, the Standards Committee has received quarterly Internal Audit reports presented by the Chief Internal Auditor, detailing the work of the service, as well as reviewing the service.

8.2 In addition, the Committee received details of the liaison meetings between the Standards Committee and Audit Committee Chairs and Vice-Chairs and the Audit Committee's own Annual Report for 2007/08.

8.3 Details of the relevant reports can be accessed at <http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>. The minutes of the Committee meetings of 10 April, 5 June, 31 July, 20 November 2008 and 12 February and 13 March 2009 refer.

9. Constitutional Framework

9.1 During the year, the Committee again considered various different aspects of the Council's Constitutional framework and arrangements. In particular the Committee considered scrutiny developments (10 April 2008 Committee meeting) and the Overview and Scrutiny Annual Report for 2007/08 (4 July 2008 meeting); together with a report relating to (inter alia) new Cabinet Member portfolios and the changes to the Standards Committee's own terms of reference and delegations as a result of the new local assessment arrangements.

The current version of the Constitution can be accessed on the internet via the link - <http://sbcinternet/yourcouncil/constitution/> or at the "Your Council" section of the internet and is also accessible on the intranet.

10. Standards and Conduct

10.1 The Committee received reports regarding the proposed new code of conduct for members and the new model employee code and provided views to Government on the related consultation paper. The paper was also the subject of consideration by the Audit Committee, Cabinet and Council. Relevant details can be accessed at <http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl> and in the agendas of the Committee's meetings on 23 October, 20 November and 19 December 2008.

10.2 Members of the Committee continued to visit Town/Parish Councils and to feed back details of their views to the Committee and to the relevant Clerks. Committee Members also attended Council meetings, such as planning, licensing and housing and community safety select committee. Their comments were brought to the attention of relevant Officers and the Committee Chairs.

10.3 The link to the relevant reports is as follows:-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

The minutes of the Committee's meetings of 10 April, 31 July, 28 August, 25 September, 23 October, 20 November, 19 December 2008 and 15 January, 12 February and 13 March 2009 refer.

11. Ethical Governance

11.1 Further reports were presented to the Committee regarding progress in implementing the Ethical Governance Audits and Light Touch Health Check Action Plans, together with the Monitoring Officer's work programme. These can be read at:-
<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>

Please also see the minutes of the meetings of 5 June, 31 July and 23 October 2008.

12. Committee on Standards in Public Life

- 12.1 The Standards Committee has continued to be kept informed of the work of the Committee on Standards in Public Life during the year. Relevant details can be seen at:- www.public-standards.gov.uk and in the minutes of the Standards Committee meeting of 19 December 2008.

13. Confidential Reporting Policy

- 13.1 The policy has been amended to take account of the local assessment regime and is accessible on the intranet; in the Handbook of Personnel Policies and Procedures; the Members' Handbook; and is included in the Constitution and in the Standards and Probity section of the Council's website (<http://sbcinternet/yourcouncil/standprob/confreppol/>).
- 13.2 The policy has also been disseminated to schools and other organisations eg learning disabilities establishments.

14. Comments, Commendations and Complaints

- 14.1 As in previous years, quarterly reports have been submitted to the Committee throughout the year.
- 14.2 Details are accessible at <http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>. Please see the minutes of the meetings of 31 July, 19 December 2008 and 13 March 2009.

15. Freedom of Information and Human Rights

- 15.1 Updates regarding freedom of information and human rights were provided to the Committee during 2008/09, including details of relevant cases.
- 15.2 The relevant details are accessible at <http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl>.
- The minutes of the Committee meeting of 13 March 2009 refer.

16. Dispensations

- 16.1 During 2007/08, no dispensations were requested under the provisions of the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002.

17. Standards Committee Work Programme 2009/10

- 17.1 The Committee has agreed its initial work programme for 2009/10.
- 17.2 The items identified to date as key for 2009/10 can be seen in the minutes of the Committee meeting of 13 March 2009.
- 17.3 The Local Assessment Framework and the new Codes of Conduct for Members and Employees will be key features of the Committee's work.
- 17.4 The forward plan details are reviewed on an ongoing basis at each Standards Committee meeting and are therefore subject to change.

18. Conclusion

- 18.1 The Committee has continued to fulfil its duties and responsibilities during the year, whilst at the same time receiving appropriate guidance and training itself, as well as playing an important role in relation to the Authority's corporate and ethical governance. The year ahead will require an even greater involvement from the Committee in all of these areas, but specifically as regards the new Codes of Conduct for Members and Employees.

19. Other Languages or forms of Communication

- 19.1 For further information about the availability of this report in other formats and languages, please contact Margaret Fawkes on 01642 527061 or via email to margaret.fawkes@stockton.gov.uk.

Stockton-on-Tees Borough Council

Standards Committee Membership

2008/09

Francis W Hayes	-	Independent Member - Chairman
Edna Chapman	-	Independent Member - Vice-Chairman
Colin V Algie	-	Parish Representative
Lynne Apedaile	-	Councillor
Paul Baker	-	Councillor
Tom Bowman	-	Parish Representative
Ian Dalgarno	-	Councillor
Ken Dixon	-	Councillor
Freda Robinson	-	Independent Member
Andrew B L Sherris	-	Councillor ¹
John Fletcher	-	Councillor (Substitute)
Bob Gibson	-	Councillor (Substitute)
Terry Laing	-	Councillor (Substitute) ²
Colin Leckonby	-	Councillor (Substitute)
Lee Narroway	-	Councillor (Substitute) ³
Joseph Craven	-	Parish Representative (Substitute) ⁴
Roger Mosley	-	Parish Representative (Substitute)
Chris Nestor	-	Independent Member (Substitute)

¹ from 21 January 2009

² from 21 January 2009

³ until 5 February 2009

⁴ until 26 November 2008