

The Standards Committee Annual Report 2010/11



Stockton-on-Tees
BOROUGH COUNCIL

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Foreword

In the year to which this report relates the Standards Committee has received only one complaint. The assessment sub-committee determined that this should be dealt with by being referred to the Monitoring Officer for 'other action' rather than a finding that there had been a breach of the code of conduct.

While this demonstrates that the high standards of conduct of Members of the Borough and Parish Councils shown in past years are being maintained, there is no room for complacency.

The Localism Bill now proceeding through Parliament proposes major change to the way that standards are dealt with locally. I hope that the past conduct of the Standards Committee and the experience of its members, past and present, will be of value to the Borough Council and the Parishes when they come to consider their response to that change.

As ever my thanks are due to David Bond and his team for the service that enables the Committee to perform its functions in an atmosphere of calm and order. My thanks too to the Group Leaders, the Cabinet Member and the Chief Executive for the helpful discussions we have had through the year.

Finally, my thanks are due to all the Members of the Committee for their commitment to the work of the Committee over the past year



Francis W Hayes
Independent Chair
Standards Committee



Michael Armstrong
Independent Vice-Chair
Standards Committee

1. Introduction

This is the sixth Annual Report of the Standards Committee written at a time of significant anticipated change for the standards regime in England. The report again provides an overview of the work of the Committee in the past year and looks ahead to what is proposed nationally in 2011/12. The Committee's previous Annual Report 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 has responsibilities for member code of conduct complaints handling under the 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, Michael Armstrong, is also an independent Member. The terms of office of the independent and parish members have been extended by the Council to September 2012. The membership, including substitute Members, who served on the Committee during the year, is detailed at the Appendix to the report.

2.3 Annual Return

In light of the proposals in the Localism Bill, local authorities are no longer required to complete and submit an Annual Return to Standards for England. The 2009 and 2010 Annual Returns are however available at:

<http://sbcinternet/yourcouncil/standprob/standcomm/>

3. Conduct of Members – Local Investigation of Misconduct Allegations

3.1 During the year, the Committee received only 1 complaint about Members' conduct under the local assessment regime. This resulted in a referral for other action (by the Monitoring Officer). The action taken was subsequently accepted by the relevant sub-committee. There are no complaints outstanding.

3.2 The relevant reports and minutes can be accessed at:

<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl?cmte=STD>

The agendas for the Committee's meetings of 16 July; 8 October 2010; 6 January and 31 March 2011 are relevant.

4. The Standards Regime

4.1 The Committee has been kept informed about the emerging proposals for the standards regime. The Localism Bill was published on 13 December 2010. Standards for England will be abolished, as will the requirement for Local Authorities to have standards committees. The principles of conduct and the model code of conduct for members will also be revoked.

4.2 Local authorities will be free to decide whether they wish to introduce their own voluntary code, and to retain a committee with a responsibility for high standards. There will still be a duty on authorities to promote and maintain such standards amongst their members.

4.3 Criminal offences and sanctions will be introduced regarding members' interests. There will, however, be no powers to impose sanctions for any other breaches of conduct.

4.4 It is anticipated that the Localism Bill will receive Royal Assent in late 2011 and that its standards provisions will be implemented in early 2012. Stockton-on-Tees Borough Council, like all other authorities, will therefore need to determine what new arrangements it wishes to see established locally, once the current regime has been abolished.

4.5 In the meantime, the Standards Committee will continue to fulfil its duties and responsibilities under the Local Government Act 2000. In doing so, the Committee will however, take a proportionate approach to its work, in view of the impending changes to the standards regime. The decision has already been made, for instance, to meet

approximately every two months, rather than monthly. Joint working with other standards committees has also been placed on hold.

5. Training and Development

- 5.1 Training and development was provided during the year on the Code of Conduct and the local assessment framework. This included an Independent Members Forum organised jointly by the 5 Tees Valley Local Authorities and held on 22 April, 2010.
- 5.2 The local assessment framework has continued to be a priority for the Standards Committee. Case studies have been submitted to each of the Committee's 8 meetings during 2010/11.
- 5.3 A forum for Town/Parish Clerks hosted by the Monitoring Officer was held on 5 November, 2010.
- 5.4 In view of the proposals in the Localism Bill, the Tees Valley Local Authorities have decided to place the joint training and development programme on hold, at least until each authority has determined its own new local standards of conduct arrangements.

6. Interests and Gifts and Hospitality

- 6.1 Regular reminders have continued to be 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 at:

<http://sbcinternet/yourcouncil/standprob/membsintsgifts/>

- 6.3 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?cmte=STD>

and as part of the minutes the Committee meetings of 23 April; 16 July; 8 October 2010; and 6 January 2011.

7. Local Government Ombudsman

- 7.1 The Committee received details of the Ombudsman's Annual Review for Stockton-on-Tees for 2009/10.
- 7.2 The Committee also again received details regarding complaints received and determined during the year.

Please see for example, the Committee minutes for 23 April; 16 July; 12 August; 8 October 2010 and 6 January 2011

<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl?cmte=STD>

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 again received quarterly Internal Audit reports presented by the Chief Internal Auditor together with a report regarding a review of the Internal Audit Service.

<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl?cmte=STD>

9. Constitutional Framework

- 9.1 During the year, the Committee was again kept up to date with developments regarding the Council's Constitutional framework and 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. Confidential Reporting Policy

- 10.1 The Committee received a report on the policy at its meeting on 12 August 2010.

The policy is accessible at:

<http://sbcinternet/yourcouncil/standprob/confreppol/>

11. Complaints, Compliments, Commendations and Comments

- 11.1 As in previous years, quarterly reports have been submitted to the Committee throughout the year.

- 11.2 Details are accessible at:

<http://www.egenda.stockton.gov.uk/aksstockton/users/public/admin/kab71.pl?cmte=STD>

Please see the minutes of the meeting of 12 August, 8 October, 2010 and 6 January 2011.

12. Dispensations

- 12.1 During 2010/11, no dispensations were requested from the Committee under the provisions of the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002. Under the Localism

Bill, it is intended that Local Authorities, including Parish Councils will have such powers.

13. Politically Restricted Posts

13.1 The Committee was not called upon to consider any matters relating to its responsibilities regarding politically restricted posts. The Localism Bill proposes that the responsibilities will be transferred to the Head of Paid Service.

14. Standards Committee Work Programme 2011/12

14.1 The Committee has agreed its work programme for 2011/12. This is influenced in part by the proposed changes to the Standards Regime.

14.2 The items identified to date as key for 2011/12 can be seen in a report to the Committee meeting of 31 March, 2011.

14.3 The Local Assessment Framework and the Code of Conduct for Members will continue to be an important feature of the Committee's work particularly in view of the forthcoming local elections, notwithstanding the proposals for change in the Localism Bill.

15. Conclusion

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. This will be the case until such time as the current standards regime has been abolished and new arrangements introduced.

APPENDIX

Standards Committee Membership 2010/11

| | |
|-------------------|------------------------------------|
| Francis W Hayes | Independent Member – Chair |
| Michael Armstrong | Independent Member – Vice-Chair |
| Colin V Algie | Parish Representative |
| Paul Baker | Councillor |
| Tom Bowman | Parish Representative |
| Dick Cains | Councillor (Substitute) |
| Edna Chapman | Independent Member |
| Aidan Cockerill | Councillor (Substitute) |
| Ian Dalgarno | Councillor |
| Ken Dixon | Councillor |
| John Fletcher | Councillor (Substitute) |
| Terry Laing | Councillor (Substitute) |
| Colin Leckonby | Councillor |
| Roger Mosley | Parish Representative (Substitute) |
| Chris Nestor | Independent Member (Substitute) |
| William Noble | Councillor |
| Andrew B Sherris | Councillor |

If you would like this information in any other language or format for example large print or audio please contact 'Susan Ranson' on (01642) 527061.

إذا كنت ترغب الحصول على هذه المعلومات بلغات أو بأشكال أخرى على سبيل المثال بالطبعة الكبيرة أو بالشريط المسجل فالرجاء الاتصال 'بدايفرسني تيم' Susan Ranson على هاتف رقم (01642) 527061

ARABIC

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MANDARIN

اگر شما این اطلاعات را به زبان یا شکل دیگری مثلا چاپ بزرگ یا بصورت صدا میخواهید لطفا با تیم دایورسنی (سونانسونی) Susan Ranson یا شمار (01642) 527061 به تماس شوید

FARSI

Si vous souhaitez obtenir ces informations dans d'autres langues ou sous un autre format, par exemple, en gros caractères / version audio, veuillez contacter l'équipe Susan Ranson au n° (01642) 527061

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هه گهر جهرت لهن به نهه رانباريه به دههستت بکهوئت به زمانه کانی نر بان به شنهوه به کوی نر بو نهونه چاپی گهوره/بان به نیی نهارکراو نکابه به یوهندی بکه به 'نمیی دایفرسنی' Susan Ranson له سهر زمارهکی نه لهه فون (01642) 527061

KURDISH

ਜੇ ਤੁਸੀਂ ਇਹ ਜਾਣਕਾਰੀ ਕਿਸੇ ਹੋਰ ਬਣਤਰ ਜਾਂ ਧੌਲੀ ਵਿੱਚ, ਵੱਡੀ ਫਪਾਈ ਵਿੱਚ ਜਾਂ ਰੇਪ/ਸੀ ਡੀ 'ਤੇ ਚਾਹੁੰਦੇ ਹੋ ਤਾਂ ਬਿਰਧਾ ਕਰਕੇ Susan Ranson ਨੂੰ (01642) 527061 ਨੰਬਰ ਉੱਤੇ ਫ਼ੋਨ ਕਰੋ।

PUNJABI

اگر آپ ان معلومات کو کسی بھی اور زبان یا انداز، مثلاً بڑے پرنٹ / آڈیو ٹیپ وغیرہ میں حاصل کرنا چاہیں تو ڈاکو رشی ٹیم Susan Ranson کو اس نمبر پر فون کیجئے (01642) 527061

URDU