

Standards Committee

A meeting of the Standards Committee was held on 24th February 2006.

Present: F W Hayes (Independent Chairman), Councillors Fletcher, Perry (vice Cllr Mrs Beaumont), Sherris, Mrs E Chapman (Independent Member), Mr T Bowman (Parish Representative) and Mr L W Hedley (Parish Representative).

Officers: D E Bond and M. Henderson (LD).

Apologies for absence were submitted on behalf of Councillors Baker, Mrs Beaumont, Teasdale and Mrs F Robinson

1047 Minutes

The minutes of the meetings held on 16th and 22nd December 2005 were confirmed as a correct record.

The Committee was provided with updates to issues previously raised:-

- Consultation with Parish Councils on licensing applications and guidance relating to representations.
- Members assistance or support to constituents who had received parking penalties notices.

1048 Going Local – Investigations and Hearings

Members were shown a DVD produced by the Standard Board for England relating to investigations and hearings.

The Committee discussed the content of the DVD it had viewed and raised a number of issues including:-

- The extent of any suspensions imposed by a Standards Committee in terms of whether representation on outside bodies and access to resources would be affected.
- Cover for Members suspended in terms of representing constituents.

The Committee agreed that the DVD would be extremely helpful for Training purposes and should be made available to all Members, including Town and Parish Councils.

RESOLVED that the content of the DVD be noted.

1049 Standards of Conduct in English Local Government: The Future

The Committee considered a report relating to Standards of Conduct in English Local Government (a discussion paper).

The Committee was reminded of consultation papers issued by the Office of the Deputy Prime Minister (ODPM) and the Standards Board relating to Codes of Conduct for Members and Employees and a review of Political Restrictions on employees. The Council had submitted responses, to the consultations, incorporating comments by the Standards Committee.

It was explained that the Government had published a Discussion Paper – “Standards of Conduct in English Local Government: The Future, which set out its vision for a future comprehensive conduct regime for local authority members and employees.

The Committee was provided with details of the proposed principal changes to current arrangements. Specific reference was made to the following proposals:-

Conduct Regime for Local Councillors

- Initial assessment of all misconduct allegations to be undertaken by Standards Committees, rather than the Standards Board
- National rules would determine under what circumstances Standards Committees had to refer cases to the Standards Board for investigation
- Standards Committees to be given power to impose increased levels of sanction from the current maximum three month's suspension.
- The "whistleblowing" obligations to report breaches of the Code would be abolished

Conduct Regime for Local Employees

- Retain the current principle that senior and sensitive posts should be politically restricted, but ensure that only the most senior and sensitive posts were covered.

It was noted that some of the proposals would have significant implications for the Standards Committee's/Officers' workloads

Details of the Government's responses to the Graham Committee and to the ODPM select Committee, which were included in the Discussion Paper, were provided.

The Committee was broadly supportive of the proposals.

RESOLVED that the report be noted and Cabinet be made aware of the Committee's views.

1050 Adjudication Panel for England - Case Tribunal – APE0330 and APE 0331

Consideration was given to a report that provided details of two decisions by a Case Tribunal held in Stockton on 1 February, and confirmed the action which had been taken and which it was proposed to take in response to the Tribunal's recommendation to the Council.

The Case Tribunal had been held to consider two references by an Ethical Standards Officer .

A copy of the Tribunal's decision notice was provided to the Committee. A notice of decision would be published locally in the press by the Adjudication Panel and the full decision would be placed on the Panel's website.

Members noted that the Tribunal had made a recommendation to Stockton-on-Tees Borough Council that the code of conduct training for Members of Thornaby Town Council should be repeated.

In response to the Tribunal's recommendation, and in consultation with the Town Clerk, code of conduct training was in the process of being arranged for all Thornaby Town Councillors. Particular regard would be paid in the training to the comments of the Tribunal and to the specific recommendations in the full decision record.

RECOMMENDED to Council that:-

- 1. the report and notice of decision be received; and***
- 2. a copy of the report be submitted to the Standards Board for England in order to inform the Board of the action taken and which it is proposed to take in response to the Case Tribunal's recommendation.***

1051 Access to Local Authority Information

The Committee considered a report that provided details of the new Local Government (Access to Information) (Variation) Order 2006 ("the Order") which introduced a new Schedule 12A to the Local Government Act 1972 ("the 1972 Act"), with effect from 1 March 2006, together with certain other consequential amendments.

It was noted that the Order would substitute a new Schedule 12A for the existing, pre-1 March 2006 Schedule 12A.

A copy of a report to the Members' Advisory Panel, setting out the details of the changes to the categories of exempt information, was provided for Members consideration. The Committee noted the revised Access to Information proposals.

The Committee's attention was drawn particularly to the exempt information categories which, from 1 March, would apply to meetings of the Committee and its Sub-Committees, where those meetings were convened to consider referrals from Ethical Standards Officers. The pre 1 March 2006 exempt paragraphs were also provided.

The Committee noted that details of the new provisions would be brought to the attention of all Members and relevant Officers. Consequential changes to the Constitution would also be made and published.

RESOLVED that the report be received.

1052 Review of Scrutiny Arrangements

Consideration was given to a report that provided the Committee with further information regarding the proposals for revising the Council's scrutiny arrangements.

Members were reminded that the Committee had considered a report at its meeting held on 16 December 2005 setting out the framework for revised scrutiny arrangements for the Authority, together with the establishment of a new Audit Committee (to take the place of the Performance Review and Audit Select Committee).

Those proposals had been agreed by Cabinet (3 November 2005) and full Council (14 December 2005).

The detailed terms for the Scrutiny and Select Committees, the Liaison Forum and the new Audit Committee were reported to the Members Advisory Panel (19 December 2005), Cabinet (5 January 2006) and were subsequently agreed by full Council on 25 January 2005.

A copy of the Cabinet report, setting out all of the subsequently agreed details, was provided for the Committee's information.

The Audit Committee's terms of reference were approved on 25th January 2006 as were the consequential changes to the Standards Committee's own terms of reference .

RESOLVED that the report be received.

1053 Information/Discussion Items

The Committee received information relating to Case Tribunal hearings of the Adjudication Panel for England.

An updated copy of the Committee's work programme was also provided.

Members noted and discussed the documents.

RESOLVED that the information be noted.