

## Standards Committee

A meeting of Standards Committee was held on Friday, 15th January, 2010.

**Present:** Mr F W Hayes(Chairman), Mr M Armstrong(Vice-Chair), Cllr Paul Baker, Cllr David Coleman, Cllr Ken Dixon, Cllr Aidan Cockerill(Vice-Cllr Sherris), Mr C.V Algie(Parish Representative), Mr T Bowman(Parish Representative), Cllr John Fletcher(Substitute Elected Members) Mr R. Mosley(Substitute Parish Representative), Mr C. Nestor(Substitute Independent Member)

**Officers:** Mr D.E Bond, Mr A. Squires, Miss K. Wannop(LD)

**Also in attendance:** None

**Apologies:** Mrs E Chapman, Cllr Andrew Sherris

### **S**      **Declarations of Interest**

**97/09**

There were no declarations of interest.

### **S**      **Observing Local Strategic Partnership Meetings**

**98/09**

The Committee considered a report that provided an opportunity for Members who had attended meetings of the Local Strategic Partnership ("LSP") as observers, to report back on what they had observed regarding conduct and procedures at the meetings.

Eastern Area Partnership - 15th December 2009 - attended by Francis Hayes and Chris Nestor

Members received and discussed the assessment sheets from the above attended meeting and agreed feedback to the relevant officers/Chair.

It was also agreed that whilst where possible meetings should be attended by two committee members, if only one member was able to attend, that member should observe at the meeting and report back. In addition, it was agreed that attendance at one meeting of each of the boards/area boards was sufficient. Tom bowman declared a personal, non prejudicial interest as a member of the eastern area partnership board.

RESOLVED that

1. The information be received
2. Feedback, as discussed, be provided to the relevant Officers/Chair.
3. Members inform the Councils Monitoring Officer of any outstanding meeting dates which they could attend.

### **S**      **Observing Council Meetings**

**99/09**

Consideration was given to a report that provided an opportunity for Members' comments about their attendance at recent Council meetings to be provided and discussed.

Health Select Committee - 14th December 2009 - attended by Francis Hayes

and Chris Nestor

Environment Select Committee - 4th January 2010 - attended by Francis Hayes and Tom Bowman

Executive Scrutiny - 5th January 2010 - attended by Chris Nestor

Members received the assessment sheets from the meetings. It was agreed that based on the Members' observations feedback be provided to the relevant Chairs and Officers.

The same decisions were made regarding attendance at committee meetings as were made in relation to attendance at renaissance and area board meetings.

RESOLVED that

1. The information be received.

2. Feedback, as discussed, be provided to the relevant Chairs and Officers.

3. Members inform the Councils Monitoring Officer of any outstanding meeting dates which they could attend.

**S**  
**100/09**      **Attendance at Town/Parish Council Meetings**

The Committee were made aware that there were no assessment sheets to discuss. Details of observations of Grindon Parish Council held on 13th January 2010 would be deferred to the next meeting.

Members were reminded to inform the Monitoring Officer of any outstanding meeting dates which they could attend.

The same decisions were taken regarding meeting attendance as were made in relation to the previous two items on the agenda.

RESOLVED that Members inform the Monitoring Officer of any meeting dates which they could attend.

**S**  
**101/09**      **Members and Officers Interests**

The Committee considered a report that updated Members regarding Members' and Officers' interests.

Reminders about updating interests on the Member's register continued to be circulated. The most recent reminder was sent on 23 September 2009. The reminders also covered co-optees. Advice about interests continued to be provided before Cabinet and Council meetings and on an ad hoc basis when required, examples were provided. Standards for England had also recently issued a guidance note on personal and prejudicial interests. A copy was supplied. Examples of recent declarations by Members were also provided. As part of Redcar and Cleveland's Annual Return, the Council had indicated that its Members' interests and gifts and hospitality forms (for Borough and Parish Councillors) contained messages from the Standards Committee. Examples

were referred to. It was agreed that This practice was something the Committee wished to consider adopting. Suggested messages from Stockton's Standards Committee would be provided at the next meeting. Advice also continued to be provided to Members for the purposes of their roles on outside organisations e.g. as Directors of Companies.

A (Monitoring Officer) Officers register of interests' inspection had taken place on 23 December 2009. Details of actions arising were provided. Officers were last asked to review and update their register details on 28 September 2009.

Updates to Town/Parish Council registers were received fairly regularly and advice about declarations of interest continued to be provided to Town/Parish Council Clerks when requested or considered necessary. An example was attached to the report. A reminder to Town/Parish Clerks about ensuring that their councillors continued to update their register details was sent on 23 September 2009.

Work had continued with relevant officers regarding Partnerships, Renaissance and TVU to ensure that registration and declaration of interests became more embedded in the governance arrangements of the organisations concerned. An example of recent guidance was provided.

RESOLVED that the information be noted.

## **S Members and Officers Gifts and Hospitality**

**102/09**

Members considered a report that provided details of the procedures relating to Members' and Officers' gifts and hospitality and the returns submitted during the third quarter of the year(1 October 2009 - 31 December 2009)

The Members' Register had again been reviewed and examples of gifts/hospitality received by Members in the third quarter of the year were provided. Members were last asked to update their register details on 25 September 2009. Advice also continued to be provided to Members regarding their roles on other organisations. This took the form of information provided generally to all Members (e.g. regarding Director's duties) or one to one advice or advice to two or more Members (as ward Councillors or Groups)

A further review had been undertaken of the Officers' gifts and hospitality register. Details of the findings were provided. The advice which was provided in July about Officers being more circumspect about accepting gifts and hospitality, had been reissued in November and a further copy was provided. Examples of details submitted during the third quarter of the year were also outlined. Officers were last reminded about updating their register details on 2 October 2009.

Town/Parish Councils were last asked to ensure that their Councillors provided details of any gifts or hospitality offered/received on 23 September 2009. No returns had been highlighted.

Work had been undertaken with Officers to ensure that gifts and hospitality arrangements become more embedded in the governance arrangements of partnerships, Renaissance and TVU.

RESOLVED that the information be noted.

**S**  
**103/09**      **Local Government Ombudsman 2009/10**

The Committee considered a report that provided details of the type and nature of complaints received and determined by the Ombudsman during the third quarter of 2009/10. In the period 1 October to 31 December 2009, 4 complaints had been received by the Local Government Ombudsman. In the same period, 7 complaints had been determined and closed by the Ombudsman. No maladministration had been found.

RESOLVED that the information be noted.

**S**  
**104/09**      **Misconduct Allegations**

Members considered a report which provided an update regarding misconduct allegations received by the Authority.

Complaints Determined

A complaint alleging that a Borough Councillor had failed to treat a member of the public with respect; had disclosed confidential information and had brought the office of Councillor or the Authority into disrepute, was considered by the Assessment Sub-Committee on 16 October 2009. The Sub-Committee determined that no further action should be taken.

A complaint was received alleging a Borough Councillor had acted inappropriately in the context of the Councillor's role on an external organisation to which the Councillor had been appointed by the Council. The complainant was advised that when dealing with the external organisation's business the Councillor was acting in a private capacity and not as a representative of the Council. No complaint under the Code of Conduct had been pursued to date.

A Borough Councillor raised concerns about a Chair's management of a Committee Meeting. As a result of correspondence and discussions with the Councillors involved, the matter was resolved informally without the submission of a formal complaint.

Complaints Outstanding

A complaint alleging that a Borough Councillor had been disrespectful and had brought the office of councillor or the Authority into disrepute was considered by the Assessment Sub-Committee on 16 October 2009 and was referred to local investigation. The Investigating Officer's report WAS in the process of being finalised and would be submitted to the Consideration Sub-Committee in due course.

A complaint alleging that a Parish Councillor was disrespectful to a fellow Councillor was considered by the Assessment Sub-Committee on 18 November 2009 and referred for other action. The action concerned had not yet taken place but the outcome would be reported back to the Assessment Sub-Committee within the three months period.

RESOLVED that the information be noted.

**S**  
**105/09**      **Work Programme Monitoring Officer**

Members considered a report that provided the Committee with a further progress report regarding the Monitoring Officer work programme for 2009/10. The Committee were provided with a schedule that set out the six improvement areas, key actions for each, the target dates for completion, progress, any comments, any necessary remedial action and any revised target dates.

RESOLVED that the information be received.

**S**  
**106/09**      **Understanding Predetermination and Bias**

The Committee considered a further report regarding predetermination and bias and was again provided with details of a checklist produced by Simon Bird QC, Deputy President of the Adjudication Panel for England. A further case study was also included for the Committee to consider, taking into account the checklist.

RESOLVED that the information be received.

**S**  
**107/09**      **Information/Discussion Items**

Members of the Committee considered the following items:-

1. Ethical Standards Update – Weightmans – November 2009 - Noted
2. New Executive Arrangements – current position - Noted
3. Audit Commission Annual Audit and Inspection letter 2009 - Noted
4. Comprehensive Area Assessment 2009 – Noted
5. Committee on Standards in Public Life – Report on MP's Expenses and Allowances – Executive Summary – Noted
6. Bulletin 46 - December 2009 – Noted

In relation to the bulletin, the Committee was advised that the order transferring the Adjudication Panel for England's functions to the unified tribunal structure had now taken effect. The Adjudication Panel for England would now be known as the first – tier tribunal (Local Government Standards in England). The committee agreed that the necessary changes to the Committee's documents and procedures could take place without the need for any references back to the Committee for approval.

RESOLVED that the information be received.

**S**  
**108/09**      **Forward Plan**

Consideration was given to the updated version of the Standards Committee

Forward Plan. Members were again asked to consider whether there were other matters which should be included in the programme for future meetings. Members also received the Councils Statutory Forward Plan.

RESOLVED that the Standards Committee Forward Plan and Statutory Forward Plan be noted/received.