

SEDGEFIELD BOROUGH COUNCIL

STANDARDS COMMITTEE

Council Chamber,
Council Offices,
Spennymoor.

Monday,
27th January, 2003

Time : 2.00 p.m.

Present: Mr. L. Petterson (Chairman and Independent member) and
Councillors Mrs. A.M. Armstrong, D.M. Fraser and B. Meek.

Parish/Town Council member

Councillor J. Marr

Independent Member

Mr. C. Greenwell

Apologies Councillors G. F. Chaplin and Mrs. A.D. Mumford.

ST.6/02 MINUTES

The minutes of the meeting held on 4th September, 2002 were confirmed as a correct record and signed by the Chairman. (For copy see file of Minutes).

ST.7/02 PROGRESS AND UPDATE REPORT

The Council's Solicitor and Monitoring Officer presented a progress and update report. (For copy see file of Minutes).

In respect of web-based registers work was in progress on developing a web-based register for the Register of Interest of Members and also of Gifts and Hospitality. Resources were, however, dictating progress and it was taking time for the information to be keyed into the internet.

With regard to the six monthly review of Registers of Members Interests, a letter had been sent to all Borough Council and Parish/Town Council Members informing them that they needed to review the information maintained on the register.

The Committee was informed that consideration was being given to the introduction of a procedure for local investigation of complaints. A suggested procedure was attached to the report. It was being recommended that the Council considers adopting the procedure at its Annual Meeting in May and that the procedure be then incorporated into the Council's Constitution.

A protocol in relation to the issue of advice on gifts and hospitality had also been drawn up and was considered by the Committee and was appended to the report. The Committee approved the protocol as a

document to be recommended for inclusion in the Council's Constitution at its Annual Meeting in May.

A Monitoring Officer's protocol was also considered establishing arrangements and understanding as to how the Monitoring Officer's role would be conducted. It was agreed that this protocol be recommended to Council in May to be incorporated in the Council's Constitution.

The Monitoring Officer also reported on a Standards event which had been held at St. Mary's College, Durham on 17th September, 2002. At that event the Monitoring Officer presented a report on his role and responsibilities and the County Council's Monitoring Officer had presented a talk on the role of the Standards Committee. Representatives from the Standards Board also took part as well as Members of this Committee. It was intended that the County Council and District Councils would work together on Standards issues and further events, joint collaboration was envisaged to ensure a more uniform approach to dealing with complaints etc.

In relation to Section 66 Regulation it was explained that under Section 66 of the Local Government Act 2000, Regulations may be made by the Secretary of State governing the way Monitoring Officers were to deal with references to them by Ethical Standards Officers. New regulations were expected to cover the power to conduct an investigation, reports to Standards Committee, its procedures, powers etc. It was likely that the less serious complaints would be dealt with locally by this means on advice from the Monitoring Officer and processed through the Standards Committee.

It was noted that in respect of training, it was intended that a further training forum would take place during the Spring for Members of the Standards Committee and Members generally and details would be made available nearer the date.

The Committee was also informed that the following guidance bulletins had been issued by the Monitoring Officer since the last meeting :-

- 19th December 2002 – MO16 – Issue of Standards Board Bulletin
- 19th December 2002 – MO17 – Issue of Review Letter and Proposed Protocol on Gifts and Hospitality Registers
- 14th November 2002 – MO/SBC4 – Consultation with District Audit regarding proposed procedure for local determination of complaints: protocol on gifts, etc. and Monitoring Officer's protocol on Monitoring Officer's relations with members and staff.

The Committee was reminded that at its last meeting a number of issues had been raised in relation to dispensations, Registers of Interest and dealing with conflicts of interest.

A response had been given by the Standards Board confirming that the original approach to the issue of prejudicial interests should apply namely, that dispensations could only be granted in limited circumstances and that it would be inappropriate for a Member to apply for a dispensation every time they had a prejudicial interest. The Board also confirmed that as part of its work, they would be issuing further guidance on Dispensation Regulations and on the way in which Registers of Interest would operate.

As part of future work it was intended to prepare protocols for dealing with the Council's relationship with external bodies and also a media protocol to govern publicity when Member investigations were taking place.

RECOMMENDED :

1. *That the report be received.*
2. *That the procedure for local investigation of complaints, the protocol on gifts and hospitality and the Monitoring Officer's protocol be all recommended for approval to Council in May for inclusion in the Constitution.*

ST.8/02 REPORT OF A STANDARDS BOARD DETERMINATION

Consideration was given to a report in relation to allegation SBE67.02 outlining the summary of the outcome of an investigation into an allegation.

The findings had been published.

It was suggested to the Committee that when there was no evidence of misdemeanour then only the published report be submitted to the Committee. However, where the findings concluded that there was a misdemeanour then a detailed report would be considered and actions needed to be taken etc., would be examined.

Discussion was also held in relation to the role of the Monitoring Officer in the Complaints Procedure and it was explained by Mr. Hall that it was not considered part of the usual role of the Monitoring Officer to encourage complaints although the Board had reported that many formal complaints had in fact been made by Monitoring Officers.

RECOMMENDED : *That the report be noted.*

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact E.A. North, Spennymoor (01388) 816166, Ext. 4237.