

Item 2

SEDGEFIELD BOROUGH COUNCIL

STANDARDS COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Thursday,
9 February 2006

Time: 1.00 p.m.

Present: L. Petterson (Chairman) and

Councillors A. Gray and J. Wayman J.P.

Parish/Town Council member

Councillor J. Marr (Spennymoor Town Council)

Independent Member

Mr. I. Jameson

Apologies: Councillors Mrs. B. Graham, Mrs. L. Hovvels and G.M.R. Howe

ST.13/05 DECLARATIONS OF INTEREST

Members had no interests to declare.

ST.14/05 MINUTES

The Minutes of the meeting held on 1st November, 2005 were confirmed as a correct record and signed by the Chairman.

**ST.15/05 SUMMARY OF CHANGES TO STANDARDS ARRANGEMENTS:
"STANDARDS OF CONDUCT IN ENGLISH LOCAL GOVERNMENT:
THE FUTURE - DECEMBER 2005**

Consideration was given to a report of the Solicitor to the Council and the Monitoring Officer which summarised the recently published discussion paper prepared by the Government to change the roles of the Standards Board, Local Standards Committees together with the duties of the Monitoring Officer. (For copy see file of Minutes).

The Committee was informed of the number of recommendations that had been issued by the Government that would affect:

- Local Code of Conduct
- Standards Committees
- Standards Board for England
- Local Authorities

Detailed discussion was given to the inclusion of Town and Parish Councils in receiving training and up-to-date information on the changes. It was explained that all information was distributed to Town and Parish Clerks as well as invitations to attend any training.

- RECOMMENDED:*
- 1. That the future changes be noted.*
 - 2. That Council be appraised of the report and that both the Leader and the Chief Executive raise concerns via national bodies about the lack of proposals for additional public funding for the transfer of responsibilities from the Standards Board to local authorities.*

ST.16/05

AN ANALYSIS OF THE CURRENT TRENDS IN ALLEGATIONS OF MISCONDUCT AT NATIONAL AND LOCAL LEVEL - 2005

Consideration was given to a report of the Solicitor to the Council and Monitoring Officer, which detailed current trends in allegations of misconduct submitted to the Standards Board. (For copy see file of Minutes).

Members were informed that the report had been divided into Part A – National Trends and Part B – Local Trends.

It was reported that the Standards Board for England published a monthly statistical digest, which breaks down yearly and monthly statistics to identify national trends. In producing the trends it identifies the number of allegations, the sources of allegations, the type of Authority that submits complaints and the nature of the investigations.

With regard to Local trends the report identified that during 2005 five complaints had been submitted alleging misconduct by both Town Councillors and Borough Councillors. It was pointed out that this was a relatively low number of complaints.

It was explained that it was the first time the report had been prepared. It was also pointed out that the Government had not yet set pre definitions as what to follow. It was proposed that reports be submitted as the guidance was developed. Members of the Committee welcomed regular updates.

- RECOMMENDED:*
- 1. That the general trends in complaints of misconduct investigated at a national and local level be noted.*
 - 2. That Standards Committee notes the report and receives further reports annually.*

ST.17/05

ARRANGEMENTS FOR THE REVIEW OF THE CONSTITUTION

Consideration was given to a report of the Chief Executive Officer detailing the need to continually review the Constitution. (For copy see file of Minutes).

The report placed particular attention to the purpose of Article 15 of the Constitution and identified the proposed changes that would be submitted to Council at its meeting on 24th February 2006.

AGREED: That the proposals contained therein be approved.

ST.18/05

**FORTHCOMING COMPREHENSIVE PERFORMANCE ASSESSMENT:
KEY LINES OF ENQUIRY: CORPORATE OF GOVERNANCE
INSPECTION: IMPLICATIONS FOR STANDARDS AND ETHICS, FOR
STANDARDS COMMITTEE AND MEMBER TRAINING - TAKING THE
ETHICS AGENDA FORWARD**

Consideration was given to a report of the Solicitor to the Council and Monitoring Officer detailing the impact of the forthcoming governance inspection component of the Comprehensive Performance Assessment. (For copy see file of Minutes).

Members of the Committee were informed that the report had been agreed by Cabinet at its meeting on 2nd February 2006 and was therefore attached for Members information.

The report made specific reference to the proposals of the Government, which would change the role of the Standards Board, Local Standards Committees and the duties of the Council's Monitoring Officer in identifying the best way to take forward the Ethics Agenda.

Members were informed of the affects that would be made to the following:

- Change context
- Achieving higher standards of conduct: assignment of lead responsibility to a Councillor
- Extending the Standards Committee remit
- Training - Borough Councillors and Parish and Town Council Members
- Monitoring Trends and Standard Board Complaints nationally and locally.

Detailed discussion was held regarding the requirement for all members to attend at least one training event and the requirement to monitor and report attendance records.

It was pointed out that the above requirements would be recommended to be mandatory for Town and Parish Council's, however the Clerks would be advised to inform members of best practices on this issue.

RECOMMENDED: 1. That the report be noted.

2. That Council be recommended to approve consequential changes to the Constitution as appropriate.

ST.19/05

REVIEW OF CONFIDENTIAL REPORTING POLICY

Consideration was given to a report of the Chief Executive Officer detailing the findings of the review of the Council's Confidential Reporting Policy. (For copy see file of Minutes).

Members were informed of the Policy's current position, the procedure to follow in using the Policy together with the results of the review of the use of the current policy.

Questions were raised as to whether the Policy would be used or affect Town and Parish Councils. It was explained that the report was internal and that Town and Parish Councils should have their own Policy in place.

AGREED: That the findings of the Review of the Confidential Reporting Policy outlined in paragraphs 3.10 and 3.12 be approved.

ST.20/05 INDEMNITIES FOR MEMBERS AND OFFICERS IMPACT OF THE LOCAL AUTHORITIES (INDEMNITIES FOR MEMBERS AND OFFICERS) ORDER 2004

Consideration was given to a report of the Solicitor to the Council and Monitoring Officer detailing the impact of the Local Authorities Order 2004, which came into force on 23rd November 2004. (For copy see file of Minutes).

Members were informed that the report had been agreed by Cabinet at its meeting on 19th January, 2006 and was attached for Member's information.

RECOMMENDED: That the report be noted.

ST.21/05 STANDARDS TRAINING UPDATE

Members were informed of a number of training events that had or would be taking place throughout the year.

The Deputy Monitoring Officer had arranged two training events regarding Judicial Review. The first had taken place on the 12th December and had been well attended the next was scheduled to be held on 13th February. Both had taken place within the Council Offices, Green lane, Spennymoor.

It had also been arranged for Peter Keith-Lucas to hold a mock hearing training day for 4th April 2006. To give members an insight as to how they should be conducted. Invitations had been distributed to local authorities, Monitoring Officers, Deputy Monitoring Officers, Town and Parish Councils and Members. It was pointed out that a number of invitations had been accepted.

Finally, it was reported that three events would be held in the Autumn regarding Members declarations of interest, however, more information would be distributed closer to the time.

ST.22/05 "GOING LOCAL" INVESTIGATIONS AND HEARINGS

Members were shown a DVD of the process of preparing for and conducting a hearing.

ST.23/05

DATE OF NEXT MEETING

6th April, 2006 at 1.00 p.m. in the Council Chamber, Council Officers,
Spennymoor.

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Miss. S. Billingham, Spennymoor 816166, Ext 4240, sbillingham@sedgefield.gov.uk

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