

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 1B, County Hall, Durham on **Wednesday 9 September 2015 at 9.30 am**

Present:

Councillor M Williams (Chairman)

Members of the Committee:

Councillors E Bell, J Clark, M Dixon, B Graham, G Holland, I Jewell, K Shaw (Vice-Chairman) and B Stephens

Co-opted Members:

Parish Councillor R Harrison and Town Councillor T Batson

1 Apologies for Absence

Apologies for absence were received from Councillor E Huntington and Mr J Dixon Dawson.

2 Minutes of the Meeting held on 1 May 2015

The Minutes of the Meeting held on 1 May 2015 were confirmed as a correct record and signed by the Chairman.

3 Declarations of Interest, if any

In respect of agenda item 7, Councillor J Clark declared an interest as a Member of Horden Parish Council, though acknowledged that the report was being presented merely for the Committee to receive and note.

4 Annual Report of the Standards Committee 2014/15 - Report of the Head of Legal and Democratic Services and Monitoring Officer

Consideration was given to the draft Annual Report of the Standards Committee 2014/15 (for copy see file of Minutes).

The Governance and Elections Manager advised that the purpose of the report was to reflect and report on the work of the Standards Committee during 2014/15 and to set out the future direction which the Committee intended to take during 2015/16. Members were further advised that the report would be presented to a forthcoming meeting of the full Council.

Parish Councillor R Harrison highlighted that the report incorrectly reflected that he was a member of Edmondsley Parish Council. The report would therefore be amended accordingly.

In referring to paragraph 12 of the report, the Chair queried whether the Committee would wish to have more involvement in the assessment of Code of Conduct complaints.

Councillors Bell and Graham believed that having an assessment panel comprised of Committee Members would provide for a more rounded assessment process, as opposed to the current system which saw the consideration of complaints delegated solely to the Monitoring Officer and on occasion, also the Independent Person.

Councillor Jewell saw no reason to alter the current process as no problems had been encountered.

Councillor Stephens suggested that a report be presented to the next meeting of the Committee, setting out various feasible options for the assessment of Code of Conduct complaints.

In referring to paragraph 13 of the report, Councillor Shaw questioned whether the high proportion of complaints which resulted in no further action could be attributed to the lack of sanctions which were now available. The Governance Solicitor advised that this was not the case and she provided the Committee with an overview of the reasons why no further action was often taken. It was agreed that in future, more detail would be provided to the Committee as to the reasons behind all complaint decisions.

In referring to paragraph 15 of the report, Councillors Bell and Dixon queried the circumstances under which financial settlements were made and exactly how much each settlement figure had been.

The Governance and Elections Manager clarified that financial settlements were made following recommendation from the Local Government Ombudsman. Such settlements were not applicable for Code of Conduct complaints. Future reports would set out the exact figures which had been paid out by each service as financial settlement.

Resolved:

1. That the report be approved for submission to full Council, subject to necessary amendment being made;
2. That a report be presented to the following meeting of the Committee detailing possible options for the future assessment of Code of Conduct complaints.

5 Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

Resolved:

That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the said Act.

6 Local Investigation Report - Report of the Head of Legal and Democratic Services and Monitoring Officer

The Committee considered the report of the Head of Legal and Democratic Services which detailed the investigation conducted into an allegation that a Parish Councillor had breached the Code of Conduct and the outcome that the complaint had not been upheld (for copy see file of Minutes).

Resolved:

That the report be noted.

Councillor Dixon declared an interest in the remaining business on the agenda and left the room.

7 Update on the handling of Current Complaints - Report of Head of Legal and Democratic Services and Monitoring Officer (copy attached).

The Committee considered a report of the Head of Legal and Democratic Services which provided an update report in respect of complaints of alleged breaches of the Code of Conduct (for copy see file of Minutes).

The Governance Solicitor presented the report, which demonstrated to Members the rate of business which was being dealt with in relation to Code of Conduct complaints. Future reports would provide more detail regarding the reasons for each decision.

Resolved:

That the report be noted.