

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Tuesday, 11 April 2006

PRESENT: Mrs Roberts (Chair); Mr Romrose (Deputy Chair); Mr Hughes Councillors Allen, Duncan, Edwards, Pritchard and Taylor

1. APOLOGIES

None.

2. MINUTES

The minutes of the meetings of the Committee held on 21 December 2005 and 10 January 2006 were signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

None.

4. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

None.

5. APPOINTMENT OF DEPUTY CHAIR

The Solicitor to the Council commented that since Councillor Flavell had left the Committee the position of Deputy Chair was vacant.

Councillor Edwards proposed and Councillor Allen seconded "That Mr J Romose be Deputy Chair."

RESOLVED: That Mr J Romose be Deputy Chair of the Committee.

6. STANDARDS BOARD UPDATE

The Solicitor to the Council submitted a report that summarised Bulletin 27 published by the Standards Board for England and which had been previously circulated to members of the Committee. It was noted that Standards Committees would become more involved in the ethical framework decision making process and the Standards Board would continue, in a central role, to:

- champion and provide high standards of conduct
- provide guidance and support to local authorities including appropriate sanctions for local determinations
- develop resources to help with training
- develop a training framework
- set standards for Monitoring Officers and Standard Committees

It was noted that further advice in respect of personal and prejudicial interests was also likely.

Copies of Bulletin 28, which had only recently been received, were circulated and it was noted that declarations of interests, business interest, best practice on hearings (Case Alert) and disclosure of final reports were all highlighted. The Bulletin also posed a number of issues in relation to Parish Councillor membership of the Committee and also highlighted an issue where some Monitoring Officers had been expressing an opinion on cases referred to Ethical Standards Officers which was to be discouraged.

It was noted that if a member of the public made a complaint against a Councillor through the Council's normal complaints procedures then such an issue would be referred to the Monitoring Officer who would advise that person to contact the Standards Board.

A general discussion ensued in respect of the recommended maximum term of office for independent members; the need for more independent members on the Committee and the suggestion that there should be two Parish Councillor representatives on the Committee and the effects of these on the overall size of the Committee.

- RESOLVED:** (1) That the report be received and the revised format of Bulletin 28 and the inclusion of Case Alerts be welcomed.
- (2) That the Solicitor to the Council consider the membership issues of the Committee in respect of further independent and Parish Councillor representatives and the implications of this on the overall size of the Committee and make an appropriate recommendation to the Improvement Board to consider the structure of the Committee.

7. "GOING LOCAL" (INVESTIGATIONS AND HEARINGS)

The Committee viewed a DVD from the Standards Board for England concerning investigations and hearings. The DVD was welcomed and it was noted that the one hearing that the Council had conducted to date had conformed closely with the advice contained within it. To date, however, the Council had not had to conduct a local investigation.

RESOLVED: That the position be noted.

8. ROLE OF STANDARDS COMMITTEE (THE MONITORING ROLE)

The Solicitor to the Council submitted a report that made suggestions as to how the Committee could monitor the contract on which the Improvement Board vehicle was based. It was noted that the Committee could report directly to Council or could censure a Councillor and although it was unlikely that instances would also be a breach of the Code of Conduct, this was possible. It was noted that Councillors could seek advice from the Solicitor to the Council. It was also noted that in section 2 of the report a Councillor, the Chief Executive or a Director or other senior officer could

ask the Monitoring Officer for the issue to be referred to the Committee. It was also noted that the Committee had already agreed that this item would form a standing item on future agendas with a report being submitted by the Monitoring Officer.

- RESOLVED:** (1) That the report be received and that a Director be invited to attend the next meeting of the Committee to give their view on compliance with the “contract” on behalf of all the Directors with a view to the other remaining Directors being invited to attend subsequent meetings for a similar purpose.
- (2) That the issue of the monitoring role be highlighted in the Committee’s newsletter.

9. PROPOSED PROTOCOL/ PROCEDURE/ SUB-COMMITTEE FOR LOCAL DETERMINATIONS

The Solicitor to the Council reported that recently received new guidance would affect the content of a protocol/procedure/sub-committee for local determinations and that it was proposed to submit a report to the next meeting of the Committee.

RESOLVED: That the position be noted.

10. ETHICAL GOVERNANCE TOOLKIT

The Chair commented that the Committee had received a generally good report from the Audit Commission in 2004 on its work with a reservation about monitoring the effectiveness of its role. The Toolkit was intended to show how progress was being made and the good practice that was being followed. It was important because it would affect future CPAs and it influenced confidence in local democracy. The potential cost of acquiring the Toolkit ranged from £1,500 to £13,500 depending upon the level of independence required as part of the process and for which there was no budgetary provision. It was noted that the Toolkit could be viewed on the IdeA website.

- RESOLVED:** 1. That the Corporate Manager (Legal and Democratic Services) investigate what funding might be available to acquire the Toolkit; it being noted that the elements of independence, and therefore the greater credibility that would be given to results, were the more expensive options.
2. That in the light of (1) above the Solicitor to the Council prepare a report for the next meeting on the options available to acquire and implement the Toolkit.

11. PROPOSED NEWSLETTER

The Solicitor to the Council submitted a draft Newsletter No 3 and reminded members that the Newsletter was intended to be ancillary to other forms of training. It was suggested that the Committee’s workplan,

training for Councillors, and the Committee for monitoring of the “contract” and a reference to the annual affirmation of the Code should also feature.

RESOLVED: That the Solicitor to the Council and the Chair liaise over the final content and layout of the Newsletter prior to its publication before the next meeting.

12. INDEPENDENT MEMBERS FORUM

J Romose submitted a summary of the Northamptonshire Independent Members Forum that took place on 27 February 2006. He concluded that the Forum had been useful and the experiences between Standard Committees around the County, training and the number of hearings that Councils had conducted had differed greatly. The minutes of the meeting were circulated.

The Forum and earlier items on the agenda re-emphasised the need for training for both the Committee itself and for all Councillors. It was noted that it might be possible to use one of the Council Development nights in May or June of this year which were currently available provided that a suitable trainer could be found. The Corporate Manager for Legal and Democratic Services commented that the Councillor programme was being reviewed and standards training, which was important, would be raised at a review meeting scheduled for 21 April 2006.

Comment was made that an inter-active training session for Councillors would probably prove to be the most effective.

RESOLVED: (1) That the report of the Independent Members Forum held on 27 February 2006 and minutes be noted.

(2) That the Solicitor to the Council and Corporate Manager for Legal and Democratic Services in conjunction with the Chair develop training packages for both the Committee and Councillors.

(3) That the Council host a second meeting of the Forum scheduled for 12 September 2006.

13. ANNUAL REPORT (WORK PLAN)

The Solicitor to the Council reminded the Committee of the discussion they had had at the last meeting.

RESOLVED: That at the next meeting the Committee receive a report on work over the last year with a plan for the new year with a view to submitting an interim report to Council on 27 November 2006 and a full annual report to Council on 26 March 2007.

14. CODE OF CONDUCT

The Solicitor to the Council submitted a report that proposed that in the context of the recovery process all Councillors including Parish Councillors

should reaffirm their acceptance of the Code of Conduct on an annual basis.

RESOLVED: That the report be accepted and that the forms for re-affirmation of acceptance of the Code of Conduct be sent out annually with the Declaration of Interest Forms.

15. STANDARDS BOARD CONFERENCE 2006

It was noted that the Annual Standards Board Conference would be held on 16 and 17 October 2006 in Birmingham and this year would be entitled "Bridging the Gap" and would cover the new statutory ethical guidance framework.

RESOLVED: That the Chair and Deputy Chair attend the conference.

The meeting concluded at 20.08 hours

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