

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Monday, 10 March 2008

PRESENT: Mr Harley (Chair); Mrs Edwards (Parish Council Representative), Councillors Capstick, Hawkins and Flavell

1. APOLOGIES

There were none.

2. MINUTES OF MEETING HELD ON 17 DECEMBER 2008

Minutes of the meeting held on 17 December 2007 were agreed and signed subject to including Councillor Flavell on the attendees list.

3. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

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

There were none.

5. UPDATE ON THE LOCAL ETHICAL FRAMEWORK (APRIL 2008) AS CONSULTATION

F Fernandes, Solicitor to the Council and Monitoring Officer, presented the report stating that it provided an update on the consultation undertaken by the Government on the '*Orders and Regulations Relating to the conduct of Local Authority Members in England*' and the response to the consultation.

It was noted that the consultation document had been circulated to all the Committee members and the comments received had been incorporated in the response. The comments made across the authorities were similar. The main issues and concern for authorities was that whilst the move was to deal with complaints at local level, funding would not be provided, adding pressure on local authorities resources.

Councillor Hawkins as a member on the Audit Committee reported that the External Auditors report stated that the Council did not receive many complaints for the 2007/08 period.

It was noted that on publication of the regulations, constitutional changes for the committee would need to be made. It was therefore recommended that a detailed report be brought at the next meeting of this Committee.

RESOLVED: That the report and the consultation response be noted.

6. WORK PLAN 2007 ONWARDS: UPDATE

F Fernandes, Solicitor to the Council and Monitoring Officer presented the report commenting that the Whistle Blowing Policy and Anti Fraud & Corruption Policy had been identified by the Standards Committee as something they needed to review.

He reported that the Council had adopted a policy as part of their Employee Handbook, however it had not gone to a probity committee such as the Standards or the Audit Committee. It was drawn up by Human Resources in consultation with the Trade Unions. The purpose of this committee was to make comments and give a view on the existing policy. He added the current policy focused on employees and that it needed to be wider to include members of the public.

The Committee had a discussion about the policy. They felt that there was a distinction between employees and members of the public and therefore the policy should be kept separate.

They felt that the policy relied on the anonymity aspect and the more confident individuals were about the effectiveness of the process the more they were likely to come forward. For employees they felt that rather than reporting via their line Managers, there should be an independent reporting line, which they would feel more comfortable with. They felt that prevention was better than cure, and it would be in the interest of Management to be aware of the issues prior to any damage caused.

In relation to the role of Standards Committee regarding whistle-blowing and anti-fraud policies, it was reported that a good Local Authority and Standards Committee would take an interest in this matter as a probity committee. The aim was to scrutinise the policies and procedures to make them more robust.

RESOLVED: That the report be and comments made by the Committee be noted.

7. APPOINTMENT OF INDEPENDENT MEMBERS: VERBAL UPDATE

F Fernandes, Solicitor to the Council and Monitoring Officer reported that interviews to recruit the vacancy for an independent member on this committee had taken place. They had interviewed five candidates and found four to be suitable. They still had one individual to interview, and therefore had not yet reached any decisions.

Whilst there was currently only one vacancy to fill, post implementation of the new regulations, there would be a need for more independent members, as the work of the Committee would increase. The Committee then had a discussion about the complaints process, and agreed that all three levels (Initial Assessment, Review Panel and Hearing Panel) should be dealt by separate panel members due to the predetermination aspect.

The Committee discussed its membership needs and what recommendation they should make to the Council meeting on 28th April 2008, as part of the Constitutional Working Party report. They felt that their membership should be increased to include a total of four independent members. It was noted that there was not a statutory term of service for independent members but it was normally three years. The Committee however could work towards a four-year term to stay in line with the local elections. They commented that in order to retain some experience and avoid all the members leaving at once, the termination date for the independent members should be varied.

The Committee wished to thank J Buckler, Procurement and Practice Team Leader for all her work on the recruitment, and short-listing high calibre candidates.

It was clarified that it was not a requirement to hire a Solicitor for an independent investigation.

- RESOLVED:** **The Standards Committee recommends to Full Council that:**
- 1. Its membership be increased to include a total of four independent members**
 - 2. The length of term be increased to four years to keep in line with the local elections and**
 - 3. The period of service for independent members be varied, to retain experience on the Committee and avoid all members leaving together.**

8. STANDARDS BOARD UPDATE

J Buckler, Procurement and Practice Team Leader presented the report and Bulletin 37 of the Standards Board.

The focus was on the Local Ethical framework. It was noted that Standards Board would provide guidance notes on the new regulations, setting out responsibilities and what needed to be done to achieve them. They would also provide toolkits to enable local authorities to meet those responsibilities.

The bulletin reported the need to inform the complainant and the respondent that they had a right to appeal to the Adjudication Panel for England.

The Committee noted that the Standards Board of England had appointed a new Chief Executive Glenys Stacey who would begin in April 2008.

RESOLVED: **That the update be noted.**

9. ATTENDANCE AT THE OCTOBER 2008 ANNUAL ASSEMBLY EVENT

The Committee discussed the Annual Assembly Event due to take place on 13th and 14th October 2008 and who would like to attend. It was noted that the Chair needed to attend the event.

It was agreed that anyone interested to attend the event should contact F Fernandes by 14th March 2008. Depending on the number of interests received, he might need to look at obtaining additional funding.

Councillor Hawkins expressed an interest to attend the event.

RESOLVED: **That the commented be noted.**

10. EXCLUSION OF PUBLIC AND PRESS

There were none.

The meeting concluded at 18:50