

**MINUTES OF A MEETING OF THE ESSEX COUNTY COUNCIL AND ESSEX FIRE
AUTHORITY JOINT STANDARDS COMMITTEE HELD AT COUNTY HALL,
CHELMSFORD, ON 29 APRIL 2010**

Membership

**Appointed by Essex County
Council**

Independent Members:

- * Professor R M Atkinson
(Chairman)
- * Mr D Farrow
- * Mr A French (Vice-Chairman)

Mr C Jackman

Councillors:

- * C Pond
- * Mrs M Fisher
Mrs E Hart (Chairman of the
Council, ex officio)
- * M Mackrory
J Pike
D Robinson
- * K Twitchen
R Walters
- * Mrs M Webster
- * Present

**Appointed by Essex Fire
Authority**

Independent Member:

- * Mr M Goodswen

Councillors:

- S McPherson (Thurrock Borough
Council)
- * R Pearson (Essex County Council)
- D White (Southend Borough
Council)

The following officers were present in support throughout the meeting:

Sophie Campion
Alex Hallam
Colin Ismay

Committee Officer
Deputy County Solicitor
Governance Manager

12. Apologies

The Committee Officer reported apologies from County Councillors Mrs E Hart, J Pike, D Robinson and R Walters, and Southend Borough Councillor D White.

13. Declarations of Interest

There were no declarations of interest.

14. Minutes

A revised set of Minutes of the meeting held on 24 February 2010 had been circulated to the Committee and were approved as a correct record and signed by the Chairman.

15. Matters Arising

Minute 10 – Date and Time of Future Meetings – In the revised Minutes of the last meeting it had been stated that the April meeting would commence at 10am rather than the actual start time of 2pm. It was requested that the time and date of all future meetings be confirmed to avoid any future confusion.

16. Chairman's Report

The Chairman reported that during Member Development Week at the County Council a refresher course on the Standards Committee and on the issues raised by the code of Conduct had been held which had proved to be a lively and interactive session with 12-15 Members attending. Some of the issues that had been raised during the session included the overall size of the Committee (17 Members), which was felt to be somewhat large, whether there were adequate resources for investigating complaints and whether there was a budget specific to the Committee. The Chairman considered that it was worthwhile having an independent member present at these sessions to contribute to the discussion.

17. Procedures for Independent Member interviews

The Committee considered report (SC/005/10) by the Deputy Monitoring Officer along with Annex 1 – the proposed advertisement and Annex 2 – the role profile, which was circulated at the meeting. The Deputy Monitoring Officer advised the Committee that the process for recruitment of an independent member mirrored the staff recruitment process with appropriate adjustments and was in line with Standards for England guidelines. As the process had proved comfortable last time it was proposed that the formula should be repeated.

During the discussion the following points were raised:

- A Member asked if they could mention the vacancy to appropriate people who may be interested in applying. In response it was agreed that Members would be told when the advert had been released and see the application pack, but the packs should still be sent out centrally.
- The Committee discussed the best ways to generate a wider field of candidates. Members felt that it was important to target a wide range of local newspapers to ensure all parts of the county were covered as well as advertising on the website. 'Essex Matters' the county magazine could also be used if the timing was right. Members considered that the process needed to be fair and robust.
- There was some discussion over the appropriateness of paying an allowance for independent members. However it was confirmed that the position is voluntary and unpaid and there were no changes to that position in the Council's latest Member allowance proposals.
- It was clarified that there was a simple application form to fill in with space for candidates to demonstrate how they fulfill the criteria. Some Members felt that candidates might need prompts to help them sell themselves.

Tangentially, there was some discussion over the selection of assessment panels which are not required to be politically balanced. However it was confirmed that

the independent Chairman approves the membership and that although the process is to go with self-selecting members for each sub-committee, there had never been a situation where the members were all from the same party and, wherever possible, this would be avoided as the process could then be open to criticism.

The Committee **Resolved** to approve the recommendation in the report to commence the process ensuring that an additional independent member is available as close as possible to the time when Professor Atkinson will no longer be available as a committee member.

The Committee considered the Annexes to the report. In the role profile, some grammatical amendments were noted. The following amendments to the document were suggested:

- That the minimum requirement of '3 GCSEs' should be changed to 'a good standard of education' which was considered to be more appropriate.
- To add a statement about the ability to understand complex issues quickly.
- To remove the first bullet point about experience of local government or similar public sector procedures, as it was felt that this may exclude a lot of people from applying.
- To change the second bullet point to read 'An understanding and empathy with public service delivery and public sector ethical standards' which should be an essential requirement.
- To make the fourth bullet point about previous experience of Committee/Local Government procedures an essential requirement.

Resolved:

That with the changes to the role profile as set out above the advertisement for an independent member of the Committee should proceed.

18. Local Authority Website

The Committee received an oral update from Colin Ismay, Governance Manager, on enhancing the Council's website with better information. The Committee was advised that a contract had been signed with Astech for a new committee management system, CMIS. The two market leaders had been considered and it was felt that CMIS had shown a better understanding of the Council's requirements and had the potential to be more flexible. The next step would be a meeting for the company to come in and implement the system which would be hosted by the supplier. This meant that problems could be resolved more quickly.

It was questioned whether the Fire Authority would be joining the Council with the new committee management system for consistency. In response it was explained that there was no requirement for a joint system and currently it was just the Council pursuing the new system.

Members considered that the information held on the new system needed to be updated and current. It was the responsibility of an individual Member to ensure that information about them was up to date and recorded correctly, however there would be a process in place to ensure that it is checked thoroughly.

19. Annual Return

The Committee considered the Standards for England Annual Return Form 2010 (SC/006/10).

The Deputy Monitoring Officer advised that there had been a recommendation for the Committee to see the form and that it may provoke some thought for what issues the Committee may wish to take forward in the future. It was confirmed that the form had already been submitted. The draft questions had been made available to the previous meeting of the Committee.

Concern was expressed over the answer to Part 4 – Investigations, where the form asked whether any investigations had been completed during the period 1 April 2009 – 31 March 2010, to which the answer had been stated as 'No'. There had been a completed local investigation during that period and Standards for England investigations had also taken place. In response it was confirmed that this would be adjusted and Standards for England informed of the amendment.

The Committee felt that it would be beneficial to consider the Annual Return and how to answer it within a committee meeting next year.

Resolved:

That the Deputy Monitoring Officer advise Standards for England of the amendment to Part 4 of the Form regarding investigations that have been completed within the stated period.

20. Draft Annual Report

The Committee considered the draft Annual Report (SC/007/10). The Deputy Monitoring Officer advised the draft report was aimed at stimulating ideas for the Committee to build on. The report was to be presented to the July Council meeting.

The Committee suggested that the work on enhancing the website should be included in the report along with a table of statistics regarding complaints. It was agreed this statistical information should be kept anonymous. It was also pointed out that there were eight Essex County Councillors appointed on the Committee, not six as stated in the report.

The Committee wished to see a further draft of the report prior to it being finalised, either at a future meeting or via email outside the meeting depending on the timescales for submission.

Resolved:

That the Annual Report be amended in line with the Committee's suggestions as set out above and re-circulated to the Committee for further comment prior to being finalised.

21. Policy on Age of Complaints

The Committee considered report (SC/008/10) on developing a policy for the assessment of complaints not raised contemporaneously.

The Deputy Monitoring Officer advised that whilst conducting assessments issues are raised which are worthy of more general consideration. There were currently no guidance criteria on how old is too old for a complaint. The report proposed four criteria to consider when assessing such a complaint.

There was some discussion over whether there should be a set time period within which a complaint has to be raised. However it was agreed that some issues may take time to come to light and it was best not to have set time periods and instead consider the criteria and Monitoring Officer guidance.

The Committee considered the proposed criteria to be a useful guide in these matters. It was felt that this would assist with acting consistently and could be added as a procedure into a manual to assist the Committee with its future work.

Resolved:

That the four criteria proposed in report SC/008/10 be used as a guide for assessing future complaints where there has been a significant elapse of time since the matter of complaint occurred.

22. Standards for England Annual Conference

The Committee was advised that two places had been booked at the Annual Conference being held on the 18th-19th October 2010 in Birmingham, one for an Elected Member and one for an Independent Member. The Committee was asked to appoint two attendees.

Resolved:

That the following members be appointed to attend the Standards for England Annual Conference:

- Councillor K Twitchen;
- Mr D Farrow.

23. Forward Look

The Committee considered the Forward Look (SC/009/10). The Deputy Monitoring Officer advised that items may arise from the Annual Return which could be considered for inclusion on the Forward Look at the May meeting.

It was also noted that the report of the Independent Remuneration Panel (IRP) was due to be discussed at the May Full Council meeting. Some of the proposals involved referring matters to the Standards Committee. Following a decision at the Full Council meeting, the Committee may need to consider a sensible process for dealing with these matters.

Resolved:

That the Committee receive a paper on the outcome of the Independent Review Panel Report at its next meeting.

24. Date and Time of Future Meeting(s)

The Committee confirmed the dates, times and venues of its future meetings:

Wednesday 26 May 2010 at 10.00 in Committee Room 1
Wednesday 23 June 2010 at 10.00 in Committee Room 1
Wednesday 21 July 2010 at 10.00 in Committee Room 2
Wednesday 22 September 2010 at 10.00 in Committee Room 2
Thursday 21 October 2010 at 10.00 in Committee Room 2
Thursday 25 November 2010 at 2.00 pm in Committee Room 2
Thursday 16 December 2010 at 2.00 pm in Committee Room 2
Tuesday 25 January 2011 at 2.00 pm in Committee Room 2
Wednesday 23 February 2011 at 10.00 am in Committee Room 2
Monday 28 March 2011 at 10.00 in Committee Room 2
Wednesday 27 April 2011 at 10.00 in Committee Room 2
Wednesday 25 May 2011 at 10.00 in Committee Room 2

25. Exclusion of the Public

As there was no further business the Chairman closed the meeting at 3.35pm.

Chairman
26 May 2010