

**MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD IN AT
COUNTY HALL, CHELMSFORD, ON 24 SEPTEMBER 2009**

Membership

- * Professor R M Atkinson (Chairman)
- Mr D Farrow (Independent Member)
- * Mr A French (Independent Member)
- Mr M Goodswen (Independent Member)
- * Mr C Jackman (Independent Member)
- * Councillor Daphne White (Independent Member)
- * Councillor Mrs M Fisher
- Councillor Mrs E Hart (ex officio)
- * Councillor M Mackrory
- Councillor J Pike
- * Councillor C Pond
- * Councillor R Walters
- Councillor Mrs M Webster

* Present

The following officers were present in support throughout the meeting:

Alex Hallam	Deputy County Solicitor
Colin Ismay	Governance Manager
Antoinette Mortley	Committee Officer

13. Members of the Committee

The committee noted the membership of the committee following the recent County Council elections; County Councillors Chris Pond and Roger Walters were welcomed as new members of the committee. Daphne White was welcomed to her first meeting of the committee as independent member of the Fire Authority, Southend-On-Sea.

14. Apologies

The Governance Officer reported apologies from County Councillors Elizabeth Hart, Joe Pike, Kay Twitchen and Mavis Webster. Apologies were also received from independent member Daniel Farrow.

15. Declarations of Interest

There were no declarations of interest.

16. Minutes

The minutes of the meeting of the Committee held on 11 May 2009 were approved as a correct record and signed by the Chairman.

17. Matters arising

The committee noted that they are yet to receive clarification to recommendation two of report SC/010/09.

Resolved

Alex Hallam will clarify issues of indemnity for independent members

Members cited minute five, 11 May 2009 in relation to the annual return to the Standards Board for England, and noted that members of this committee had not received this.

Resolved

Alex Hallam will circulate this document.

18. Chairman's Report

The committee were advised of the decision not to enter into the best National Standards Committee.

The committee agree to continue to refer to item ten of this agenda as referral and not assessment sub-committee.

The committee considered fit for fit statement noted in the Standards Board guidance and highlighted that issues which may be politically motivated or malicious could also be substantive

Resolved

Members agree to highlight the word '**simply**' to alleviate confusion.

19. New Standards Committee Regulations

The committee noted report SC/010/09 and received a verbal overview from the Deputy County Solicitor. The following key points were noted:

The basis of the report concerned the Local Government Public Involvement in Health Act. Alex noted that regulations with the Fire Authority have not been established and thus her report is a précis on how a joint committee should be established using precedent on the layout from planned constitutional amendments.

Alex suggested that this committee become a joint committee with the Fire Authority facilitated by Essex County Council. Members were advised that the Fire Authority must agree for us to act as a joint committee and that Alex will liaise with Philip Thompson of the Fire Authority to discuss the implementation of changes to both constitutions. Members were advised that the size of the Fire Authority would not warrant the current quasi judicial framework of the current Standards Committee and that entering into an arrangement with the Fire Authority did not exclude us from entering into arrangements with other authorities. Pro's and cons for joint working are noted within the report. The following points were noted:

2. Joint Standards Committee

For referrals to be changed to assessments throughout the document.

3. Dispensations

3.2 Prejudicial interests in relation to penultimate paragraph Bulletin 44, Members agree that each case should be treated as new.

5. Annex Tenure of office and casual vacancies

5.1 (b) In relation to terms in office Alex advised the need to consider the issue of maintaining experience in line with proposed guidelines.

6. Sub Committees

6.4 Members called for clarification to the hierarchy in relation allocation of Members. Alex advised that advise would be received by the Chairman in the first instance followed by the Vice Chairman and then Monitoring Officer to the committee. Members note this section should clarify the requirement of the Chairman at hearings and full committee's to be an independent member.

Annex 10

10.1 Members discussed the issue of which expenses being defrayed to Constituent Authorities.

Appendix 2

2.1 Appointment of Chairman to be considered in light of planned retirement of the current Chairman in July 2010.

4 Quorum

4.1 Members agree for the quorum to be raised to five Members; adding a note to clarify one member to be independent.

5 Proceedings of meetings

5.1 to note that a casting vote can be taken by the Chairman.

Resolved

Recommendation one and two of report SC/010/09; were agreed.

20. **Bulletins - The Standards Board for England – 44: June and 45: August issues**

Members noted Bulletins 44 June 2009 and 45 August 2009 from the Standards Board for England. The committee were advised that no timescales had been advised on the receipt of the revised code from The Standards Board.

The Committee discussed the issue of written apologies noted in Bulletin 45. Alex suggested that the committee may specify the exact remit of an apology and how this should be delivered; the committee should also consider associated authorities should mirror the same practice as the committee.

21. **Update on Complaints**

The committee received an update on complaints since the last meeting of the committee and were advised that four matters had been referred to the Sub-Committee, one of which was dismissed one referred to the Standards Board for England and one and two referred for further investigation. Members were advised of the 42 day right of appeal for complainants.

The committee were advised that Alex would circulate the Terms of reference for Sub-Committee to members and produce a report on completed cases for the next meeting.

22. References from the Referral Sub-Committee

The committee were advised that guidance from the Standards Board recommends local authorities set a policy to deal with anonymous complaints and that this is not in place at this time.

Members discussed the County Councils Code of Conduct in relation to issues of hospitality and believed there was a need to distinguish between large and personal events. Alex advised that it was likely the Independent Remuneration Panel would review this issue and therefore agreed to bring these ideas back to the next meeting for further discussion.

23. Induction for new Members

The committee were advised of the poor attendance of County Councillors at two induction sessions for new Members. Whilst the committee appreciate the fact that some new Members may have already received training from another authority noted the remit of the Standards Committee to ensure all Members are adequately trained. The committee agree to write to all Members who did not attend the training sessions to determine if the appropriate training has been received elsewhere.

24. Councillor Code of Conduct

The committee noted the content of the press release.

25. Assessing the Impact and effectiveness of the Ethical Framework in Local Government in England

The committee noted the Executive Summary of the First Interim Report to the Standards Board for England.

26. The Changing Role of the Standards Board for England

The committee noted the Standards Board for England Corporate Plan 2009 - 2012

27. Forward look

The committee noted report SC/011/09 and agreed to add for consideration, publishing members' interests on the County Councils' website.

28. Date and Time of Future Meeting(s)

The committee agree for the next meeting of the full committee to be held on 6 November 2009 at 10:00; venue to be advised

29. Urgent Part 1 Business

There being no urgent Part I business the meeting closed at 13:35

30. Exclusion of the Public

To consider whether the public (including the press) should be excluded from the meeting during the consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972.

Resolved:

That the public (including the press) be excluded from the meeting during consideration of the following item on the grounds that it involves the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972:
(Paragraph 1 relating to an individual)

(Business taken in private)**31. Request for the lifting of Political Restriction**

The committee discussed SC/012/09 by Deputy County Solicitor, Alex Hallam.

There being no urgent Part II business the public meeting closed at 14:00

Chairman