

**MINUTES OF A MEETING OF THE ESSEX COUNTY COUNCIL AND ESSEX FIRE
AUTHORITY JOINT STANDARDS COMMITTEE HELD AT COUNTY HALL,
CHELMSFORD, ON 8 AUGUST 2014 AT 10:00 AM**

1. Present

Cllr J W Pike (Chairman)

Cllr S Barker

Cllr A J Bayley

Cllr K Bobbin

Cllr T Cutmore

Cllr C C Pond

Cllr J Spence

The Chairman welcomed the new members to the meeting.

The following officers were present in support throughout the meeting:
Terry Osborne (Monitoring Officer), Paul Turner (Solicitor) and Andy Gribben
(Council and Member Support Officer);

2. Apologies and Substitution Notices

Apologies for absence were received from Essex County Councillors B Archibald and T Higgins; Essex Fire Authority representatives Councillors C Guglielmi (ECC) T Kelly (Thurrock Unitary) and P Wexham (Southend-on-Sea) and from the Independent Members Mr N Hodson and Mr J Swan.

3. Declarations of Interest

Councillor Pond declared that he was the Chairman of Epping Forest District Council Standards Committee.

4. Minutes

The minutes of the meeting held on 15 January 2013 were approved as a correct record subject to a correction of a typographic error in the Resolution to Paragraph 6 to amend 'Disposable Pecuniary Interest' to 'Disclosable Pecuniary Interest'.

5. Standards at Essex County Council – Annual Review

The Committee considered a report by the Monitoring Officer (SC/001/14) providing members with an annual update of conduct issues at Essex County Council.

The members were reminded that following the publication of the set of principles determined by the Nolan Committee in 2001 the Local Government Act 2000 introduced the mandatory code enforced by a local system and centred

on Standards Committees which at that point had to include independent persons. Essex County Council in addition to a Standards Committee also introduced a local code of conduct.

The Localism Act 2011 whilst requiring local authorities to have a code of conduct no longer includes a requirement to have a Standards Committee. Essex County Council nevertheless has retained its Standards Committee and has continued to appoint two independent members; Mr Hodson and Mr Swan.

There has been very little business for the ECC Standards Committee or for the independent persons to undertake of late. We have had a number of complaints but none have reached the formal stage.

Review of Code of Conduct

The Monitoring Officer suggested to members of the committee that there should be a 'light touch' review of the Code of Conduct and this matter was addressed elsewhere in the agenda of this meeting.

Training

Members noted the table in the report that showed the numbers of members who had undertaken the online corporate governance training.

In response to questions members of the committee were informed that:

- The numbers shown related to current members,
- There are no sanctions that can be imposed on members for non-completion as the courses, for them, were not obligatory,
- There was no need to undertake the training at Essex County Council if an equivalent training opportunity had been undertaken by a (twin-hatted) member at a District, and
- There was an online record of such member training and development on the Committee Management Information System (CMIS) although this was almost certainly in need of some updating.

Members agreed that at the time of election they had been left in no doubt that there was an expectation that the training would be undertaken.

It was agreed that the Member Development Group should be asked to consider the reintroduction of online Member Annual Reports as a means of conveying the commitment and time members spent on training and development.

It was also noted that the work of many members was contributing to the gaining of the Accredited Charter Mark for training and development.

Allegations Received

There had been four allegations made that had been dealt with informally by the Monitoring Officer. These were detailed in the report.

In response to a question concerning one of the complaints members were informed that if informal negotiations undertaken by the Monitoring Officer had failed to resolve the matter involving a dispute between ECC members then the matter would have been brought before the Standards Committee. Other routes to resolution could have been an apology by one or both members, the identification of necessary training or the involvement of the party whips or Leader of the Council.

Resolved:

That the report be noted.

6. Proposed Review of Code of Conduct

The Committee considered a report by the Monitoring Officer (SC/002/14) that proposed a review of the Codes of Conduct adopted by Essex County Council and Essex Fire Authority.

The Monitoring Officer explained the background to the adoption of the Codes of Conduct as detailed in the report.

With reference to the previous report members noted that there had been no allegations that have resulted in formal proceedings and the Monitoring Officer suggested that this was a measure of how useful the codes have been. However, she also felt that there might be benefits if the codes were to be made more accessible and simpler to understand, particularly as on occasions they were used by members of the public.

A review would be consistent with the ongoing drive towards making public documents more readable using, where possible, plain English.

In response to questions members were informed that there remained some differences between the Codes of Conduct that had been adopted by various authorities in Essex but the Monitoring Officers of the local authorities met regularly to discuss points of both similarity and variance.

Members agreed that the Monitoring Officer should in the first instance work with officers to simplify the Code of Conduct and bring a revised code to an informal meeting of members, drawn from members of the Standards Committee, before seeking the views of other members.

The Chairman stressed that initially this would be an informal meeting of some of the members of the committee who would work closely with the Monitoring Officer on a 'light touch' review. Councillor Cutmore volunteered to become involved and other members were invited by the Chairman to consider what contribution they could make to this informal group and contact the Monitoring Officer.

At the request of members the review would be enlarged to encompass the Development and Regulation Committee Protocol.

Resolved:

That a review of the Code of Conduct and the Development and Regulation Committee Protocol be undertaken by the Monitoring Officer, officers and a small group of members of the Standards Committee.

7. Work Programme

The Committee considered a report by the Monitoring Officer (SC/003/14).

There was some discussion by members about the need for members to have DBS checks. The view was expressed that perhaps all members should be required to undertake the checks, although it was acknowledged that the duties of some members brought them more than others into contact with vulnerable groups.

Resolved:

That agenda for future meetings of the Standards Committee would not have a Work Programme as a standard item of business but the Chairman of the committee, members and the Monitoring Officer would all ensure that relevant business was placed on the forthcoming agenda.

8. Date of next meeting

The date of the next meeting would be advised.

There being no further business the meeting closed at 10:48 am.

Chairman