

STANDARDS COMMITTEE

Annual Report 2009/10

Insert photograph of Committee

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1. TERMS OF REFERENCE

Article 9 of the Constitution provides that the Standards Committee has the following functions and roles in respect of the District Council and its Members and Town & Parish Councils and their Members -

- ◆ promoting and maintaining high standards of conduct by Members;
- ◆ assisting Members and co-opted Members to observe their authority's Code of Conduct;
- ◆ advising the Council on the adoption or revision of a Members' Code of Conduct and monitoring the operation of the Code;
- ◆ advising, training or arranging to train Members and co-opted Members on matters relating to the Codes;
- ◆ granting dispensations to Councillors and co-opted Members from the requirements relating to interest in the Members' Code of Conduct;
- ◆ determining requests from complainants to review decisions not to take action or to investigate an alleged breach of the Members' Code of Conduct;
- ◆ undertaking hearings into alleged breaches of a Member's Code of Conduct;
- ◆ determining appropriate sanctions or actions in response to breaches of the Code of Conduct; and
- ◆ granting and supervising the exemption of certain posts from political restrictions under the Local Government and Public Involvement in Health Act 2007.

The Committee also has the following other functions in respect of the District Council and its Members –

- ◆ formulating and recommending to the Council for adoption a Protocol for Member/Officer relations and monitoring the operation of the Protocol; and

- ◆ adoption of a Code of Conduct for planning and monitoring the operation of the Code.

2. MEMBERSHIP OF COMMITTEE

In 2009/10 the Standards Committee comprised –

- ◆ seven Members of the Council, namely Councillors J D Ablewhite, Mrs B E Boddington, P J Downes, R S Farrer, A Hansard, T D Sanderson and G S E Thorpe;
- ◆ four Independent Members who are not Councillors or Officers of the Council or any other local authority – Messrs P Boothman, D L Hall and M Lynch and Mrs S Stafford;
- ◆ Town or Parish Councillors; representing Town and Parishes in the District – Mr J P Alexander and G Watkins. (*Mr M Reece resigned from the Committee membership in November 2009.*)
- ◆ the Chairman of the Committee was Mr D L Hall, Independent Member and the Vice-Chairman was Councillor T D Sanderson.

3. ACHIEVEMENTS 2009/10

Local Assessment

Responsibility was transferred for dealing with complaints against District and Parish Councillors in May 2008 from Standards for England (formerly Standards Board for England) to the Council. Since that time, the Committee has dealt with a total of 29 complaints, 18 of which were received during the period 1st April 2009 to 1st July 2010.

Each complaint is dealt with and considered by the Referrals (Assessment) Sub-Committee which comprises an Independent Chairman, a Parish Councillor and a District Councillor. If the complainant is unhappy with the decision of the Referrals (Assessment)

Sub-Committee then there is a right of appeal to the Review Sub-Committee which has the same make-up as the Referrals (Assessment) Sub-Committee, but comprising different people. There have been 13 meetings of the Referrals (Assessment) Sub-Committee in the period 1st April 2009 to 1st July 2010. The Review Sub-Committee has not been required to meet during the year.

Of the complaints submitted during 2009/10, no further action was the outcome in twelve of the cases, including one case which had been referred to Standards for England. "Other" action was decided upon in six of the cases, mainly by way of mandatory training for the individual and a recommendation of training for the whole Council and in four cases by requiring an apology from the individual. Three cases were referred for formal investigation and such investigation was undertaken by an investigator appointed by the Monitoring Officer. The outcomes of the investigations are reported to the Standards (Consideration and Hearings) Sub-Committee to determine whether or not they accept the investigator's recommendation. In terms of the outcomes of the three investigations undertaken, there was a finding of no breach of the Code of Conduct in one case, one remains under investigation and the other was referred for a formal hearing. In the case referred for a formal hearing, the Councillor concerned was found to have breached the code, was requested to present a written apology to the complainant and in the event that such an apology was not forthcoming that Councillor would be suspended from membership of the Town Council for a period of one month.

In terms of general outcomes, all Town and Parish Councils in Huntingdonshire will now be reminded of the requirements of the Local Authority Code of Publicity in advance of the elections every year irrespective of whether elections are scheduled in a Parish or otherwise. The Monitoring Officer has also incorporated a section on the Code of Publicity in his training presentation to Town and Parish Councils.

Training and Advice

The Committee considers its most important function is to continue to a programme of training for both District and Town & Parish Councillors. This year the Committee has held training sessions for –

Godmanchester Town Council - 10th September 2009; and
St Neots Town Council - 20th October 2009.

Code of Conduct training was also presented on an individual basis to five newly appointed District Councillors and to one Town Councillor arising from a Code of Conduct complaint. Training was also presented to the new Members' Induction Course held on 2nd June 2010.

Annual Assembly

Committee Members, Messrs J Alexander, M Reece and G Watkins, attended the 2009 Annual Assembly of Standard Committees at the International Convention Centre, Birmingham on 12th and 13th October 2009. The Conference entitled "Bringing Standards Into Focus" presented an opportunity for delegates to share their own experiences, expertise, challenges and successes and discuss how their authorities were delivering local standards and was well received by all those who had attended.

Influence

Advice given on a daily basis by the Monitoring Officer and Deputy Monitoring Officer is recorded in a log of Code of Conduct Enquiries and twenty-six entries have been recorded during the year.

To raise the profile on work of the Standards Committee and the Code of Conduct, the Monitoring Officer drafted an article, in consultation with

the Chairman, and this was published in the May 2009 edition of District-wide which is circulated to all homes in Huntingdonshire.

Guidance notes and case summaries published by Standards for England are considered by the Committee on a regular basis for training purposes and the training aid DVD "Assessment Made Clear" was shown at the meeting on 3rd December 2009.

The Leader of the Council, Councillor I C Bates and the Leader of the Opposition, Councillor P J Downes addressed the Committee at successive meetings in March and July 2009 to demonstrate the link between senior figures within the authority and the work undertaken on ethical issues by the Standards Committee.

4. WORK PROGRAMME 2010/11

New Code of Conduct for Local Government

The Committee responded to the Department for Communities and Local Government 2008 consultation on the proposed new Code of Conduct, publication of which was expected in Spring 2009. No further information was published, however, notification was received from Standards for England in February 2010 that the new Code of Conduct for Members would not be laid during the current Parliamentary Session due to the Government concentrating on Financial Instruments. More recent developments suggest that a new Code may not be laid until after the publication of the new Decentralisation and Localism Bill. The Committee will review the new Code, if published, and make its recommendations to Council.

Depending on the future of the Standards regime, the Committee plan

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- ◆ a training programme for Town and Parish Councillors in the autumn;
- ◆ enhanced web pages for Standards and Conduct to include –
 - introduction of online complaint forms; and
 - a section for frequently asked questions.

5. TIME AND COST

In addition to the meetings of the Referrals (Assessment) Sub-Committee and Review Sub-Committee, the Standards Committee meets four times a year and the Standards (Consideration and Hearing) Sub-Committee has met on three times to consider the outcome of investigations. Since the commencement of the local standards regime, the four investigations which have been outsourced have accounted for a total of 232 hours at a cost of £6,350 and as an estimate, the two investigations carried out internally accounted for approximately 60 hours. In addition to the Committee meetings and provision of advice, time is spent providing training sessions for District Members and for Town & Parish Councils and completing quarterly and annual returns to Standards for England.

Whilst it is not possible to provide a completely accurate figure, as an estimate, both the Monitoring Officer and Deputy Monitoring Officer spend approximately 15% of their time on standards matters.

6. CONCLUSION

I should like to thank the Members of the Committee, the Monitoring Officer and the Deputy Monitoring Officer for their contribution and commitment throughout the year.

D L Hall
Chairman, Standards Committee

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