



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 14 MAY 2008 at 5.30pm

P R E S E N T :

Mrs Sheila Brucciani (Independent Member) – Chair

Mrs Mary Ray (Independent Member)

Councillor Draycott

Councillor Keeling (for Cllr Coley)

Councillor Mugglestone

40. DECLARATIONS OF INTEREST

Members were asked to declare any interests that they may have in the business on the agenda, and/or indicate that Section 106 of the Local Government Finance Act 1992 applied to them.

There were no declarations.

41. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the previous meeting on 6 March 2008 be agreed as a correct record.

42. STANDARDS COMMITTEE (ENGLAND) REGULATIONS 2008

The Service Director (Democratic Services) submitted a report appraising Committee Members of the Regulations and the required actions to ensure compliance. Details of the Statutory Instrument and Standards Bulletin were given with the report.

The Service Director (Democratic Services) commented that main effect of the new regulations was to give local Standards Committees real power to take action with regard to standards issues. He noted that the main change to the operation of the Committee would be the creation of two sub-committees. One of these sub-committees would consider complaints against Councillors initially and the other would review the decisions of the first sub-committee, should it be required.

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Members of the Committee considered in detail the procedure that would take place where the sub-committees were convened. It was noted that it was positive to give the public, where they had a complaint, the reassurance of a review process. It was however felt that further guidance on the procedure was necessary to clear up any concerns with regard to councillors being able to represent themselves at review sub-committees. It was felt generally that the procedures for complaints against councillors needed to be tight to prevent ongoing vexatious complaints. It was suggested that a flow chart would be useful.

Members of the Committee considered the training that would be needed in relation to the new regulations, in particular any ideas to ensure that the message became well known. It was agreed to contact all Councillors by a letter in the first instance, saying what was now in place, but stating that it was work in progress. When the procedures were firmed up in six months time it was proposed to hold workshops and give presentations to all political group meetings.

Further discussion centred on publicising the new arrangements for public information. The regulations required that these new powers be publicised widely. It was intended to approach the Leicester Mercury with a proposal for a question and answer article detailing the new regulations. Committee Members felt that the fact that this affected all Councils should be promoted. It should also be made clear that it was a system for sensible, legitimate complaints. A further suggestion was made, to put a full-page article in the Link magazine which looked notably different, so as to stand out.

It was agreed that all members who were to be involved in the consideration of complaints be trained before taking part. Further discussion would take place as part of an agenda item at the next meeting.

A wider comment was made about member training, it was requested that recognition should be given to prior knowledge and only update training be provided as appropriate.

RESOLVED:

- (1) that further guidance be produced on the complaints procedure, including the development of a flow chart;
- (2) that a letter be sent to all Councillors outlining details of the new regulations and more detailed workshops and presentations at group meetings take place in six months time;
- (3) that publicity on the regulations take place in the form of a Leicester Mercury article and a Link Magazine article; and
- (4) that all members who are to be involved in the consideration of Standards Committee complaints

undertake training.

43. STANDARDS COMMITTEE - FUTURE SIZE AND TERMS OF REFERENCE

The Service Director, Democratic Services submitted a report giving details of the proposed size and terms of reference of the Committee.

The Service Director outlined the proposal to increase the size of the Committee to six elected members, including the three Independent Members (*subsequently amended to "six elected members alongside the three Independent Members"*) Having regard to Widdecombe principles of political proportionality, it was felt that an allocation of four Labour, 1 Conservative and 1 Liberal Democrat would be more appropriate. It was also noted that the nominations to be proposed for the Committee at the Annual Council reflected a spread of knowledge and expertise across both length of service on the Council and experience in the differing roles performed by Councillors.

Members of the Committee considered the proposed Terms of Reference for the Committee.

With regard to number 1 of the Standards Committee Terms of Reference, relating to probity and standards of governance, it was felt that the Committee should further consider, at a future meeting, the Council's political conventions in terms of those relating to staff and those relating to Councillors.

With regard to number 5, relating to training, members felt that the Committee should put time aside at a future meeting to consider how to ensure all Councillors receive training on the Council's Political Conventions and governance arrangements. The Service Director, Democratic Services confirmed, in response to a question, that this could be linked into existing Member Development work.

With regard number 9 relating to exemptions from politically restricted Council officer posts, it was felt that there should be an item on a future agenda relating to this role explaining more fully what it involved.

The Committee then considered the Terms of Reference of the proposed Standards Committee, Sub-Committees. With regard to number 1 of the Review Sub-Committee it was agreed to change the wording to more accurately reflect which body of which the sub-committee would be reviewing the decisions.

The Committee also considered the number of members on both sub committees. It was agreed to reduce this number to three.

RESOLVED:

- (1) that number 1. of the Terms of Reference of the Standards Sub-Committee (Review) to read as follows:-
"In accordance with the relevant legislation and associated Guidance, to review, as necessary, any decision taken at a

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hearing of the Standards Committee Initial Assessment Sub-Committee” (*subsequently amended to add “to take no further action”*) and

- (2) that the quorum of the Standards Sub-Committees, (Initial Assessment) and (Review) be three.

44. REVIEW OF CORPORATE GOVERNANCE FRAMEWORK

The Corporate Director of Resources submitted a report reviewing and updating the Authority’s Corporate Governance Framework.

The Service Director, Legal Services, introducing the report noted that the appendix was a framework which had been designed by CIPFA to enable an Authority to assess to what extent it complies with six principles. These principles were outlined in the report and related to good Governance. The assessment of these principles would be built into an annual review process, the first being for 2007/8. The lead officer for this purpose was Keith Murdoch, Director of Partnership, Performance and Policy, who would produce a draft report for review at member level, including the Audit and Standards Committee as well as Cabinet.

The Committee’s discussion centred around the six principles. It was commented that the principles were somewhat vague and would be difficult to measure against. Members considered number iii of the principles, ‘Promoting values for the Authority and demonstrating and good Governance through upholding high standards of conduct and behaviour.’ It was suggested that a proposal be put to Cabinet for them to identify any Cabinet Members (*subsequently changed to “any Members”*) who had not received training on the code of conduct and engage with the Committee to arrange this where it had not happened. It was felt that this would be a way for Cabinet to put their role into practice, to lead by example.

Committee Members requested a further discussion on this issue at their next meeting.

RESOLVED:

- (1) that the Committee supported the updating of the Corporate Governance Framework in line with CIPFA/SOLACE’s 2007 recommendations;
- (2) that Cabinet be requested to identify any Cabinet Members who had not received training on the code of conduct and to engage with the Committee to arrange this where it had not happened; and
- (3) that further discussion take place at the next meeting on Corporate Governance.

45. COMPLAINTS RELATED TO ELECTED MEMBERS

The Service Director, Democratic Services reported that there had been one case of a Councillor having been reported to the Standards Board. The Board responded by saying that there was insufficient detail to take the matter forward. Should further information come forward they could investigate further.

RESOLVED:

that the Briefing be noted.

46. CLOSE OF MEETING

The meeting closed at 6.40pm.

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