



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 9 JULY 2008 at 5.30pm

P R E S E N T :

Mrs Sheila Brucciani (Chair and Independent Member)
Ms Kate McLeod (Independent Member)
Ms Mary Ray (Independent Member)

Councillor Clair
Councillor Draycott

Councillor Corral
Councillor Mugglestone

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Blower and Keeling.

2. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda and/or declare that Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were made.

3. MINUTES OF PREVIOUS MEETING

Members made the following comments on the minutes from 14 May 2008:

Minute 43, paragraph 2 should be amended to read: "...the proposal to increase the size of the Committee to six elected members **alongside** the three Independent Members"

Part of the second paragraph to Minute 44 should read: "It was suggested that a proposal be put to Cabinet for them to identify any **Members** who had not received training on the code of conduct..."

Point 1 of the resolution for Minute 43 should read: "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 hearing of the Standards Committee Initial Assessment to take no action.'

RESOLVED:

That the minutes of the meeting of the Standards Committee held on 14 May 2008, be confirmed as a correct record, subject to the amendments indicated above.

4. MEMBERSHIP OF THE STANDARDS COMMITTEE

RESOLVED:

That the membership of the Standards Committee for the municipal year 2008-09 be noted.

5. TERMS OF REFERENCE AND ESTABLISHMENT OF SUB-COMMITTEES

Members were asked to note the Terms of Reference for the Standards Committee and approve the establishment of a Standards Sub-Committee (Initial Assessment) and a Standards Sub-Committee (Review).

The Chair emphasized the important role the committee now had and the responsibility to govern the Council's ethical values. Discussion took place regarding responsibility for determining requests to lift political restrictions on posts, and it was agreed that a system was needed to enable the committee to deal with these requests when they arose. This system should include criteria upon which decisions were to be made, to ensure transparency.

Members discussed their responsibility for recommending amendments to the Code of Conduct, and it was noted that amendments could be made in addition to the existing code only. Amendments would then have to be ratified by Full Council. Members suggested that this could be clarified in the Terms of Reference.

Discussion took place regarding the process for dealing with complaints. Some Members expressed strong concerns that the process was lengthy and would place an additional burden on Members. A request was made that options be investigated to streamline the process if possible, and that, in the mean time, the Committee defer decision on the establishment of the Sub-Committees. Members were informed that the process was required by legislation. Following further discussion, it was agreed that the Sub-Committees should be established as per the recommendation, subject to further documentation being circulated, and any subsequent comments made by Members to the Monitoring Officer. The Monitoring Officer agreed to investigate the possibility of increasing the delegation of decisions on initial assessments, particularly in relation to vexatious or unnecessary complaints. It was noted that the first Sub-Committee (Initial Assessment) was to take place on 14 July 2008, and Members agreed that this should not be delayed.

Members also suggested amendments to the wording of the Terms of Reference for the Standards Sub-Committee (Review), to add at the end of paragraph 1: “,,Standards Sub-Committee (Initial Assessment) to take no action in respect of allegations.”

Members discussed scheduling monthly meetings to deal with initial assessments or reviews and it was recommended that, although there was no requirement to have political balance on the Sub-Committees, a minority group member be asked to take part in each of them.

RESOLVED:

- 1) That the Terms of Reference for the Standards Committee and Sub-Committees be noted.
- 2) That the Standards Committee approves the establishment of a Standards Sub-Committee (Initial Assessment) and a Standards Sub-Committee (review), subject to guidance on the complaints process being circulated to Members of the Committee, and Members being satisfied with the process.

6. CORPORATE GOVERNANCE ANNUAL REPORT FOR 2007-08

The Director of Resources submitted a report that enabled compliance with the requirements of the Council's Corporate Governance Code by carrying out an annual review of Corporate Governance arrangements for the year 2007/08, and reported the position regarding Local Government Ombudsman complaints.

Members suggested that greater publicity could be given to the whistleblowing and anti-fraud and corruption policies by including details with information or press releases about the new responsibilities of the Standards Committee.

Discussion took place regarding the emphasis on risk within the report, as it was felt that this could detract from the purpose of the report, the emphasis of which should be service delivery. The Service Director, Legal Services agreed to change the definitions in the report to ensure the analysis covered service delivery. Members also discussed the Council's complaints process and asked for officers to be proactive in dealing with complaints. They were informed that improvements were being made by centralising the procedure to ensure consistency.

RESOLVED:

That the Committee supports the report and asks that consideration be given to publicising the whistleblowing and anti-fraud and corruption policies alongside the new responsibilities of the Standards Committee.

7. TRAINING FOR LOCAL ARRANGEMENTS FOR DEALING WITH COMPLAINTS AND STANDARDS COMMITTEE (ENGLAND) REGULATIONS 2008

The Monitoring Officer gave a presentation on training on the Code of Conduct and local arrangements for dealing with complaints. The Committee was informed of the training that would be given to **Cabinet [amended from**

minute of 10 September 2008] Members regarding the new Code of Conduct, covering personal and prejudicial interests, gifts and hospitality, and confidential information, plus guidance on the new provisions regarding complaints against Members.

Members discussed publicising the complaints process, suggesting the City and County Councils could join together to do this and also carry out joint training. Members were informed that it was anticipated that training would take place in August or September 2008.

Members were informed that a new form was being prepared for them to fill in for the register of Members' interests, which took into account the changes to rules on gifts and hospitality.

Discussion took place regarding Councillors with interests speaking at meetings and they were informed that if Members with a prejudicial interest wished to speak at a regulatory meeting, they must leave the room immediately after speaking.

RESOLVED:

That the presentation on training for local arrangements for dealing with complaints and Standards Committee (England) Regulations 2008 be noted.

8. STANDARDS BOARD FOR ENGLAND (SBE) - BULLETIN

The Town Clerk submitted a report giving details of the latest Standards Board for England Bulletin.

RESOLVED:

That the contents of the latest Standards Board for England Bulletin be noted.

9. ANY OTHER URGENT BUSINESS

Complaints relating to Elected Members

This item was taken as urgent due to the need for the Standards Committee to be kept informed of any complaints received.

Members were informed that one complaint against an Elected Member had been received, and the initial assessment was due to take place shortly. Members discussed the process regarding notifying the Member concerned and agreed that the initial assessment should take place despite the concerns raised earlier in the meeting regarding the lengthy procedures, in the interest of natural justice.

RESOLVED:

That the verbal report concerning complaints to Elected Members be noted.

10. CLOSE OF MEETING

The meeting closed at 7.07pm.

