



Leicester
City Council

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 24 MARCH 2004 at 5.30pm

P R E S E N T :

Mrs Caroline Roberts (Independent Member) - Chair

Ms Jill Bellingham (Independent Member)

Councillor Coley

Councillor Getliffe

Councillor O'Brien

26. DECLARATIONS OF INTEREST

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

No declarations were made.

27. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the Minutes of the meeting held on 28 January 2004, as entered in the Minute Book on pages 8 to 11 inclusive, copies of which had been circulated to Members, be received, taken as read, and signed by the Chair as a correct record, subject to the following amendment: -

Minute 24 – Agenda Note – Complaints Relating to Elected Members

Amend resolution 1) to read: -

“that, each concluded complaint against a Member reported to this Committee, be assessed against the criteria set out above to determine whether and, **where there has been a finding of misconduct**, how to publicise the findings.”

28. CONSULTATION - LOCAL INVESTIGATION AND DETERMINATION OF MISCONDUCT ALLEGATIONS

The Town Clerk submitted a report that sought the views of the Committee on consultation proposals relating to the arrangements by which local authority monitoring officers may investigate allegations of misconduct by Members, and referred to them by ethical standards officers, which could then form a response to the consultation processes.

Members were informed that two separate consultation exercises were being undertaken on the arrangements. The first consultation was by the Office of the Deputy Prime Minister on the proposed Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004. The aim of the regulations was to make provision for local monitoring officers to investigate allegations of misconduct by Members of relevant authorities and to enable authorities Standards Committees to make determinations, following reports into such breaches made by monitoring officers. The second consultation was by the Standards Board for England on draft guidance to monitoring officers of relevant authorities on the carrying out of their investigatory role under the proposed Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004. Copies of each of the consultation documents were appended to the report.

The Committee gave full consideration to the two consultation documents and sought clarification on several issues but generally supported the suggested comments set out in the report that were to form the basis of the City Council's submission on each of the documents. The Committee suggested that the following amendments be incorporated into the final submission: -

- i) 'Issues for consultees' – Page 4 (Office of the Deputy Prime Minister Consultation) – Question 3

The Committee supported the option that all cases investigated by the Monitoring Officer should be referred to the Standards Committee for decision.

- ii) Confidentiality – Draft Guidance (Standards Board for England)

The Committee considered that the comments on sanctions needed strengthening and needed strengthening to provide effective sanctions against breach of confidence by the complainant and others as well as by Members. It should also be made clear that no sanction be applied to proper publication of the outcomes of a hearing

RESOLVED:

That, subject to the amendments referred to above, the comments set out in the report of the Town Clerk be forwarded respectively to the Office of the Deputy Prime Minister and the Standards Board for England as the City Council's responses to

the consultation documents.

29. MEMBER CONDUCT AT MEETINGS

The Town Clerk submitted a report that identified and codified the key standards of behaviour expected of Members at meetings.

The Committee gave full consideration to the key standards set out in the report and suggest the following amendments: -

- i) “Comments of a personal nature against either Members or officers is seen as generally unacceptable.”
The Committee suggested that this key standard should include reference to members of the public, either present at the meeting, or referred to in the report under consideration.
- ii) “Extreme language should be avoided.”
The Committee suggested that ‘extreme language’ be clearly defined.
- iii) “Councillors should not play to the gallery in such a way that would incite members of the public to behaviour which may lead them to being ejected.”
The Committee suggested that the use of unacceptable language, directed at members of the public in the gallery, should also be included.
- iv) The Committee were informed that an additional key standard would be included specifying that Members should have respect for the Chair / Vice-Chair of the meeting.

RESOLVED:

that, subject to the amendments and additions referred to above, the key standards be recommended to Council for incorporation into the City Council’s Political Conventions by way of a further Appendix to that document.

30. COMPLAINTS RELATING TO ELECTED MEMBERS

The Town Clerk submitted a table, setting out chronologically the number and nature of complaints received against Elected Members.

The Committee noted that, with regards to the case reported at the last meeting, the Final Report having been published, it was stated that the Case Summary had now been forwarded to the City Council and this was duly reported. It was also noted that the Case Summary had been posted on the Standards Board for England website.

The Committee were informed that, in accordance with the decision made at the last meeting, a general press release was required to be issued by the City

Council. The Committee expressed concerns that the Case Summary contained conflicting information that could send out a mixed message to the public and therefore suggested that a form of wording for the press release be drawn up by the officers, the wording. All members of this Committee to be consulted on the wording of the press release.

RESOLVED:

that a press release on the case referred to in the Case Summary be issued after consultation on the wording with all members of this Committee.

31. DATE OF NEXT MEETING

The Town Clerk reported that this was the last scheduled meeting of the Committee in the current municipal year. The Committee were asked whether they wished to continue, in the next cycle of meetings, the current practice of meeting on the day before full Council meetings and, if so, a list of suggested dates would be circulated.

RESOLVED:

that the action proposed by the Town Clerk and Corporate Director of Resources, Access and Diversity be agreed.

32. CLOSE OF MEETING

The Chair declared the meeting closed at 6.38pm.