

# Miscellaneous revisions to the Constitution consequent to the Council's adoption of new a Standards 'Code' and 'Arrangements' in June 2012

Recommendation 3.4 - To agree the revised wording of Article 10 of Part 2 of the Constitution

The current wording is as follows:

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## **Article 10 – The Standards Committee**

### **10.01 Standards Committee**

*The Council will establish a Standards Committee. Sub-Committees will also be established as required.*

### **10.02 Role and Function**

*The Standards Committee will be responsible for promoting and maintaining high standards of conduct by Councillors and co-opted members and officers. It will have roles and functions as set out in Part 3 of this Constitution.*

### **10.03 Composition**

#### **Membership**

*Membership will be determined by the Council each year at the Annual Meeting. This may be varied by the Council from time to time. It will be composed of at least:*

- Three Councillors (other than the Lord Mayor); and*
- Two persons who are not Councillors or officers of the Council or any other body having a Standards Committee (Independent Members), who shall be appointed for any period as decided on by the Council. Membership will not include the City Mayor.*

#### **Quorum.**

*The quorum of the Standards Committee is three members, including an independent member.*

### **10.04 Independent Members.**

*Independent members will be entitled to vote at meetings.*

### **10.05 Chairing the Committee.**

*The Committee will be chaired by one of the Independent Members*

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The proposed wording is as follows:

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**Article 10 – The Standards Committee**

**10.01 Standards Committee**

*The Council will establish a Standards Committee. Sub-Committees (the Standards Advisory Board and various Hearing subcommittees) are to be created as and when required.*

**10.02 Role and Function**

*The Standards Committee will be responsible for promoting and maintaining high standards of conduct by Councillors and co-opted members and officers. It will have roles and functions as set out in Part 3 of this Constitution.*

**10.03 Composition**

**Membership**

*Membership will be determined by the Council each year at the Annual Meeting. This may be varied by the Council from time to time. It will be composed of:*

- Four Councillors; and,*
- Five persons who are not Councillors or officers of the Council (Independent Members), who shall be appointed for any period as decided on by the Council.*

**Quorum.**

*The quorum of the Standards Committee, and its associated Standards Advisory Board, shall be in accordance with the detailed provisions set out in Part 3 of the Constitution*

**10.04 Independent Members.**

*Independent members will be co-opted non-voting members of the Standards Committee, and will have full voting rights when they sit on the Standards Advisory Board. .*

**10.05 Chairing the Committee.**

*The Standards Committee will be chaired by an elected member. The Standards Advisory Board will be chaired by an Independent Member*

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**Recommendation 3.5 - To agree the appointment of two Independent Persons pursuant to the authority granted on 28th June 2012 to the Director of Delivery, Communications and Political Governance and the Monitoring Officer to recruit to the aforementioned roles:**

The recruitment of Independent Persons was conducted by the Director of Delivery, Communications and Political Governance and the Monitoring Officer. It involved the creation of a Job Description and Person Specification; advertising in local media; shortlisting of written applications and interview. The successful candidates recommended to Council are:

1. David Lindley
2. Caroline Roberts

Mr Lindley is a retired Deputy Chief Constable who used to have a national role for ACPO in terms of standards and has a wealth of experience.

Mrs Roberts is a magistrate who already sits on our Children's Safeguarding Board, School Appeals Panel and who has been involved some years ago as a member of our Standards Committee and for the Police and Fire Authorities

Their Allowance is £2,000 each plus travel expenses, this is less than was paid previously to the Independent Chair of the Standards Committee and is felt reasonable in accordance with the level of work they will be required to undertake.

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**Recommendation 3.6 - To note the appointment of four Independent Members of the Standards Committee/Standards Advisory Board, recruited by the Director of Delivery, Communications and Political Governance and the Monitoring Officer pursuant to the authority granted to them on 28th June 2012**

The recruitment of Independent Members of the Committee/Board was conducted from the same exercise in which Independent Persons were selected. Those candidates who were unsuccessful in being selected for appointment as Independent Persons, but who nevertheless displayed all of the skills and aptitudes required for appointment as Independent Members, were invited to nominate themselves for that role. They are:

1. Desmond Henderson who was previously employed as an Investigator for the Independent Police Complaints Commission and was previously an independent member on the Standards Committee for Oadby and Wigston Borough Council.
2. Amanda Fitchett who is the Course Director of the MA Social Work course at the University of Leicester and who is also actively involved in voluntary work for young people linked primarily to children's safeguarding.

3. Glynis Middleton who is a Senior Probation Officer for Leicestershire and Rutland Probation Trust and who has been previously seconded to the Ministry of Justice and has worked for the Welsh Assembly Government.
4. Joanne Holland who is a self-employed Civil Mediator and who previously worked for the Ministry of Justice running the small claims mediation service for the East Midlands.

Their allowance is £492 each in accordance with agreed allowance for co-opted and independent members set out in the current members allowance scheme.

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**Recommendation 3.7 - To agree a Standing Order as per the revised wording of Article 2.04 in Part 2 of the Constitution dealing with the withdrawal of Members from meetings where they have a Disclosable Pecuniary Interest (DPI) or a “prejudicial” Other Disclosable Interest (ODI)**

**The current wording of Article 2.04 is as follows:**

**2.04 Conduct**

*The City Mayor and Councillors will at all times observe the Members’ Code of Conduct and the Political Conventions on Member/Officer Relations as set out in Part 5 of this Constitution.*

**The proposed wording is as follows:**

**2.04 Conduct**

- a) *The City Mayor and Councillors will at all times observe the Members’ Code of Conduct and the Political Conventions on Member/Officer Relations as set out in Part 5 of this Constitution*
- b) *Members and co-opted members who have a Disclosable Pecuniary Interest (DPI) or a ‘prejudicial’ Other Disclosable Interest (ODI) must declare that interest (unless it already appears in that Member’s the Register of Interests) and withdraw from the meeting room, including from the public gallery, during the whole of the consideration of any item of business (including the voting) in which he/she has a DPI or prejudicial ODI, except where permitted to remain as a result of the grant of a valid dispensation.*
- c) *Where a Member or Co-opted member is involved in matters which can be determined by a single member without a meeting (for example where an Individual Executive Decision can be made, or where a member has*

*delegated powers to decide a Ward matter) they too must adhere to the rules requiring disclosure, registration and cessation from further involvement in that matter where they have a DPI or "prejudicial ODI. They must not take any steps, or any further steps, in relation to that matter except for the purpose of enabling the matter to be dealt with otherwise than by themselves. Equally, they must not attend any meeting at which that matter falls to be further discussed.*

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