

Time Commenced – 10.00am  
Time Finished – 11.23am

**STANDARDS COMMITTEE**  
**14 JULY 2008**

**Present:** Reverend Canon R B Blowers – Chair  
Mrs C McDowall, Mr P Sunderland  
Councillors Jackson, Jennings and Skelton

**Officers in Attendance:** Michael Foote - Corporate Director, Corporate and Adult Services  
Steve Dunning – Assistant Director – Democratic Services  
Andrew Thomas – Principal Solicitor – Legal Services

**01/08 Apologies for Absence**

There were no apologies for absence.

**02/08 Late Items Introduced by the Chair**

There were no late items.

**03/08 Declarations of Interest**

There were no declarations of interest.

**04/08 Minutes**

The minutes of the meeting held on 14 April 2008 were confirmed as a correct record, and signed by the Chair.

**05/08 Standards Committee – Council Resolution**

The Committee noted the following decisions taken at Council on 21 May 2008

- To approve the revised terms of reference and delegated powers of the Standards Committee set out in appendix 2 of the report.
- To appoint Mrs Cynthia McDowall as an Independent Member of the Standards Committee for a further period ending at the Annual Meeting in May 2011.

**06/08 Local Assessment – Publicity Arrangements**

The Committee considered the proposed publicity arrangements under the new legislation. It was reported that there would be an article in the Council newspaper 'Your Derby' setting out the new arrangements. A section within the

Complaints section of the website provided information on the new arrangements and a link to the new complaints form.

**Resolved to approve the publicity proposals and to ask the Director of Corporate and Adult Services to circulate copies of the proposed publicity material and other appropriate information to Members of the Committee for comment.**

## **07/08      Local Assessment – Member Complaints Procedure and Appointment of Sub Committees**

The Committee considered a report which stated that the Regulations and Guidance relating to the new Local Assessment Framework had now been received. The Committee was asked to consider the draft Procedure and approve it with or without amendment. Once approved the Procedure would be made publicly available through leaflets and the Council's website in a similar manner to the Council's Corporate Complaints Procedure.

At its meeting on 21 January 2008, the Committee considered the Government Consultation Paper on the proposed Local Assessment Framework and gave its general endorsement to a structure for the determination of complaints against Members. The Committee was asked to formally appoint the Sub Committees now required by the legislation. The Sub Committees had to be appointed to deal with assessments and reviews. There was a power, but no duty, to appoint a Sub Committee to conduct hearings. As the arrangements were vulnerable to conflicts of interest and holidays/sickness it was suggested that consideration be given to recommending that the Council appoint an additional Independent Member of the Standards Committee.

### **Resolved**

- 1. To approve the Members Complaints Procedure at Appendix 2 to the report.**
- 2. To recommend Council to establish the following Sub Committees of the Standards Committee**

### **Assessment Sub Committee**

**Terms of reference and delegated powers:**

**Within policies and procedures approved by the Standards Committee to carry out initial assessments of complaints about alleged breaches of the Members' Code of Conduct.**

**Composition:**

**The Assessment Sub Committee shall comprise two independent members of the Standards Committee and one Councillor Member of the Committee determined by the Monitoring Officer. One of the**

**Independent Members shall be appointed by the Sub Committee as Chair.**

## **Review Sub Committee**

**Terms of reference and delegated powers: Within policies and procedures approved by the Standards Committee, to review a decision by the Assessment Sub Committee to take no action in relation to a complaint about an alleged breach of the Members' Code of Conduct.**

### **Composition:**

**The Review Sub Committee shall comprise three members of the Standards Committee being at least one Independent Member and two members of the Committee, determined by the Monitoring Officer on the basis they should normally be Councillor Members and provided that**

- a) a member of the Standards Committee who has taken part in decision making on the initial assessment of a complaint must not take part in the review of that decision, and**
- b) an Independent Member must chair the sub committee**

- 3. To recommend Council to appoint an additional Independent Member of the Standards Committee.**

## **08/08 Feedback on Stage 3 Complaints**

The Committee received an update on a Stage 3 complaint. Mr Sunderland expressed concern that he had requested to know the outcome of the complaint but had been told that only the Chair of the panel could have it.

**Resolved to request the Director of Corporate and Adult Services to investigate if Members of the Panel can be made aware of the outcome of the findings made on this particular complaint.**

## **09/08 Consideration of an Investigation Report**

The Committee considered a report setting out details of an investigation into an allegation against Councillor Bolton of breach of the Council's Code of Conduct.

The report concluded that in terms of the allegation no breach of the Council's Code of Conduct had occurred.

### **Resolved**

- 1. To accept the conclusion of the investigation that no breach of the Council's Code of Conduct had occurred.**

**2. To ask the Director of Corporate and Adult Services to write to the following people to inform them of the decision:**

- **The Complainant**
- **Councillor Bolton**
- **The Standards Board for England**

**10/08      Date of Next Meeting**

The Committee noted that the next meeting of the Standards Committee would take place on Monday 27 October 2008 at 10am.

Chair of the next ensuing meeting  
at which these minutes were signed