

Time Commenced – 10.05am  
Time Finished – 11.09am

## **STANDARDS COMMITTEE 20 DECEMBER 2011**

**Present:** Philip Sunderland (Chair)  
Peter McCrea and Peter Purnell  
Councillors Jackson, Skelton and Wood

**In Attendance:** Stuart Leslie – Director of Legal & Democratic Services  
Philip O'Brien – Head of Democratic Services

### **17/11 Apologies**

An apology for absence was received from Dionne Reid.

### **18/11 Late Items to be Introduced by the Chair**

In accordance with section 100(b)(4) of the Local Government Act 1972, the Chair agreed to admit the following items on the grounds that the information was not available before the agenda was published.

Stuart Leslie, Director of Legal & Democratic Services, presented a letter to the Committee sent from the Standards Board that announced its future abolition. The Commission noted two key dates in the letter. Firstly, it was the government's intention that the abolition of the Standards Board would take effect on 31 March 2012. Secondly, it was the Standards Boards intention to take no new cases after 31 January 2012.

The Director of Legal & Democratic Services also provided the Committee with an update on Members Code of Conduct in the light of the Localism Act 2011 coming into effect on 15 November 2011. It was reported that the provisions relating to the Code of Conduct and the Standards Committee were not likely to be enacted until April or May 2012.

### **19/11 Declarations of Interest**

There were no declarations of interest.

### **20/11 Minutes of the Previous Meeting**

The minutes of the meeting held on 9 September 2011 were confirmed as a correct record and signed by the Chair.

## 21/11      To consider a recommendation from the Scrutiny Management Commission meeting held on 13 December 2011 on Future Arrangements to Preserve Ethical Standards

Philip O'Brien, Head of Democratic Services, updated the Committee on the recommendations made at the Scrutiny Management Commission meeting held on 13 December 2011 with regard to future arrangements to preserve ethical standards. It was reported that the Commission would recommend that the Council:

- Adopts a members' Code of Conduct and retains the Standards Committee in the current format with four independent (non voting) members and three elected members
- Change the procedure to allow Councillors to receive details about the complaints made against them in the first instance
- Streamline the Standards Committee process for considering complaints against Members
- Approach other peer authorities with a view to having a reciprocal arrangement to undertake each other's investigations

The recommendations came out of a review carried out by the Commission into governance and ethical standards. The Chair reported that he and Peter Purnell had been called to give evidence before the Commission as part of the review.

The Committee discussed the differences between the strong leader and cabinet model and the Committee system and noted that the Scrutiny Management Commission would recommend to Council that the strong leader and Cabinet model be retained.

The Director of Legal & Democratic Services confirmed that the Localism Act 2011 required the Council to have a Code of Conduct and a process for investigating complaints against Members. The Committee recognised the opportunity to look at streamlining the current process within the framework of the new legislation and discussed how a new process might work.

The Director of Legal & Democratic Services confirmed that under the Localism Act 2011, independent members of a Standards Committee would not have voting rights when considering a complaint. It was also reported that the Chair would have to be an elected Member. The Committee recognised the importance of having independent members on a Standards Committee and discussed what their role could be in a new complaints process.

The Committee discussed the use of reciprocal arrangements with other peer authorities to undertake each other's investigations and noted the difference between formal and informal arrangements.

The Director of Legal & Democratic Services informed the Committee that if Council accepted the recommendations of the Scrutiny Management Commission, he and the

Head of Democratic Services would bring a report to a future meeting on the options available for a Code of Conduct and a Standards Committee.

**Resolved to note the recommendations of the Scrutiny Management Commission on future arrangements to preserve ethical standards.**

MINUTES END