

KENT COUNTY COUNCIL

STANDARDS COMMITTEE

MINUTES of a meeting of the Standards Committee held in the on Tuesday, 8 February 2011.

PRESENT: Miss R MacCrone (Chairman), Mr L Christie, Mr D S Daley, Mr P Gammon, MBE

IN ATTENDANCE: Mr P Sass (Head of Democratic Services and Local Leadership)

UNRESTRICTED ITEMS

1. Substitutes/apologies

(Item 1)

The Chairman reported apologies from Mrs Ahmed and also Mr Wild, the Director of Law and Governance and the Council's Monitoring Officer.

2. Declarations of Interest

(Item 2)

There were no declarations of interest made by Members of the Committee.

3. Minutes of the meeting held on 15 July 2010

(Item 3)

In relation to Minute 4 on page 3 of the agenda, Mr Gammon stated that it was an eye-opening and enlightening experience to shadow Mrs Dean and Mr Alex King. He paid tribute to how hard elected Members worked for their residents and expressed his amazement about the depth and breadth that the Members had of a wide range of subjects.

Mr Daley expressed his gratitude for Mr Gammon's comments, adding that Mr Christie's role as a Group Leader was even more impressive as his group's resources were spread more thinly between the various policy areas than his own group.

Mr Christie expressed his thanks to Mr Gammon for his comments about the work of elected Members.

On a separate matter, Mr Sass undertook to check if it was possible to obtain access statistics for the Members' Annual reports on KCC's website and, if so, to circulate these reports to Members of the Standards Committee.

Resolved: that the minutes of the meeting held on 15 July 2010 be approved as a correct record and signed by the Chairman.

4. The Localism Bill - proposed changes to the Standards regime

(Item 4)

The Committee considered a report from the Head of Democratic Services and Local Leadership in relation to the proposed changes to the standards regime, as proposed in the Localism Bill.

Following a detailed debate covering many aspects, the following conclusions were made:

- In order to maintain and improve public confidence in the activities and behaviour of its elected Members, Kent County Council should retain a voluntary code of conduct if the changes proposed in the Localism Bill come to fruition.
- It is key that the Council should retain some form of review independent of the Council's Executive. This could take the form of a continuation of, or a variation on, the current Standards Committee system with independent Members – although alternative ways could be explored that have an independent element to it. The issue of Member training also needs to be addressed either by being incorporated in (some form) a Standards Committee function or become part of the Executive function.
- The voluntary structure need not be expensive to operate; but it was hoped that the small cost would be regarded as a reasonable price to pay to achieve the main objective of high public confidence in KCC's elected Members
- There should also be a mechanism for dealing with complaints that a Member has failed to follow the Voluntary Code of Conduct but that there is an opportunity to work with elected Members of all political groups to ensure that any complaints process is both appropriate and fleet-footed. It was also suggested that there should be a filtering process; perhaps by ensuring that the Monitoring Officer has more power to deal with minor complaints
- There should also be a discussion with the political group leaders about the role that group disciplinary rules would have in any future standards regime, particularly given the duty that local authorities will have to promote high standards of conduct
- It should be acknowledged that the role of the Members' Annual Reports as a mechanism for recording the activities of elected Members throughout the year was an excellent discipline and should continue
- Further clarification is needed in relation to the proposed alleged criminal offence of failing to declare certain interests, i.e. if a voluntary code and complaints process was retained, how and when would it be appropriate for such a matter to be investigated internally?
- The role of the Monitoring Officer and his Deputy would require clarification once the new arrangements were introduced.
- The opportunity should be taken to see if the arrangements that applied for Kent could also be applied collaboratively to other local authorities in the County and whether there was an opportunity to explore joint arrangements.

Resolved: that (1) the contents of the report be noted; and

(2) a further report be submitted to the next Committee meeting and that the Group Leaders be invited to attend to enable more detailed discussion of the various options.

5. Complaints Monitoring
(Item 5)

Resolved: that the contents of the Complaints Monitoring report be noted.

6. Standards Committee Work Programme and future meeting dates
(Item 6)

Resolved: that the contents of the report be noted and that the meeting on 17 March be cancelled and the Group Leaders be invited to attend the meeting on 11 May to discuss the future of the ethical standards regime.

7. Date of Next Meeting
(Item 8)

The Committee agreed that its next meeting would be 11 May 2011.