

KENT COUNTY COUNCIL

STANDARDS COMMITTEE

MINUTES of a meeting of the Standards Committee held in the Bewl Room, Sessions House, County Hall Maidstone on Friday, 20 November 2009.

PRESENT: Miss R MacCrone (Chairman), Mrs N Ahmed, Mr L Christie, Mr D S Daley, Mr P Gammon, MBE and Mr J F London

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

UNRESTRICTED ITEMS

1. Welcome to Thurrock Council Delegation

The Chairman welcomed the delegation from Thurrock Council's Standards Committee:

Mike Carpenter (Independent Chairman)
Cllr Diane Revell (Committee Member)
Cllr Mike Revell (Committee Member)
Mr David Lawson – Interim Deputy Head of Legal Services

2. Substitutes/Apologies

All Committee Members were present.

An apology for absence was received from the Director of Law and Governance, Geoff Wild.

3. Declarations of Interest

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

4. Minutes of the meeting held on 20 July 2009

RESOLVED: that the Minutes of the meeting held on 20 July, 2009, be approved and signed as a correct record.

5. Oral Report from the Members who attended the Annual Conference of Standards for England in Birmingham

Those Members who attended the Annual Conference of Standards for England gave their overall assessment of the event.

Mr Gammon stated that he thought it was a useful and professionally-run conference. It raised issues with him about the much wider remit of some other Standards Committees, e.g. in relation to Officer Codes, whistleblowing, etc. He added that he was pleased to be able to spend time examining the "other action" option when assessing standards complaints.

Mr Daley stated that his initial scepticism about the conference proved unfounded, adding that he was very impressed with the quality and variety of the content. He commented specifically upon the emphasis on not prolonging the agony of standards investigations by being prepared to adjourn for “other action”, then reconvene if necessary.

The Chairman stated that she had been impressed with the quality and variety of the workshops and was interested to note Standards for England’s acknowledgement that they need to offer more support to local Standards Committees.

The reports from Members were noted.

6. Review of Ethical Standards Training for Members

The Committee considered a report from the Head of Democratic Services and Local Leadership.

The Committee acknowledged the efforts of officers to ensure that all Members received training on the Code of Conduct. Mr Sass stated that he was now contacting Members personally to arrange one-to-one or small group sessions. Mr Sass undertook to provide a list of all Members who hadn’t attended the training to the elected Members on the Standards Committee, so that they could tackle this issue through their Groups. It was envisaged that all of the outstanding training would be completed by Christmas.

RESOLVED: that the report be noted.

7. Monitoring of Complaints

The Committee considered the report of the Head of Democratic Services and Local Leadership.

With regard to the composition of the Assessment and Review Sub Committees, the Committee was of the view that there was no need to alter the existing arrangements where either Sub Committee can be made up of 1 independent Member and 2 elected Members, or vice versa. Members stated that it would be inappropriate to move to a situation where there was always a majority of independent Members at all Sub Committee meetings. Mr Sass stated that the suggestion was initially his and apologised if the wording of his report appeared to question the objectivity of elected Members of the Authority.

With regard to the consideration of an investigating officer’s report, the Committee was of the view that the same Members who had decided to commission the report at either the Assessment or Review Sub Committee stage, should consider the investigating officer’s report, with him or her present. The Committee was also of the view that any subsequent hearing should be attended by as many Members of the full Standards Committee as were available.

Referring to paragraph 6 of the report, the Chairman suggested that the DVD should not be shown due to the amount of business on today’s agenda.

RESOLVED:

- (1) That the current position with regard to the receipt and assessment of complaints be noted;
- (2) That the membership of the Assessment and Review Sub Committees should remain as two elected and one independent Member or vice versa;
- (3) A Consideration Sub Committee be convened to consider the Investigating Officer's report into an alleged breach of the Code of Conduct by Members; the Sub Committee to comprise the same three Members as those who commissioned the investigation at the Assessment or Review stage

8. Review of the Members' Register of Interests and Gifts and Hospitality

The Committee was invited to appoint one or more of the independent Members to carry out a review of Members' Registers of Interests, in conjunction with the Head of Democratic Services and Local Leadership and to report any significant issues back to the Committee

RESOLVED: that the Head of Democratic Services and Local Leadership be asked to arrange for this review to take place involving at least two of the three independent Members.

9. Proposed Changes to the Members' Annual Reports

The Committee had been invited by the Independent Remuneration Panel to comment on the proposed changes to the Members' Annual Reports for 2010.

RESOLVED: that the proposed changes to the Members' Annual Reports for 2010 be supported.

10. Advice Notes for Members

The Committee was invited to comment on and approve Advice Note No. 1 (Registering and Declaring Interests, Gifts and Hospitality); Advice Note No. 2 (Member/Officer Relations); and Advice Note No. 3 (Complaining about the conduct of another Member of the Council).

With regard to Advice Note No. 1, Mr Christie asked if there was an easier way to obtain a dispensation to speak and vote on a matter at a Neighbourhood Forum meeting, particularly if a large number of Members were affected by having prejudicial interests. Mr Sass undertook to investigate further, but advised that the Standards Committee itself was able to grant dispensations.

With regard to paragraph 2.8 on page 20 (Advice Note No. 2), the Committee agreed to a suggestion from Mr Christie that reference should be made to the six main strands of equality, not just those listed.

RESOLVED: that Advice Note No. 1 (Registering and Declaring Interests, Gifts and Hospitality); Advice Note No. 2 (Member/Officer Relations); and Advice Note No. 3 (Complaining about the conduct of another Member of the Council) be formally

approved, subject to the amendment agreed to Advice Note No. 2 (detailed above) and the Head of Democratic Services and Local Leadership be asked to circulate the amended Advice Notes to all Members for inclusion in their Members' Handbooks.

11. Committee Work Programme

The Committee considered its future work programme.

Following on from his comments on the Annual Conference, Mr Gammon stated that he would like a discussion paper to the next meeting in March 2010, examining best practice in other Councils in terms of a wider remit for the Standards Committee, particularly with regard to the promotion of high ethical standards; the introduction of a newsletter; and joint working with District/Borough and Town/Parish Councils.

Mr Sass undertook to prepare a discussion paper accordingly.

RESOLVED: that the Committee's future work programme be noted, subject to the inclusion of a discussion paper on the remit of the Standards Committee at the March 2010 meeting.

12. Any other Urgent Business

The Committee did not consider any items of business of an urgent nature.

13. Date of Next Meeting

The Committee noted that the date of the next meeting was Thursday 18 March 2010 during the morning.