

KENT COUNTY COUNCIL

STANDARDS COMMITTEE

MINUTES of a meeting of the Standards Committee held in the Stour Room, Sessions House, County Hall, Maidstone on Monday, 27 April 2009.

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

IN ATTENDANCE: Mr P Sass (Head of Democratic Services and Local Leadership), Mrs S Surana (Senior Auditor) and Mr G Wild (Director of Law and Governance)

UNRESTRICTED ITEMS

1. Substitutes/apologies

(Item 1)

An apology for absence was received from Mr Christie. It was also noted that Mr Wild had been delayed in another meeting and would join the meeting shortly.

2. Declarations of Interest

(Item 2)

No Declarations of Interest were made by Committee Members.

3. Minutes of the meeting held on 25 November 2008

(Item 3)

Resolved: that the minutes of the previous meeting held on 25 November 2008 be approved.

4. Kent Audit Report

(Item 4)

The Committee formally received the final report of Kent Audit following their review of KCC's processes and procedures for the handling of complaints about the conduct of Members. The Committee welcomed Sangeeta Surana, KCC's Audit Manager, to the meeting to answer Members' questions.

Ms Surana stated that her auditor had been impressed with the work done by the Democratic Services and Local Leadership Unit in preparing for and operating the new arrangements for the local assessment of complaints about the conduct of Members and that she was completely satisfied with the overall assurance rating of "high" given to the review. She added that she was pleased that the issues of the Committee's terms of reference and the wider publicity for the arrangements were being addressed in the report, even though these were not formal recommendations in the Audit report.

With regard to the Committee's terms of reference, Mr Gammon suggested that the word "has" in the first line of the proposed new paragraph (f) in the Committee's Terms of Reference should be replaced by the words "is alleged to have".

The Committee discussed the issue of wider publicity for the work of the Committee, with specific reference to the assessment of complaints about the conduct of Members. The Committee was keen to see an appropriate balance between properly informing members of the public about the complaints process and not encouraging spurious complaints about Members. Following discussion, it was suggested that the Chairman of the Committee and the Head of Democratic Services and Local Leadership should agree an appropriate form of words for the "Around Kent" publication, for the edition that is published containing the names, photographs and contact details for the new Council following the elections.

RESOLVED: that

- (1) the Kent Audit Review of the implementation of the locally managed framework for complaints be formally received;
- (2) the Committee express its satisfaction with the outcome of the review and the assurance rating given by Kent Audit;
- (3) the Committee agree to recommend to the County Council that its Terms of Reference be suitably amended to reflect the Committee's role in the assessment and investigation of complaints about the conduct of Members, as contained in paragraph 6 of the report and also including the amendment suggested by Mr Gammon during the meeting;
- (4) the Chairman of the Committee and the Head of Democratic Services and Local Leadership agree an appropriate form of words on the locally managed framework for complaints for the "Around Kent" publication, for the edition that is published containing the names, photographs and contact details for the new Council following the elections; and
- (5) the Audit Manager, Sangeeta Surana, be thanked for her clear and concise report and for attending the meeting to answer Members' questions.

5. Advice Note 4

(Item 5)

The Committee considered a report, which asked Members to approve an amended Advice Note No. 4 for elected Members on the application of the Code of Conduct to Development Control in the light of guidance from the Local Government Association and the Standards Board for England.

RESOLVED: that the revised Advice Note No. 4 be approved and the Head of Democratic Services and Local Leadership be asked to ensure that all Members are informed accordingly.

6. Member Development

(Item 6)

The Committee received a report updating Members on the proposals for Member Induction and Development following the elections in June, with specific reference to the training on ethical standards and the role of the Standards Committee.

It was noted that the draft programme for Member Induction and Development contained 5 duplicate sessions on ethical standards spread over 3 days: 12 June and 20 and 24 July. The Head of Democratic Services and Local Leadership stated that he intended to produce an outline of the training session in time for the Committee's next meeting on 28 May.

The Committee agreed that the Chairman of the Standards Committee should write to the 3 Group Leaders, to encourage all of their Members to attend one of the training sessions on ethical standards. The Head of Democratic Services and Local Leadership was also asked to ensure that details of the training events were highlighted to all candidates in the election, as part of any written communication between KCC and the candidates.

RESOLVED: that

- (1) the proposals for ethical standards training as part of KCC's Induction and Development programme be endorsed;
- (2) the Head of Democratic Services and Local Leadership be asked to submit details of the proposed training event to the Committee's next meeting on 28 May;
- (3) the Chairman of the Standards Committee should write to the 3 Group Leaders, to encourage all of their Members to attend one of the training sessions on ethical standards; and
- (4) the Head of Democratic Services and Local Leadership be asked to ensure that details of the training events were highlighted to all candidates in the election, as part of any written communication between KCC and the candidates.

7. Monitoring of Complaints

(Item 7)

The Committee received a report, which asked Members to formally note the current position with regard to the consideration of complaints about KCC Member and the action taken by the Assessment and Review Sub Committees.

Members agreed that the third column of the table of complaints received by the Standards Committee (subject Member) be removed from future reports. It was also suggested that, in future, all Members of each Assessment or Review Sub Committee should be advised of the outcome of any complaints, particularly where the complaint is referred to the Monitoring Officer for other action. Members also agreed that the referencing system be altered so that the first case in each new calendar year began at number 1.

RESOLVED: that

- (1) the contents of the report be noted;
- (2) the third column of the monitoring schedule (subject Member) be removed from future reports; the referencing system be altered as described above; Members of each Assessment or Review Sub Committee be advised of the outcome of each complaint considered, particularly where the complaint is

referred to the Monitoring Officer for other action; and the monitoring report be submitted to the Committee twice each year; and

- (3) the assessment criteria set out at Appendix 2 be approved.

8. Declaration of Interests

(Item 8)

The Committee considered a report from the Head of Democratic Services and Local Leadership, which suggested the introduction of a standard form, appended to the agenda for every Council, Cabinet and Committee meeting for the purposes of guiding and assisting Members with the declaration of personal and prejudicial interests.

After consideration, Members felt that the issuing of timely reminders was a more appropriate response than the introduction of the standard agenda form, which was deemed to be a disproportionate response to a problem that did not require addressing.

9. Work Programme

(Item 9)

The Committee considered its work programme for future meetings.

Members agreed that the Group Leaders be invited to attend the Committee's meeting on 20 July to discuss their important role in promoting and maintaining high ethical standards amongst elected Members.

The Chairman drew the Committee's attention to the Annual Conference of the Standards Board for England, taking place on 12 and 13 October 2009. The Head of Democratic Services and Local Leadership was asked to book places for the Chairman and Mrs Ahmed and provisionally for Mr Gammon, who would confirm his availability as soon as possible.

RESOLVED: that

- (1) the Committee's future work programme be noted; and
- (2) the Head of Democratic Services and Local Leadership be asked to invite the Group Leaders to the Committee's next meeting on 20 July to discuss their role in promoting and maintaining high standards of conduct by elected Members.