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## **Standards Committee**

**Report of the meetings held on 9th July and  
3rd September 2009**

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### **Matters for Information**

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#### **1. SUB-COMMITTEE APPOINTMENTS**

The Committee has appointed the Sub-Committees required under the Standards Committee (England) Regulations 2008 to undertake the initial assessment of allegations, to respond to any review of decisions requested by complainants and to hear cases referred for investigation. Each Sub-Committee is chaired by an Independent Member.

In the light of experience and to ensure maximum flexibility in appointing Members to the various Sub-Committees, the Committee has authorised the Head of Law, Property and Governance and Monitoring Officer after consultation with the relevant Chairman to convene meetings of the Referrals (Assessment), Review and Standards (Consideration and Hearing) Sub-Committees as necessary and to appoint Members as appropriate in accordance with the 2008 Regulations.

#### **2. ETHICAL STANDARDS AND THE CODE OF CONDUCT**

Standards for England consider it good practice periodically for the leadership of Councils to give guidance and direction to their authority's Standards Committee. In accordance with this advice, Councillor I C Bates, Leader of the Council has addressed the Committee on various issues associated with ethical standards and the code of conduct. His participation in the meeting followed that of the Leader of the Opposition in March 2009.

Councillor Bates has thanked the Independent Members and Parish Council representatives for their valuable contribution to standards work having observed himself the improvement it has made to the administration of parish council meetings and understanding of the Code of Conduct on the part of parish councillors. However, Councillor Bates expressed reservations at the cost and accountability of the standards regime and the perceived effect this might have had in attracting and retaining parish councillors.

**3. THE STANDARDS COMMITTEE (FURTHER PROVISIONS) (ENGLAND) REGULATIONS**

The Standards Committee (Further Provisions) (England) Regulations 2009 came into force on 15th June. These Regulations make provision for Standards for England to suspend the functions of a local Standards Committee where the Committee is failing to perform its functions satisfactorily, either to discharge the functions itself or to arrange for another authority's Standards Committee to discharge them instead. The Regulations also give authorities the power to establish joint standards committees and extend the power of standards committees to give Members dispensations when they would otherwise be prohibited from participating on a matter because of a prejudicial interest.

**4. STANDARDS STATISTICS**

The Committee has received and noted statistical information on performance of local authorities since the introduction of the Standards Committee (England) Regulations 2008 and the outcome of three independent surveys which have measured support for the Code of Conduct, the impact and effectiveness of the ethical framework in local government" and the public perception of ethics.

The research findings have prompted the Committee to request the Monitoring Officer to consider whether it would be possible to vary the Constitution to make code of conduct training for district councillors mandatory, to set up further refresher training sessions on the Code of Conduct for town and parish councils over the Autumn and to review the content of the standards and conduct pages on the District Council's website.

**5. ANNUAL ASSEMBLY OF STANDARDS COMMITTEES**

The Committee has nominated Messrs J Alexander, D L Hall and G Watkins to attend the 2009 Annual Assembly of Standards Committees at the International Convention Centre, Birmingham on 12th and 13th October 2009.

**6. LOG OF CODE OF CONDUCT ENQUIRIES**

The Committee has noted the nature of the Code of Conduct enquiries recently recorded by the Monitoring Officer and has been reminded that the areas of the Code which appear to cause the most concern form the basis for the Monitoring Officer's approach to training for parish councils.

**7. CODE OF CONDUCT TRAINING**

For training purposes, the Committee has discussed the content of a fact sheet issued by the Standards for England on personal and prejudicial interests and noted the outcome of three cases recently determined by the Adjudication Panel for England.

## **8. GENERAL ISSUES**

### **(a) New Name**

The Committee has noted that with effect from 1st July 2009 the Standards Board for England has changed its name to Standards for England with the following responsibilities -

- ◆ giving Standards Committees and Councillors support and guidance on understanding the code of conduct and on how to deal with complaints about the conduct of Members of their authority;
- ◆ monitoring the performance of authorities in the local assessment of complaints;
- ◆ publishing information about how Councils and other authorities are dealing with complaints about their Members;
- ◆ working with Standards Committees to help them improve if they do not deal with complaints about their Members properly;
- ◆ removing the power of a Standards Committee to receive complaints about its Members, if necessary; and
- ◆ investigating the most serious cases where the local Standards Committee believes it is not best placed to deal with them.

### **(b) Indemnification Arrangements**

The Committee has been assured that the District Council's indemnification arrangements adequately cover the Independent Members of the Standards Committee.

### **(c) District-Wide Article**

To highlight the Members' Code of Conduct and the requirements of ethical standards, the Committee has noted the content of an article entitled 'Cracking the Code' which was published in the name of the Chairman of the Committee in the May 2009 edition of District-Wide.

## **9. REGISTRATION OF MEMBERS' INTERESTS**

In accordance with the Local Authorities (Model Code of Conduct) Order 2007, newly elected Councillors are required to register their financial and other interests with the District Council's Monitoring Officer within 28 days of their election or appointment to office. Under Section 81 of the Local Government Act 2000, the Monitoring Officer has a duty to establish and maintain a register of the interests of the Members and co-opted Members of the District Council and those other authorities within its area. The Committee has noted the up to date position in terms of the return of registration forms from the 73 town and parish councils in Huntingdonshire and has been advised

that 18 registration forms are still outstanding from town and parish councillors. There are also a number of no changes forms outstanding from Parish Councils. In terms of individual councillors and providing their 28 day period for registration of interest has not expired, the Committee has agreed that, where forms are still outstanding by 30th September, the Monitoring Officer should contact the Councillor concerned to suggest that further action may be taken against them as non-return of registration forms is itself a potential breach of the code of conduct.

#### **10. REPORTS OF SUB-COMMITTEES**

The Chairmen of the Referrals (Assessment), Review and Consideration & Hearing Sub Committees have updated the Committee on the business they have considered in general terms and reported on the outcome in each case.

Overall, nine allegations of misconduct have been considered by the Assessment Sub Committee of which one has been referred to the Monitoring Officer for investigation and one to Standards For England. Five cases have been referred to the Monitoring Officer for other action which has included training, presenting an apology either to a complainant or to a parish council by the Member concerned and drawing the attention of all town & parish councils to the content of the Code of Recommended Publicity in their election year. One decision made by the Assessment Sub Committee has also been upheld by the Review Sub Committee.

Mr D L Hall  
Chairman