
Standards Committee

Report of the meetings held on 8th July and 9th September 2010

Matters for Information

1. APPOINTMENT AND REPORTS OF SUB-COMMITTEES

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.

The Chairman of the Referrals (Assessment) and Consideration and Hearing Sub-Committees regularly update the Committee on the business they have dealt with in general terms and report on the outcome of each case. In total six allegations of misconduct have been considered by the Assessment Sub-Committee of which one had been referred to the Monitoring Officer for investigation. No further action was recommended in the other five cases.

Following an earlier investigation, the Consideration and Hearing Sub-Committee had accepted a recommendation from the Investigating Officer that there was a breach of the Code of Conduct in a case involving a complaint against a Member of St. Ives Town Council which resulted in the suspension of that Member from the Town Council for a period of one month with effect from 9th July 2010.

2. STANDARDS FOR ENGLAND - THE FUTURE

The Committee has been informed of the Government's intention to abolish the Standards Board regime. This statement was included in Section 4 of the document "The Coalition: Our Programme for Governance" published in May 2010.

Although very little further information has emerged since that announcement, indications suggest that the Decentralisation and Localism Bill, to be published at the end of October, will provide for the abolition of not just Standards for England, but of the Code of Conduct for Members and of the Standards Committee. This inference has been given further credence by the decision of Standards for England to cancel the Annual Assembly 2010, to discontinue both their monitoring reviews and the requirement for the submission by Monitoring Officers of quarterly and annual returns.

Notwithstanding the nature of the announcement in October, the Committee has noted that, in all likelihood, a draft Bill might not be enacted before Summer 2011 which could mean that the Council retains the duty to continue the ethical standards regime until early 2012.

Therefore, against this background of uncertainty, the Committee was interested to note the conclusions published in the annual review and report of the Committee On Standards In Public Life which suggested that an effective local standards framework should comprise -

- ◆ a clear code of conduct which specifies what behaviour is acceptable and what is not;
- ◆ an independent mechanism for dealing with the most serious breaches under the Code; and
- ◆ some over-arching mechanism to ensure that the regime is effective and consistent in upholding standards.

3. APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES

Consideration has been given to the proposed methodology for the appointment to the vacant post of Parish Council representative on the Committee. The Committee has agreed to seek a nomination to the vacant post directly from town and parish councils and an invitation inviting expressions of interest has been circulated. Interested parish councillors have been requested to submit a statement in support of their applications to the Monitoring Officer by 20th September 2010. The Chairman, Vice-Chairman, Monitoring Officer and an existing Parish Council representative have been authorised by the Committee to make the final selection.

4. ANNUAL REPORT 2009/10

The Committee has been given the opportunity to consider the content of a draft 2009/2010 Annual Report and, subject to some minor amendment in relation to the use of resources on standards issues, has approved the report for publication. In accordance with the Committee's instructions that the document be produced and circulated in a cost-effective way, the Annual Report has been published on the District Council's website and distributed electronically to Members of the Council and to all town and parish councils. An article on the Annual Report also will feature in the October edition of District-Wide magazine.

5. WEBSITE DEVELOPMENT

Having made some suggestions on content and phraseology, the Committee was pleased to note that a document comprising a series of frequently answered questions (FAQs) on the Code of Conduct will be published on the Standards and Conduct pages of the District Council's website. The Committee also has suggested that the FAQs be distributed electronically to town and parish councils as a training aid. As part of further development of the web pages, the District

Council's web team are now creating an on-line form to allow for Code of Conduct complaints to be completed and submitted on-line.

6. APPLICATIONS FOR DISPENSATION

The Committee has considered two applications for dispensation received from Great and Little Gidding and Southoe and Midloe Parish Councils. Having been satisfied that approval of the applications in the circumstances described was required to prevent the business of those authorities from being impeded, the Committee agreed to grant dispensation to five Members of Great and Little Gidding Parish Council to enable them to speak and vote on the Village Hall and Recreation Field and the Great Gidding Charity for the period ending 30th April 2012. Similarly, four Members of Southoe and Midloe Parish Council were granted dispensation to enable them to speak and vote on the provision of allotments within the Parish area for the period ending 30th April 2014.

7. TRAINING UPDATE

The approach to training activity on the Code of Conduct proposed by the Monitoring Officer for the Autumn has been endorsed by the Committee. However, in view of the uncertainty over the future of the standards regime and given the suggestion that the Code of Conduct requirements may be discontinued by the soon to be published Decentralisation and Localism Bill, the Committee considered it imprudent currently to make arrangements for training sessions which might involve expenditure and resources which ultimately might prove to be unnecessary.

The Committee has decided to await the publication of the Bill but in the meantime, has asked the Monitoring Officer to respond positively to any requests for training received from individual parish councils.

The question of training will be reconsidered at the next meeting in the light of the Government's proposals for "Standards".

8. 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 area of the Code which appears to cause the most concern related to the declaration of personal and prejudicial interests.

The Committee was hopeful that the distribution of the FAQs on the code of conduct and the reference therein to a fact sheet, published by Standards for England, on personal and prejudicial interests might help in this respect.

9. CASE SUMMARIES AND ADVICE

For learning purposes, the Committee has noted the content of a guide on "blogging" and details of cases recently published by

Standards for England following complaints considered by Fenland District and Hyndburn Borough Councils.

Mr D L Hall
Chairman