
Standards Committee

Report of the meeting held on 27th June 2013

Matter for Decision

1. **APPOINTMENT OF NEW LEAD AND DEPUTY INDEPENDENT PERSONS**

In accordance with Chapter 7 of the Localism Act 2011 relating to Standards, the Council appointed Lead and Deputy Independent Persons in Summer 2012 following adoption of a new Code of Conduct and a protocol for dealing with breaches of the Code. Transitional arrangements allowed for the appointment of the former Independent Members of the Committee but both only were eligible to serve until 30th June 2013.

Having been reminded of the role of the Independent Person(s), the allowances payable to those appointed and the steps taken to advertise the positions, a Panel comprising the Chairman and Vice-Chairman of the Committee, Councillors A Hansard and K M Baker respectively and Councillor T D Sanderson was appointed by the Committee to interview applicants for the vacant posts and to recommend to the Council the candidates they considered should be appointed for a new three year term.

Following the interview process, the Committee

RECOMMEND

that the Council confirm the appointment of Mrs Gillian Holmes and Mr Peter Baker to the posts of Lead and Deputy Independent Persons respectively for a three year term subject to further ratification in each year by the Council at its annual meeting.

The Committee also placed on record its gratitude for the excellent contribution made by the former Independent Members, Messrs M Lynch and D Hall to the current and former standards regimes over many years.

Matter for Information

2. PROTOCOL BETWEEN CAMBRIDGESHIRE AND PETERBOROUGH MONITORING OFFICERS AND CAMBRIDGESHIRE POLICE

A protocol between the Monitoring Officers of Cambridgeshire and Peterborough and Cambridgeshire Police has been put in place to enable the reporting or sharing of information relating to a potential criminal offence under Section 34 of the Localism Act 2011. A protocol has become necessary because of the Government's decision to make it a criminal offence and potentially impose sanctions for –

- ◆ participation in any discussion or vote on a matter in which a Councillor has a disclosable pecuniary interest (without dispensation); and
- ◆ knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting.

Cambridgeshire Police have agreed that the Information Management Unit at Thorpe Wood, Peterborough should act as a single point of conduct for Councils. The criminal penalties available to a court on conviction are to impose a fine not exceeding £5,000 or disqualification from being a Councillor for up to five years. The Committee acknowledged that the protocol was easy to understand, good practice and a positive example of partnership working between Cambridgeshire Authorities.

3. CHANGES TO NOLAN PRINCIPLES

The Committee has noted the conclusions of the 14th Report of the Committee on Standards in Public Life in relation to local government and has particularly considered the descriptions of the seven principles of public life. The Committee had expressed concern about the impact of the regime introduced by the Localism Act 2011 and had considered the area to be a current risk. In their view, “the new slimmed down arrangements had yet to prove themselves sufficient for their purpose” and they had “considerable doubt that they will succeed in doing so”.

The Committee noted the intention of the Monitoring Officer to undertake a review of the Code of Conduct after the 2014 local elections and with this in mind it was suggested that it might be pertinent to include the descriptions of the seven principles, in full, in the revised Code given that there had been occasions, when it had been helpful to interpret the Code by reference to the principles. Consideration will be given to the incorporation of elements of the NALC code into a new District Council code at the same time. In the event that the Code of Conduct is revised in 2014, the Committee asked that all other related documents be updated at the same time.

4. UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS

The Committee has been updated on the current position in respect of the receipt and publication of Registers of Interests of Members and Co-opted Members of the District Council and of those Members serving on Parish Councils. All registers are required to be published on the District Council's website.

Whilst the return of DPIs forms was satisfactory, the Committee has drawn attention to those Parish Councils where a number of forms still are outstanding. To encourage a return from those Parish Councils who had, so far, been slow to respond, the Committee suggested that they or the Chairman should give notice of their intention to visit meetings of these Parish Councils to explain how important it was for their Members to comply. The Monitoring Officer has undertaken to write again to those Parish Councils where concern has been raised before involving Members as suggested.

5. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Monitoring Officer has updated Members on the number of complaints he has received since the last meeting and the approach he had taken, thus far, to handling complaints. The Committee indicated their support for an approach which meant that potentially serious or clear breaches of the Code would be referred for investigation but that attempts be made to address those of a less serious nature by apology, training or mediation given the limited sanctions available and the cost of the investigative process.

6. TRAINING UPDATE

Having noted a report on the training presented by the Monitoring Officer on the Code of Conduct since the last meeting, the Committee has suggested that Town and Parish Councils be reminded of the opportunity that existed for the Monitoring Officer to attend local Council meetings to give training on the Code and to target those Councils who were slow to send in their DPI forms. Preliminary details of arrangements being made for a joint training session on the "Code of Conduct, Pre-determination and Bias" in conjunction with South Cambridgeshire District Council on 3rd October 2013 were presented.

7. REVIEW OF THE ROLE, RESPONSIBILITIES AND TERMS OF REFERENCE OF THE COMMITTEE

The Committee has suggested that matters relating to whistleblowing, complaints and the Constitution might be areas which could potentially become its responsibility in the upcoming review of the terms of reference of the Corporate Governance Panel and Standards Committee. This is required to be undertaken in time for submission to the meeting of the Corporate Governance Panel in March 2014 for implementation with effect from the new Municipal

Year. In making these suggestions, however, the Committee has noted that there appeared to be no preferred model across Cambridgeshire Authorities for dealing with standards, governance and constitutional issues.

A Hansard
Chairman