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## **Standards Committee**

### **Report of the meeting held on 6th March 2014**

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#### **Matters for Decision**

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#### **13. PROPOSED CHANGES TO CODE OF CONDUCT**

In Item No 8 of their Report to the meeting of the Council held on 18th December 2013, the Committee reported that the Department of Communities and Local Government (DCLG) had published guidance entitled 'Openness & transparency on personal interests' which had suggested that the interests to be registered and declared by Councillors should include membership of a trade union. This advice was new and had not been specified in the Regulations issued by the Government following the Localism Act 2011. At that time, the Committee was of the opinion that the Council should take the opportunity to review the Code more generally (in the light of practical experience since its adoption in July 2012) and potentially extend the Code of Conduct to include other interests similar to those included in the previous National Code and in that promoted by the National Association of Local Councils (NALC).

Consequently, having considered proposed changes to the Code of Conduct (a copy of the report by the Head of Legal & Democratic Services is enclosed as Appendix A) and the action required to be taken as a result, the Committee

#### **RECOMMEND**

**that the proposed changes to the Code of Conduct as set out in Annex 1 be approved and the consequential new Code of Conduct adopted by the Council with effect from 4th June 2014 i.e. the date of the Annual Council meeting.**

#### **14. MEMBERSHIP OF THE COMMITTEE**

In view of the valuable contributions made by the Parish Council representatives to the Committee and training events and the excellent working relationship established by the Monitoring Officer with the Lead and Deputy Independent Persons in the period since their appointments, the Committee has supported a proposal (described in a report by the Head of Legal & Democratic Services reproduced as Appendix B hereto) for the terms of office of both to be extended to 30th April 2016 (equivalent to a four year and three year term respectively) without the requirement in the case of the Independent Persons for any further ratification by the Council.

In the case of the current Parish Council representatives, they would continue to serve for a further two years to 30th April 2016 or until such time as their Parish Council office expires if earlier. As the appointment of the Lead and Deputy Independent Persons are required to be confirmed by the Council, the Committee

## **RECOMMEND**

**that the appointment of Mrs Gillian Holmes and Mr Peter Baker to the posts of Lead and Deputy Independent Persons respectively for the remainder of the three year term to 30th April 2016 be reaffirmed without the requirement for further annual ratification.**

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### **Matters for Information**

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## **15. REVIEW OF THE COMMITTEE'S TERMS OF REFERENCE**

In March 2013, the Corporate Governance Panel was requested to consider both its own Constitution and that of the Committee. There was a view, at that time, that the terms of reference and title of the Corporate Governance Panel might be varied perhaps to an Audit and Accounts Committee so that its functions related specifically to risk management, audit, accounts and resources, for example, with the governance, constitutional and possibly complaints responsibilities transferred to the Committee or to a potentially re-named Governance and Standards Panel for instance.

This suggestion also arose because of the contrast in the workload of each. The Corporate Governance Panel had become increasingly busy in recent years as greater emphasis had been placed on governance issues. At the same time, the demise of "Standards for England" and the impact of the Localism Act 2011 had resulted in a less procedurally prescriptive standards regime and a subsequent reduction in the level of business considered by the Committee.

The Chairmen met to consider several options for change together with the current arrangements made by other Cambridgeshire Authorities dealing with corporate governance and standards issues and the outcome of their discussion and their preferred approach was presented to the Committee.

After discussion, Members have indicated that it would wish the Committee and the Corporate Governance Panel to continue to operate as separate principal bodies and that were the Panel/Committee to be renamed to reflect any new functions it should retain the word "Standards" within its title in order to promote and maintain the profile of the Code of Conduct and the continuing importance of high standards of conduct by Councillors and other related protocols within the Constitution. There was also support for

a limited transfer of functions from the Corporate Governance Panel and the Elections Working Group to the Committee.

Having regard to the current terms of reference of the Panel and Committee, Members were of the view that the following functions could be transferred and be undertaken, in future, by the Committee rather than the Corporate Governance Panel –

- ◆ considering proposals to change the Council's Constitutional arrangements and making appropriate recommendations to the Council (a function formerly undertaken by Standards);
- ◆ determining the Council's Customer Feedback Procedure, monitoring compliance with the procedure, compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any action to be taken as a consequence; and
- ◆ considering reports by the Local Government Ombudsman, approval of compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any remedial action to be taken as a consequence.

Although ultimately, certain issues still would be reserved to Council as part of the policy and statutory framework, Members also supported the suggestion that the following matters relating to electoral arrangements also could fall to be dealt with by the Committee rather than the Elections Working Group as at present. Electoral arrangements in its widest sense might involve –

- ◆ the review of District and Parish electoral arrangements including boundaries;
- ◆ matters relating to the powers of a Parish Council, numbers of Parish Councillors and new Parish Councils and Parish Wards;
- ◆ District and District Ward boundaries arising from any review; and
- ◆ the periodic electoral review.

These views have been conveyed to the Corporate Governance Panel in conjunction with the review of the Constitution (Item No 37 of the Report of that Panel refers).

## **16. UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS**

The Monitoring Officer has updated the Committee on the adoption of a Code of Conduct by Town and Parish Councils and the receipt and publication of register of interests' forms on behalf of District and Town and Parish Councillors. The Monitoring Officer has a duty to establish and maintain a register of disclosable pecuniary interests and matters relating to breaches of the Code of Conduct remain under the auspices of the Committee.

The Committee was pleased to note that all seventy one Town and Parish Councils had now adopted a Code of Conduct, with fifty six based on that adopted by the District Council and ten opting for the Code promoted by NALC. Of the remaining Councils, four have adopted their own version of the Code but the Monitoring Officer is satisfied that these are adequate for the purpose. Of the seventy one Town and Parish Councils, fifty eight have had their full Register and 11 part Registers published (which comprise the Disclosable Pecuniary Interests (DPI) forms of all Councillors). Where part registers have been published this can reflect where changes are in progress. In terms of individual DPis, 594 of a total of 650 have been received from Parish Councillors, 35 are outstanding and 27 are vacancies. The forms of all District Councillors are published. The Committee has expressed its appreciation to the Monitoring Officer and the Democratic Services Manager on their success in having achieved such a comprehensive return.

#### **17. TRAINING UPDATE AND RECENT CASES**

Since the last meeting, the Committee has noted that a training session has been held at Perry Parish Council. Eight Members of the Council and the Clerk were in attendance together with Members from Great Staughton Parish and the Clerk to Great Paxton Parish. Articles of interest to the Committee describing the outcome of Code of Conduct complaints also have been discussed by the Committee.

A Hansard  
Chairman