
Standards Committee

Report of the meeting held on 25th June 2015.

Matters for Information

1. STATUTORY DISMISSAL PROCEDURES FOR HEADS OF PAID SERVICE, MONITORING OFFICERS AND THE RESPONSIBLE FINANCIAL OFFICER

The Committee has been acquainted with changes to the statutory disciplinary and dismissal procedures applying to English local authorities' Heads of Paid Service, Monitoring Officers and Chief Financial Officers. Members have received clarification that the independent persons who are required to sit on the Panel when dismissal of any of the Officers is being considered would be those who had been appointed under the Localism Act to advise on standards issues. They also have received confirmation that these independent persons are distinct from the previous Designated Independent Person.

This item appears elsewhere on the Council Agenda.

2. UPDATE ON CODE OF CONDUCT COMPLAINTS

The Committee has been informed that in the last year, the Council's Monitoring Officer has received 16 complaints under the Code of Conduct. Of these, 15 have progressed and one has been cancelled. Members have requested details of the split between parish and district complaints. The Deputy Monitoring Officer has agreed to circulate this information directly to Members outside of the meeting.

3. REVIEW OF COUNCIL CONSTITUTION

The Committee has been updated on progress of the review of the Council's Constitution. An external firm of Solicitors, Bevan Brittan, has been appointed to carry out the review. Members have noted Bevan Brittan's initial assessment that the Constitution at present is not fit for purpose and it is one of the longest that they have seen due mainly to the very lengthy Scheme of Delegations and to the use of lists of examples, neither of which in their view assist the Council effectively to carry out its functions. It has been suggested that the review should be undertaken using defined principles. These are that the Constitution should:

- focus on how the Council carries out its business;
- be more streamlined and so less wordy;

- make it easier for the Council to do its business in not only a legal, but in an efficient and timely manner;
- contain a revised and much simpler scheme of delegation which will not need constant revisions as statutes change and so which will minimise the risk of challenge. This will involve the development of a Scheme of Delegation for executive functions, and a Scheme of Delegation for Council functions, but in terms of role rather than statute;
- provide clarity about the roles of Officers and Members, including the role of the Portfolio Holders and Chairmen of Council Committees;
- use the Local Choice functions in a way which facilitates quick and effective decision making; and
- be accessible to the public of the area.

A Member working group will be established to oversee the review process. It is likely the review will be concluded later in the year.

4. REQUEST FOR DISPENSATION

In accordance with the provisions of the Localism Act 2011, the Committee has granted a dispensation to Councillor Mrs P A Jordan to speak and vote on matters coming before the Overview and Scrutiny Panel (Social Well-Being) connected with NHS issues.

The dispensation has been applied for because Councillor Mrs Jordan is employed within the NHS. A similar dispensation had been granted to Councillor Mrs Jordan during her previous term of office and, having been re-elected, a renewal of the dispensation had been sought. The renewed dispensation lasts until 30th April 2019. It does not apply to those matters affecting her own personal terms and conditions of employment and matters which impact upon her directly as an employee.

A Hansard
Chairman