

REPORT TO COUNCIL

REPORT OF: MR. CHRIS HOLTOM – CHAIRMAN OF STANDARDS COMMITTEE

REPORT NO: LEG065

DATE: 22nd April 2010

TITLE:	STANDARDS COMMITTEE ANNUAL REPORT - APRIL 2010	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter – Corporate Governance	
CONTACT OFFICER:	Mrs. Lucy Youles - Legal Services Manager (01476 406105; e-mail: l.youles@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below: n/a	Full impact assessment Required: n/a
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS		

1. RECOMMENDATIONS

It is recommended Council note the report of the Chairman of the Standards Committee for the period May 2009 to April 2010 and raise any questions relating to the working of the Standards Committee.

2. PURPOSE OF THE REPORT/DECISION REQUIRED

The purpose of the report is to highlight to Council the work of the Standards Committee over the last year, detail issues and report on what can be expected in the coming year.

3. DETAILS OF REPORT

This report covers the period May 2009 to April 2010.

COMMITTEE MEMBERSHIP AND MEETINGS

The Standards Committee membership remains the same as the previous year with 8 members in total. It has 2 independent, non-elected members who perform the

function of chairman and vice chairman. This is a statutory requirement. The Committee also has 4 district councillors and 2 parish councillors. The parish councillors are chosen at each meeting from a rota of parish councillors who have put their name forward to sit in the committee. All parish councillors on the rota are invited to attend each meeting but only 2 of those selected in turn can vote on decisions being taken.

The role of the Standards Committee is to promote, monitor and enforce probity and high ethical standards within the District Council and Parish Councils within South Kesteven. The outcome we seek is to improve the public perception and understanding of the Standards regime and thereby raise the status of local Councillors who operate within it.

The Committee met five times during the period April 2009 to date. In addition, the Assessment sub-committee of 3 members met on a further six occasions to assess a total of nine complaints received. Of those nine complaints, four were assessed for no further action, four were referred for investigation and one was referred for other action which requested an apology be given. Of those four complaints which were assessed requiring no further action, only one was referred for review. The Review sub-committee agreed with the Assessment sub-committee and confirmed no further action relating to that complaint.

The committee has arranged training for parish councils on the Code of Conduct. Training events have recently taken place at Deeping St. James and Colsterworth. The purpose of the training is to increase understanding of the more complex aspects of the Code such as declaration of interests and to update the parish councils on procedures. The training given and the process of assessment of complaints reflects the low number of complaints referred for investigation.

It is the Standards Committee in its entirety which deals with reports into investigations about member misconduct. Of the five meetings of the full committee, three of those meetings considered three reports on investigations. Full hearings were not required with findings of breach of the Code in one case only. The breach related to the non-declaration of a personal interest on a parish council matter requiring an apology to the parish council involved.

PROPOSED CHANGES TO THE MEMBERS' CODE OF CONDUCT 2007

Although a consultation exercise was conducted into proposed changes to the Members' Code of Conduct, no changes in legislation have materialised. The Standards Committee will keep Members of the Council informed of the proposed timetable for the introduction of changes as soon as they are known.

ANNUAL ASSEMBLY OF THE STANDARDS BOARD FOR ENGLAND

The Chairman and the Vice Chairman attended the 8th Annual Standards Assembly at Birmingham in October 2009. At this meeting lessons relating to assessment of complaints were shared, a presentation on engaging leaders and embedding standards was received, the local standards framework was debated and break out sessions on investigations, sanctions and putting the public in the picture were attended. A full review of the assembly can be found at

<http://www.annualassembly.co.uk/Eventpresentationsmaterials/>

The 2010 Annual assembly is due to take place in October. Headed "A place for

standards”, the focus for this year will be on developing a place for standards within authorities.

LINCOLNSHIRE STANDARDS FORUM AND CHAIRMEN AND MONITORING OFFICERS MEETINGS

Throughout the year both Members and officers have attended meetings hosted by Lincolnshire County Council. Joint protocols have been considered and the issue of a joint standards committee have been discussed. No agreement could be reached on how a joint committee could operate and is not currently being pursued.

USE OF RESOURCES

The Council is required to submit a self assessment of its use of resources to the Audit Commission outlining its proposals for action to improve use of resources. The Standards Committee has a role to play in the delivery of those improvements. The self assessment includes the following actions

- The Council will ensure the Standards Committee is more outward facing in the promotion of its work – improving web presence and inclusion in various communications
- Further training will be provided to members to help raise standards of ethical behaviour
- The Standards Committee will produce periodic reports and annual reports on its work, including benchmarking with best practice and this will be made available to the local community.

During the next year the Committee will work to build on those actions already taken with a view to improving the public perception of the Standards regime.

4. OTHER OPTIONS CONSIDERED

The provision and workings of the Standards Committee are based on statutory requirements. There are no other options to consider arising from this report.

5. RESOURCE IMPLICATIONS

The Committee continues to operate with two independent members; however it should be noted, at any meeting of the committee and sub committees, an independent member must attend. Most councils operate with a minimum of 3 independent members. There is a risk that a meeting cannot take place if the independent members are unavailable. The potential to “share” independent members is being considered across Lincolnshire.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

There are no health and safety risks associated with this report. The data has been supplied from records held by the Legal Services Manager and from quarterly reports submitted to the Standards Board for England.

There is a risk as detailed at “Resources” above that the Council cannot service all statutorily required meetings which are often called at short notice. We are currently waiting for regulations to be introduced to allow independent members of other authorities to be shared.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

Not applicable

8. CRIME AND DISORDER IMPLICATIONS

There are no crime and order implications arising from this report.

9. COMMENTS OF SECTION 151 OFFICER

The work of the Standards Committee is essential in the promotion of key lines of enquiry for use of resources to show that the organisation has adopted, promotes and demonstrates the principles of good governance and the organisation demonstrates a strong ethical framework and culture.

10. COMMENTS OF MONITORING OFFICER

Both the monitoring officer and the deputy monitoring officer have worked closely with the Chairman and Vice Chairman of the Standards Committee to ensure complaints received have been processed in accordance with regulatory requirements.

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

None applicable

12. APPENDICES: None