

## STANDARDS COMMITTEE

WEDNESDAY, 8 NOVEMBER 2006

### DECISIONS

Set out below is a summary of the decisions taken at the meeting of the Standards Committee held on Wednesday, 8 November 2006. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

If you have any queries about any matters referred to in this decision sheet please contact Holly Adams.

#### 1. APPOINTMENT OF VICE-CHAIRMAN

The Committee **AGREED** that it supported the principle of an independent Vice-Chairman.

The Committee **AGREED** to appoint a Vice-Chairman *pro tem* to serve until the February 2007 Committee meeting and **AGREED** that Mr P Brindle serve as Vice-Chairman *pro tem*.

#### 2. PROCEDURE FOR LOCAL INVESTIGATION OF REFERRED COMPLAINTS

The Standards Committee **RECOMMENDED TO COUNCIL** that the Procedure for Local Investigations of Referred Complaints be adopted and included in the Constitution, subject to the following amendments:

- (a) Introduction and Summary, second sentence: "This procedure ~~applies~~ **will apply** to the investigation of allegations of breaches of the authority's Code of Conduct ~~for Members for both district and parish councils~~ **by elected and co-opted members of the authority and to breaches of the Parish Council Code of Conduct by parish councillors, and the word 'Councillor' is to be taken to refer to all such persons.**"
- (b) Paragraph 2(b)(ii): "The identity of the person making the allegation (unless **on the rare occasion at the outset of the investigation where** identification of the complainant might prejudice the investigation or put the complainant at risk, **this grant of anonymity being subject to constant review**)";
- (c) Paragraph 2(f): "In notifying the Councillor of receipt of the allegation, the Monitoring Officer shall request the Councillor to respond to the Investigating Officer within 44 **30** days of notification..."
- (d) Paragraph 3(d): "Following notification **of the allegation** to the Councillor..."
- (e) Paragraph 3(f)(iii), additional sentence: "**All interviews will be tape-recorded.**";
- (f) Paragraph 3(g): "~~...such fees or allowances as he considers to be appropriate~~ all costs incurred, fees and professional charges subject to the maxima set by the authority".
- (g) The word "member" replaced with "councillor" throughout; and
- (h) The word "shall" replaced with "will" throughout.

#### 3. PROCEDURE FOR LOCAL STANDARDS HEARINGS

With no members voting against, the Standards Committee **RECOMMENDED TO COUNCIL** that the revised Procedure for Local Standards Hearings be adopted, replacing the existing Local Standards Hearings Procedure at Part 5 Section M of the Constitution, subject to the following amendments:

- (i) Paragraph 1(a), first sentence: "**'Councillor' is to be taken to refer to the elected or co-opted member of the authority or to the parish councillor**

- who is the subject of the allegation being considered by the Standards Committee, unless stated otherwise.”;
- (j) Paragraph 1(b), final sentence: “...(which may be the Monitoring Officer, ~~and~~ **or** his or her nominated representative).”;
  - (k) Paragraph 9(b), first sentence: “The Chairman will ask the ~~legal advisor~~ **Monitoring Officer** or the Democratic Services Officer to present his report...”;
  - (l) Paragraph 9(b), footnote 9: add “**continued overleaf**”;
  - (m) Paragraph 9(c)(iii), final line: “...the Standards Committee **should** seek the advice of the Investigating Officer or the witness.”; and
  - (n) To remove the division between the procedure following an ESO’s report and those which follow a local investigation.

#### 4. **ELTISLEY PARISH COUNCIL: REQUEST FOR DISPENSATION**

The Standards Committee **AGREED**

- (a) to grant a dispensation to Mr John Pettifor of Eltisley Parish Council from any item concerning Caxton End, Eltisley, the dispensation to be in place initially until May 2007 and then reviewed by the Standards Committee; and
- (b) to require Parish Councillor Pettifor to declare an interest in matters in which he has been granted this dispensation and to declare the existence of this dispensation.

#### 5. **CROXTON PARISH COUNCIL: REQUEST FOR A DISPENSATION**

The Standards Committee **AGREED** to grant a dispensation to Mr A Lintott, Mr S Ingram and Mrs N Spenser from any item concerning High Street, Croxton, and to require Parish Councillors Lintott, Ingram and Spenser to declare an interest in matters in which they have been granted this dispensation and to declare the existence of this dispensation.

#### 6. **WHISTLEBLOWING POLICY**

The Standards Committee approved the two changes previously made and **RECOMMENDED TO CABINET** that the revised Whistleblowing Policy be adopted as Council policy, subject to:

- (a) the inclusion of an additional example at paragraph 2.5: “discrimination against or favouritism towards clients, customers or members of staff”;
- (b) the Standards Committee being involved in the re-launch of the policy.

#### 7. **APPOINTMENT OF INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE**

The Standards Committee **AGREED** to establish an Appointments Procedure Task and Finish Group to consider the manner in which independent and parish members were appointed to the Standards Committee and to make recommendations to the Committee, the membership to be:

- Ms G Butcher;
- Mrs GM Everson;
- Mr E Revell;
- Councillor A Riley; and
- Councillor Mrs VM Trueman.

#### 8. **ADVICE TO, AND TRAINING OF, DISTRICT AND PARISH COUNCIL MEMBERS IN RELATION TO THE MEMBERS' CODE**

The Standards Committee **AGREED** the revised training session dates.

**9. CASE TRIBUNAL REPORTS AND REFERENCES MADE TO ETHICAL STANDARDS OFFICERS**

The Standards Committee **AGREED** the format of, and amount of detail included in, the written report.

**10. DATES OF NEXT MEETINGS**

The Standards Committee **AGREED** that its February meeting be re-scheduled for Thursday 22 February 2007 before full Council.