

STANDARDS COMMITTEE

Minutes of the meeting held on Wednesday, 28 September 2005 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillors Guest and Short

Councillors Mrs A Gordon and B Smart, and the Venerable M Paget-Wilkes

482. **APPOINTMENT OF CHAIR**

It was

RESOLVED that

- (1) Councillor Guest be appointed Chair for the ensuing year; and
- (2) the Venerable Paget-Wilkes be thanked for his services to the Committee during his period as Chair.

483. **INDEPENDENT MEMBER**

The Committee was informed that, due to pressure of work, Mr Iwan Morgan had, with regret, resigned as an independent member of the Committee.

484. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

485. **MINUTES**

The minutes of the meeting held on 12 April 2005, having been printed and circulated, were taken as read and signed by the Chair as a correct record.

486. **MEMBERS' REGISTER OF FINANCIAL INTERESTS AND OTHER INTERESTS UNDER THE MANDATORY CODE OF CONDUCT**

The Register containing details of financial and other interests, notified by individual Councillors, was made available for inspection by Members of the Committee.

487. **CODE OF CONDUCT**

The Committee received a report from Members' Services regarding the recommendations made by the Standards Board for England arising from its review of the Code of Conduct for Councillors.

STANDARDS COMMITTEE MINUTES (Continued)

Earlier in the year, Councillors had been invited to participate in the review of the Code of Conduct. The Standards Board had now completed its review of the comments received and had produced recommendations for consideration by the Office of the Deputy Prime Minister.

In summary, the recommendations were that:

- (a) the Code of Conduct should be simpler, more enabling, and owned by the Members to whom it applied;
- (b) the Code needed to empower Members as community advocates, taking the lead on issues where their expertise was greatest and speaking on behalf of their communities;
- (c) the rules regarding personal and prejudicial interests should be clearer, especially for Members who sat on more than one public body;
- (d) Members must be able to disclose information when it was in the public interest, and the Code needed to be clear on what information should be treated as confidential;
- (e) Members were entitled to private lives and the public would only expect private behaviour to be regulated when it seriously damaged the reputation of Local Government.
- (f) Members had a right to challenge poor performance and criticise officers fairly, but bullying could not be tolerated and needed to be addressed more explicitly in the Code;
- (g) the current duty for Members to report breaches of the Code was unnecessary and unhelpful, and should be removed; and
- (h) the Code should protect complainants and witnesses from intimidation.

It was expected that once the proposals had been fully considered a revised Code of Conduct would be issued.

RESOLVED that the recommendations made by the Standards Board for England be noted.

488. REGULATION OF INVESTIGATORY POWERS ACT 2000

A report from Legal Services was received regarding the Regulation of Investigatory Powers Act 2000, which required that certain safeguards should be introduced if the Council wished to carry out covert surveillance on individuals, intercept communications or use covert human intelligent sources.

An inaugural policy regarding the regulations had been adopted in 2003 and, so far, the Council had only issued two authorisations under the legislation, but the Police had conducted surveillance on Council CCTV equipment on a regular basis.

STANDARDS COMMITTEE MINUTES (Continued)

The Office of the Surveillance Commissioner had inspected the Council in December 2003 and, although the inspection was satisfactory, some amendments to the policy had been suggested.

The Inspector had also recommended that resources should be made available to fund a computerised authorisation register. As the cost of this would be significant, other possibilities would be investigated at considerably less cost.

Following suggestions made by Members of the Committee at the informal discussion which had taken place on the 21 June 2005, the list of authorising officers had been reduced to the Chief Executive, the appropriate Director, the Head of Legal Services, or the Monitoring Officer if this position was not held by the Head of Legal Services.

The Committee was informed that the Act did apply to Parish Councils in theory but, in practice, the likelihood of them having to take action under the Act was considered to be extremely unlikely. However, as examples of areas where parish or town councils might become involve, the Committee referred to the CCTV cameras which were located on land owned by Whitnash Town Council, and the problem of drugs in rural areas.

RESOLVED that the amended policy on how the Council would carry out its obligations under the Regulation of Investigatory Powers Act 2000, be approved.

(The meeting ended at 6.35 pm)