

# STANDARDS COMMITTEE

Minutes of the meeting held on Wednesday, 15 February 2006 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**PRESENT:** Councillor Guest (Chairman); Councillors Davis and Short.

Councillor B Smart and the Venerable M Paget-Wilkes.

Councillor Mota Singh substituted for Councillor Mrs A Gordon.

## 876. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

## 877. **MINUTES**

The minutes of the meeting held on 20 December 2005, having been printed and circulated, were taken as read and signed by the Chairman as a correct record.

## 878. **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.

## 879. **STANDARDS OF CONDUCT IN ENGLISH LOCAL GOVERNMENT: THE FUTURE**

The Committee considered a discussion paper published by the Office of the Deputy Prime Minister regarding proposals for a future comprehensive conduct regime for Councillors and members of staff.

The paper had been published following the recent review of the Code of Conduct for Members and set out the Government's responses to the comments received. It also outlined proposals to revise the role of the Standards Board for England and the effect that this would have on the responsibilities of Standards Committees.

The paper also indicated the approach that the Government was likely to take regarding the introduction of a Code of Conduct of Employees, in particular on the political restrictions which applied to local government employees, the pay of political assistants. In reaching these views, the Government had regard to the responses received to the consultation that the ODPM had undertaken during 2005.

The overall approach to conduct set out in the paper would involve the following principle changes to current arrangements:

## **STANDARDS COMMITTEE (Continued)**

### **Conduct Regime for Local Councillors**

- (a) initial assessments of all misconduct allegations would be undertaken by Standards Committees rather than the Standards Board;
- (b) Standards Committees would be responsible for investigating and determining most cases;
- (c) the Standards Board would adopt a more strategic, advisory and monitoring role but retain responsibility for investigating the most serious misconduct allegations;
- (d) improvements would be made to the operation and composition of Standards Committees, with independent Chairs, and the membership of Committees would include independent members with a balance of experience; and
- (e) a clearer, simpler Code of Conduct, would be introduced including changes to the rules relating to personal and prejudicial interests.

### **Conduct Regime for Local Government Employees**

- (a) A Code of Conduct for Local Government employees would be issued;
- (b) the current principle would be retained that senior and sensitive posts should be politically restricted, to ensure that only the most senior and sensitive posts were covered;
- (c) the post of the Independent Adjudicator would be discontinued, but provision would be made for Standards Committees to make decisions on posts exempt from restrictions; and
- (d) the current rate of pay for Political Assistants would be up-rated, and provision made for future increases to be permanently linked to local government pay scales.

The Government believe that the proposals would deliver a clearer and more proportionate conduct regime for local government members and employees, and ensure that the public could continue to have confidence in local government. The ODPM intended to work with the Standards Board and other parties to progress the proposals, having regard to any comments which might be received.

The ODPM had invited comments on the proposals set out in the paper.

The Committee discussed the proposals at length and raised concerns over the volume of work that they would generate. It was also likely that there would be a need to create a clear separation between members of the Standards Committee who considered the complaints and those who might be involved in subsequent hearings. The same consideration would have to be given to the involvement of the Monitoring Officer in investigations.

## **STANDARDS COMMITTEE (Continued)**

There were concerns over how impartial investigations and hearings might appear to members of the public if members of the Council were involved in investigating complaints about the conduct of other Councillors. It was likely therefore that the role of independent members would become much more central to the work of the Committee in order to promote confidence in the outcome of investigations with regard to their thoroughness, impartiality and credibility.

The Committee were also concerned over the cost of training for members of the Committee as well as the additional time which would be required from Members. It was felt that the overall cost to the Council of the proposals would be significant and it was thought crucial that funding should be provided through the Government especially as the work of the Standards Board for England would, it was assumed, be considerably reduced.

The Committee believed that it would be essential in some instances to seek the assistance of Monitoring Officers from neighbouring authorities in investigating complaints. This would help to reinforce the view that investigations should be as independent of the Council as possible.

The Committee also believed that an option should be available for complaints to be referred back to the Standards Board for England to be investigated in order to maintain and emphasise independence. This would be particularly important in high profile investigations which could be considered to have political implications.

The Committee discuss arrangements for holding a mock hearing and it was agreed that this should be arranged on a date following the Annual Council meeting in May when the membership of the Committee would be agreed.

**RESOLVED** that the views of the Committee be referred to the Office of the Deputy Prime Minister for consideration.

(The meeting ended at 7.00 pm)