

STANDARDS COMMITTEE

AGENDA

Meeting to be held in the Civic Centre (Committee Room No. 1) on Friday, 31st July, 2015 at 10.30 a.m.

Part 1

ITEM	PAGE
1. Apologies for Absence.	-
2. Minutes of the Meeting of the Committee held on 7th October, 2014, Part 1. (Copy herewith).	1
3. Declarations of Interest (if any).	-
4. Complaint Reference 03/14 Joint report of the Head of Law and Governance and Director of Finance (copy herewith).	3
5. Update on Complaints Report of the Head of Law and Governance (copy herewith).	5
6. Training for Committee Members Report of the Head of Law and Governance (copy herewith).	7

**This information can be made available on request in other languages.
If you require this, please telephone 0191 561 1345**

**Local Government (Access to Information) (Variation Order)
2006**

The reports contained in Part II of the Agenda are not for publication as the Sub-Committee is considered likely to exclude the public during consideration thereof as they contain information relating to individuals and information which is likely to reveal the identity of individuals (Paragraphs 1 and 2 of the Local Government Act 1972, Schedule 12A, Part 1).

Part II

7. **Minutes of the Meeting of the Committee held on 7th
October, 2014, Part 11.** 9

(Copy herewith).

E. WAUGH,
Head of Law and Governance.
Civic Centre,
SUNDERLAND.

23rd July, 2015.

At a meeting of the STANDARDS COMMITTEE held in the CIVIC CENTRE, SUNDERLAND on TUESDAY, 7th OCTOBER, 2014 at 4.00 p.m.

Present:-

Councillor H. Trueman in the Chair

Councillors Forbes, McKnight, Mordey, Price, Scanlan and Shattock together with Councillors Hepple and Wilkinson (Hetton Town Council).

Part 1

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillor Marshall and Mrs S. Joseph (Independent Person).

Minutes of the Meetings of the Committee

The minutes of the meetings of the Committee held on 29th November, 2013 and 16th May, 2014 Part 1 (copies circulated), were submitted.

1. RESOLVED that the minutes be confirmed and signed as correct records.

Declarations of Interest

There were no declarations of interest made.

Progress Report on Complaints

The Head of Law and Governance submitted a report (copy circulated) on the outcome of two assessments which had been undertaken by the Assistant Head of Law and Governance (Governance Services), who is the Deputy Monitoring Officer, advising that in both cases it had been determined that no further action should be taken.

(For copy report – see original minutes).

Consideration having been given to the report, it was:-

2. RESOLVED that the report be received and noted.

Local Government (Access to Information) (Variation Order) 2006

At the instance of the Chairman it was: -

3. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during consideration of the remaining business as it contains information relating to individuals and information which is likely to reveal the identity of individuals (Local Government Act 1972, Schedule 12A, Part 1, Paragraphs 1 and 2).

(Signed) H. TRUEMAN,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to members of the public.

Additional minutes in respect of further items are included in Part II.

COMPLAINT REFERENCE 03/14

JOINT REPORT OF THE HEAD OF LAW AND GOVERNANCE AND DIRECTOR OF FINANCE

1. Introduction

- 1.1 The purpose of this report is to provide an update to the Standards Committee in respect of the complaint regarding former Councillor Padgett (referred to in the rest of this report as Mr. Padgett) which was previously referred to the Committee on 7th October 2014.
- 1.2 By way of background, the Committee will recall that following a planned routine payroll audit by the Council's Internal Audit Service, which examined mileage payments made to both members and employees, detailed investigations were undertaken by the Internal Audit Service into the amounts claimed by Mr. Padgett in respect of travel and subsistence during the financial years 2011/2012, 2012/2013 and 2013/2014.
- 1.3 At the last meeting of the Committee, Members agreed to defer the consideration of this matter in order to request further information from Mr. Padgett.

2. Current Position

- 2.1 As Members will be aware, since the last meeting of the Committee, Mr Padgett has resigned as a member of the Council.
- 2.2 Mr Padgett has agreed to repay the full amount of £9,816.32 to the Council in respect of an overpayment of travel and subsistence expenses for the relevant three financial years as identified from the Internal Audit Service's review. As in the case with any significant debt, payment terms have been agreed to the satisfaction of the Director of Finance and these terms will be kept under review.
- 2.3 Given that Mr Padgett is no longer a member of either this Council or another authority, subject to the repayment by Mr Padgett in full of the amount referred to in Paragraph 2.2, it is proposed that no further action be taken by the Council in respect of this matter.

3. Assurance in respect of the payment of Members' expenses

3.1 At the previous meeting of the Committee, Members also asked for further information regarding the relevant procedure and safeguards that are in operation by the Council to seek to prevent the potential overpayment of expenses to members. While it remains the responsibility of each individual Member to ensure that claims they submit are restricted to what they are entitled to receive under the Members' Allowances Scheme, the following arrangements have been put in place:

3.1.1 At each financial year end, Payroll will refer any claims over 100% of the average claims to Internal Audit for review.

3.1.2 On an on-going basis:

(i) Payroll staff will refer claims back to Members where it is considered that insufficient information has been provided, or where there appear to be anomalies in the information provided.

(ii) Members' claims will be reviewed by a senior officer within Law and Governance Services, who will track the overall level of claim and raise any issues or queries.

3.1.3 On a quarterly basis, the level of claim per Member will be reported to the Director of Finance and Head of Law and Governance.

4. Recommendation

4.1 The Standards Committee is requested to note the contents of this report.

Background Papers

None.

UPDATE ON COMPLAINTS

REPORT OF THE HEAD OF LAW AND GOVERNANCE

1. Introduction

- 1.1 The purpose of this report is to inform members of complaints that have been assessed or concluded since the last such report to Committee in October 2014. The complaints are set out below.

2. Complaints

2.1 Complaint 3/11

An investigation into an allegation that statements made by a councillor in a newsletter had brought the Council into disrepute has concluded that the statements had not been made by the member concerned in their capacity as a councillor and were therefore not subject to the Code of Conduct.

2.2 Complaint 13/12

An investigation into an allegation that a councillor had posted comments on facebook to the effect that certain third parties were racists has concluded that the comments had not been made and even if they had been, there was nothing to indicate that they had been posted by the member in their official capacity. No breach of the Code of Conduct had therefore occurred.

2.3 Complaint 2/14

A member of the public alleged that a councillor had referred to their wife as a racist. On assessment, it was determined that no further action should be taken. If the comment had been made, there was nothing to suggest that it had been made in the councillor's official capacity.

2.4 Complaint 4/14

A former officer of the Council alleged that a councillor criticised her inappropriately in front of colleagues and representatives of partner organisations. This matter has been referred for investigation.

2.5 Complaint 1/15

An individual from an external organisation alleged that a councillor had attempted to bypass the organisation's internal procedures and had used their position as a councillor improperly. On assessment of the complaint, it was concluded that no information had been provided to

suggest that the councillor had acted inappropriately and so no further action was taken.

2.6 Complaint 2/15

A complaint from a member of the public alleged that a Hetton Town Councillor had made statements regarding their behaviour at a meeting and that the statements were inaccurate. There was no information provided to indicate that the Town Councillor concerned had identified the complainant as the person whose behaviour they had referred to. No further action was therefore taken on this matter.

3. Recommendation

3.1 That the Committee notes this report.

Background Papers

None.

TRAINING FOR COMMITTEE MEMBERS

REPORT OF THE HEAD OF LAW AND GOVERNANCE

1. Training on the current Code of Conduct and the ethical standards regime under the Localism Act 2011 was provided to members when the new legislation was introduced and is routinely offered to new members as part of the Member Induction Programme.
2. Members of the Standards Committee may consider that they would benefit from further refresher training on the provisions of the Code and for the arrangements for dealing with Code of Conduct complaints.

RECOMMENDATION

Members are requested to consider whether further training would be of benefit to Committee Members and if so, the areas that this should cover.

Background Papers

None.

