

THE STANDARDS COMMITTEE reports as follows:-

1. Annual Report on the Work of the Standards Committee 2009-2010

That they have given consideration to a report by the Chief Solicitor (copy attached), being the second Annual Report to Council, having been prepared on the work of the Standards Committee during 2009-2010.

Accordingly, the Committee recommends Council to note the Annual Report on the Work of the Standards Committee 2009-2010.

**ANNUAL REPORT ON THE WORK OF THE STANDARDS COMMITTEE
2009-2010**

Report of the Chief Solicitor

1. Introduction

- 1.1 This is the second annual report to have been prepared on the work of the Standards Committee, for consideration initially by the Committee and then by Council at its meeting in June 2010.
- 1.2 The report will be used to complete the tick box annual return questionnaire issued by Standards for England.

2. Membership

The Committee is comprised as follows:-

- 5 City Council Members (Councillors Charlton, M. Forbes, Tate, Wakefield and Wares).
- 3 Independent Members (Mr. G.N. Cook – Chairman, Mr. J.P. Paterson – Vice Chairman and Mr. C. Stewart).
- 2 Members of Hetton Town Council (Councillors Hepple and Wilkinson).

3. The role of the Standards Committee

The main purpose of the Committee is to promote and maintain high standards of conduct by Members, including Co-optees. The detailed terms of reference are set out in Article 9 of the Constitution.

4. Meetings

The full Committee will have held 6 meetings during the course of the year.

5. Matters Considered

The Committee agreed a list of activities to be undertaken in the civic year at its first meeting on 22 May 2009 and these have been pursued as summarised below:-

5.1 **Changes to the Code of Conduct**

The Government has indicated that there is insufficient parliamentary time to make further changes to the Code of Conduct until after the election.

5.2 **Protocol on Members' Business Dealings**

The protocol requires that Members notify the Chief Executive of any proposed business dealings with the Council.

The Committee noted the notifications given by Councillor Paul Watson and Councillor Susan Watson in respect of the assignment of their interest in the Ford and Hylton Club, which the Council could not unreasonably refuse under the terms of the lease.

It also noted the notification by Councillor Graeme Miller regarding his employment by TWEBLO which now contracts with the five Tyne and Wear Authorities (including Sunderland) following a change in funding arrangements. The Sunderland contract is managed by TWEBLO's Operation Manager, and the Director of Children's Services is monitoring the arrangements.

The Committee also considered a report concerning Councillor Tate's query in relation to his position as Chair of Hetton Home Care Services Management Committee, and membership of Easington Lane Community Access Point.

In the circumstances described by Councillor Tate, he would have to declare a personal interest in items affecting those bodies when they are considered by the Council or at a Committee of which he is a Member, and a prejudicial interest if it related to the financial interests of those bodies. There is an exception for the budget meeting of Council.

The contracts between the organisations and the Council do not require to be registered under the Members' Code of Conduct as this applies to contracts for goods, services or works made between the Authority where the Member is a partner in the company or a remunerated director or hold shares in the company concerned.

The purpose of the protocol was to provide additional transparency to the situations where a Member's personal financial position was affected. It was not intended to apply to the situations where voluntary bodies on which Members are represented contract with the Council.

The Committee noted and endorsed the position in respect of the protocol.

5.3 Council Publicity – Guidance Note

The Committee approved a guidance note regarding Council publicity. The note summarised the provision of the Local Authority Code on Publicity issued under the Local Government Act 1986. The note was issued to all Members and senior officers in January 2010.

5.4 Training

5.4.1 Standards for England Conference

This training event was attended by the Monitoring Officer, the Chairman of the Committee and Mr. C. Stewart.

A summary of the conference was considered by the Committee.

5.4.2 Assessments Made Clear

The Committee viewed and discussed a DVD produced by Standards for England on Local Assessments which covered the four stages of pre-assessment, assessment, decision and review. The DVD provided scenarios and discussion points.

5.4.3 “Other Action”

The Committee considered a report on “other action” and agreed to adopt the guidance and incorporate it in the handbook.

5.4.4 Training for Other Members

Refresher training sessions were held for all Members on 11 December 2010 (7 Members attended) and 18 January 2010 (11 Members attended). In addition an event was also held at the offices of Hetton Town Council on 25 January 2010 which was attended by 17 Councillors, including one who is also a City Councillor.

Training on the Code of Conduct will, as always, be provided to new Members on induction in May 2010.

6. Local Assessments considered by the Assessment Sub-Committee

In respect of Case No. 1/109 the Sub-Committee determined that an anonymous complaint should not be investigated.

With regard to Case No. 2/09 the Sub-Committee decided that three alleged breaches of the Code of Conduct by a Member should be investigated and this is currently being carried out.

A third complaint was received in 2009 but this was withdrawn after the complainant received an apology.

In Case No. 1/10 the Sub-Committee determined that two allegations of breaches of the Code of Conduct by a Member should be investigated, and this is also currently underway.

The cases were reported to the Sub-Committee within the average time-scale of 20 working days following receipt of the complaint, as recommended by Standards for England.

7. Relationships

(i) Other Standards Committee

I have continued to organise occasional meetings of Chairs of Standards Committees and their respective Monitoring Officers in the region to share experiences and develop good practice.

(ii) Leaders of Political Groups

An informal meeting with the Chair of the Committee has been offered to the Leaders of three groups.

(iii) Members

Proactive guidance is given to Members and advice is regularly given on queries and on declarations of interest by me and my colleagues. Copies of the Standards Board's publication "the Bulletin" are placed in the Members' room with case summaries.

(iv) The Public

It is proposed to include a further article in Sunrise to raise public awareness of the work of the Standards Committee.

Since the inception of the new arrangements, forms of complaints and guidance notes about Councillors can be downloaded from the Council's website. Forms may also be obtained from Civic Centre

reception points. It is intended to develop the Council's website further in respect of Standards issues.

8. Register of Interests

In the interests of transparency the register of interests continue to be available to be accessed electronically on the Council's website. Members are sent a copy of their interests during the course of the year to check that their entries are up to date.

9. Use of Resources

Overall the Council's use of resources and governing the business scored 3 out of 4 in the Audit Commission's CAA report which included the comments that:

"The Council's Constitution clearly describes roles and responsibilities for Members and officers. The Constitution is underpinned by a wide range of other supporting guidance including protocols on officer and member relations."

"The Council has adopted codes of conduct for its members and staff, and these are widely publicised. All Council Members are required to make a declaration that they agree to abide by the Code of Conduct, and all staff are bound by the Employees' Code. Policies for whistleblowing and 'comments, compliments and complaints' are well publicised and prompt action is taken in response to any allegations made. The Chief Executive has set out clearly, in public documents, its expectation that all elected Members will provide visible and credible local community leadership. Registers of interests, gifts and hospitality can be viewed on the Council website."

"The Council has a comprehensive code of practice for partnerships which has been identified as notable practice."

10. Conclusion

The Committee is requested to note the report and recommend it to be reported to Council with any additional comments that Members consider appropriate.