

At a meeting of the STANDARDS COMMITTEE held in the CIVIC CENTRE, SUNDERLAND on FRIDAY, 27TH NOVEMBER, 2009 at 11.00 a.m.

Present:-

Mr. G.N. Cook in the Chair

Councillors M. Forbes, Tate and Wakefield, together with Mr. Stewart and Councillors G.W.K. Hepple and A.R. Wilkinson (Hetton Town Council).

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Charlton and Wares and Mr. J.P. Paterson.

Minutes

The minutes of the meeting of the Committee held on 29th September, 2009 (copy circulated) were submitted.

(For copy report – see original minutes).

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

Declarations of Interest

Item 5 – Protocol for Members' Business Dealings with the Council

Councillor Tate declared a personal interest as the above report related to himself.

Standards for England – Annual Conference

The Chief Solicitor submitted a report (copy circulated) providing feedback on the 2009 Annual Assembly of Standards Committees held on 12th and 13th October at the International Convention Centre at Birmingham.

(For copy report – see original minutes).

Mr. Bob Rayner, Chief Solicitor, briefed the Committee on the report. He referred Members to the Annual Review by the Standards for England detailed in

paragraph 2.3 of the report and to the sheet circulated at the meeting which showed the number of complaints received over the last year and how they had been dealt with.

(For a copy of the information – see original minutes).

Mr. Rayner highlighted the qualities detailed in the report that an excellent Standards Committee should have.

Mr. Rayner reminded the Committee that in 2008 there had been two meetings of the Assessment Sub-Committee of the Council's Standards Committee and one meeting of the Review Sub-Committee and the Sub-Committees had agreed that no action be taken. In 2009 there had been one meeting of the Assessment Sub-Committee to consider an anonymous complaint reference 1/09 and the Sub-Committee had resolved no action be taken. Further, one complaint had been made and withdrawn before there had been time to report it to the Sub-Committee.

Mr. Stewart stated that it had been a good Conference and offered his services as an Independent Member of the Committee to other Members for advice and support as and when he could be of help.

The Chairman commented that the Conference had been better this year as it had been more practical. There had been an acknowledgement that the role of Standards Committees had altered and emphasis had been made that learning was a continuous process.

Mr. Cook drew attention to the quiz circulated at the Conference 'Putting the public in the picture' which aimed to make Standards Committee Members look at how well their Local Authority website promoted the work of the Standards Committee. He commented that he had asked the Chief Solicitor to look at Sunderland Council's website in relation to this and to compare it with those of other Councils. This would be undertaken next year.

Councillor Tate referred to paragraph 2.2 and the comment made by Dr. Robert Chilton that the Conservative Party green paper 'Power to Local Communities' proposed to scrap Standards for England.

The Chairman commented that he felt if there was a change of government at the next election that the Standards for England would be dissolved but that he felt Standards Committees would be retained as there was a need and role for them to carry out.

In concurring with the Chairman, the Chief Solicitor commented that he felt that Standards for England did have a role although the regime needed reforming to make it more proportionate. However, if it was scrapped it would need to be replaced by some other body. Although a change in government may have a view on Standards for England, he felt it would initially have other priorities.

Mr. Rayner confirmed by saying that a major issue for the public had been MP expenses. The regime for Councillors in this respect was much stricter and public

opinion on Councillors was better. His view was that Government needed to be careful not to demolish the systems in place but to modify and keep the things that were working well.

Councillor Wakefield expressed concern that the recent complaint received and considered by the Assessment Sub-Committee was anonymous and asked whether there had been any guidance on this at the Annual Conference.

The Chief Solicitor advised that the guidance in the Council's Handbook for Standards Committee stated that "No action would normally be taken" if the complaint was anonymous. This in turn was based on the guidance issued by Standards for England. However, he added that there might be in some cases people who were genuinely afraid of reprisals and therefore would submit a complaint anonymously and the Assessment Sub-Committee would consider the complaint and whether to take any action.

The Chairman commented that the Members of the Assessment Sub-Committee who had considered the complaint had felt some discomfort at the time due to it being anonymous, however, they had considered it.

2. RESOLVED that:-

- i) the contents of the report be noted; and
- ii) the outcome of the complaints made to date also be noted.

Protocol for Members' Business Dealings with the Council

The Chief Solicitor submitted a report (copy circulated) concerning a query from Councillor Tate regarding the circumstances in which the above protocol is intended to operate.

(For copy report – see original minutes).

The Chief Solicitor briefed the Committee on the report and highlighted that the purpose of the protocol was to provide additional transparency to the situation where a Member's personal financial position was affected but was not intended to apply to situations where voluntary bodies on which Members are represented contract with the Council as is the case regarding the query from Councillor Tate.

3. RESOLVED that the position in relation to the protocol be noted and endorsed.

Council Publicity

The Chief Solicitor submitted a report (copy circulated) informing the Committee of the arrangements to be made for a guidance note to be prepared and circulated for Members and Officers on Council publicity.

(For copy report – see original minutes).

The Chief Solicitor advised that guidance would be prepared in advance of the local and general elections. Members of the Council would have a personal obligation to have regard to the Code issued by the Department for Communities and Local Government.

Members welcomed the proposal to produce the guidance.

In response to Councillor Tate, the Chief Solicitor stated that it could also be used by the political parties for them to provide to prospective candidates, however, his main concern was for current Members of the Council and officers to be reminded in the guidance about the use of the Council's resources. Mr. Rayner advised that he would look to circulate the guidance early in the New Year and this would also be referenced on the web pages for the Standards Committee when the review was undertaken.

Members welcomed the arrangements for a guidance note to be prepared, and it was:-

4. RESOLVED that the proposal that the Chief Solicitor prepare and issue a consolidated guidance note for Members and Officers on Council publicity be approved.

Standards for England – Assessment Made Clear – Local Assessments of Complaints

The Chief Solicitor submitted a report (copy circulated) advising the Committee that arrangements had been made to view the Standards for England DVD entitled "Assessment Made Clear – Local Assessment of Complaints".

(For copy report – see original minutes).

The Committee viewed the DVD and discussed some of the issues raised.

5. RESOLVED that the content of the report and DVD be noted.

The Chairman thanked everyone for their attendance and closed the meeting.

(Signed) G.N. COOK,
Chairman.