

STANDARDS COMMITTEE

Wednesday, 15th October, 2008, at 6.00 pm
in Committee Room 4 at the Council House, Dudley

PRESENT

The Bishop of Dudley (Independent Chairman)
Councillors Attwood, Ms. Boleyn, J. R. Davies, Mrs. P. Martin,
Ms. Partridge and Tyler;
Miss L. Smith (Independent Member)

OFFICERS

The Director of Law and Property (Monitoring Officer), Assistant Director of Law and Property (Legal and Democratic Services) and the Democratic Services Manager (Directorate of Law and Property).

12 **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were received on behalf of Mr. Beards.

13 **DECLARATIONS OF INTEREST**

No member made a declaration of interest, in accordance with Members' Code of Conduct, in respect of any matter to be considered at this meeting.

14 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 1st July, 2008 be approved as a correct record and signed.

15 **ANNUAL REPORT: MEMBERS' CODE OF CONDUCT**

The Committee considered the annual report of the Monitoring Officer on the operation of the Member's Code of Conduct.

The report summarised the work of the Committee and the complaints referred to the Standards Board for England or the Standards Committee since the previous annual report. Reference was made to the training provided for Members and issues discussed at a meeting between the Chairman of the Standards Committee and the three Group Leaders in February, 2008.

The report included a review of action points from the 2007/08 annual report and proposed action points for 2008/09. These included proposals to:-

- (a) Continue to timetable monthly meetings of the Referrals Sub-Committee;
- (b) Monitor the level of resources required to deal with the new arrangements for the local assessment of complaints and report to the Committee as necessary.
- (c) Establish the following priorities for the Monitoring Officer during 2008/09:-
 - (i) To ensure that the appointed Sub-Committees were well briefed and supported in reaching decisions.
 - (ii) To signpost potential complainants to enable them to use the appropriate complaints procedure.
 - (iii) To provide further training events for Members to increase their awareness of the new Code.
 - (iv) To arrange the annual liaison meeting between the Chairman of the Standards Committee and the three Group Leaders.

RESOLVED

That the annual report on the Member's Code of Conduct, and the action points set out in paragraphs 16 to 18 of the report, be endorsed and referred to the Council for approval.

A report of the Monitoring Officer was submitted on the Annual Review of the Standards Board for England for 2007/08. The report referred to the role of the Standards Board since May 2008 as a strategic organisation charged with ensuring the effectiveness of the arrangements for dealing with complaints locally and for setting the standards agenda nationally.

The report summarised aspects of the annual review, including the achievements of the Standards Board during 2007/08, performance and statistical information, case summaries and information on a series of pilots to provide an overview of how the new system for the local initial assessment of complaints would operate in practice. In 2008/09, the Standards Board would develop its strategic role to include effective monitoring of the local framework for dealing with complaints.

RESOLVED

That the report be noted.

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ANNUAL REPORT OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE 2007/08

The Committee considered a report of the Monitoring Officer on the annual report of the Committee on Standards in Public Life 2007/08. The remit of the Committee on Standards in Public Life broadly covered standards of conduct of all holders of public office whether elected or appointed. The Committee discussed and noted issues of particular interest to local government arising from the annual report, in particular the areas of Electoral Registration and Freedom of Information.

RESOLVED

That the report be noted.

18

LOCAL INVESTIGATIONS AND OTHER ACTION

The Committee considered a report of the Monitoring Officer on the updated guidance on local investigations and other action issued by the Standards Board for England. The guidance reflected changes introduced by the Standards Committee (England) Regulations 2008 and the following issues were particularly highlighted:-

- (a) The Monitoring Officer should act as the main adviser to the Standards Committee and, therefore, investigations should be carried out by another officer (e.g. the Deputy Monitoring Officer);
- (b) Information obtained during an investigation must remain confidential at least until the investigation is completed;
- (c) In appropriate cases (e.g. an ongoing criminal investigation or prosecution) an investigation may be deferred.

RESOLVED

That the report be noted.

CONFIDENTIAL REPORTING POLICY

The Committee considered a report of the Monitoring Officer on the operation of the Council's Confidential Reporting Policy (also known as the Whistle-Blowing Policy). The Committee was informed of the results of a survey of all Council Directorates undertaken by the Monitoring Officer during the spring of 2008.

RESOLVED

- (1) That the outcome of the monitoring of the Confidential Reporting Policy be noted.
 - (2) That the Director of Law and Property be authorised, in consultation with the Chairman, to make any minor amendments that are necessary to update the list in paragraph 7.5 of the Policy.
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CODE OF CONDUCT FOR EMPLOYEES

The Committee considered a report of the Monitoring Officer on a review of the Code of Conduct for Employees and proposed amendments to the Code.

The Committee was advised that the Department for Communities and Local Government had now issued a consultation document on proposals for a new National Code of Conduct for Employees. The Committee considered the arrangements for responding to the consultation document.

RESOLVED

- (1) That the revised Code of Conduct for Employees, as set out in Appendix 1 to the report now submitted, be endorsed and recommended to the Council for approval.
 - (2) That a copy of the consultation document be circulated to all Members of the Committee and that the Monitoring Officer, in consultation with the Chairman, be authorised to prepare and submit a response to the consultation document to comply with the necessary deadline.
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EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 7A of Part 1 of Schedule 12A to the Local Government Act, 1972 and, in all the circumstances, the public interest in disclosing the information is outweighed by the public interest in maintaining the exemption from disclosure.

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REPORT OF ETHICAL STANDARDS OFFICER

The Committee received a report of an Ethical Standards Officer on the outcome of an investigation into a complaint of an alleged breach of the Member's Code of Conduct. The Committee received and commented on the report in the context of the functions of the Committee to promote and maintain high standards of Conduct by Members of the Council.

RESOLVED

That the report and findings of the Ethical Standards Officer on the investigation undertaken pursuant to Section 59 of the Local Government Act 2000 be noted.

The meeting ended at 7.10 pm

CHAIRMAN