

STANDARDS COMMITTEE

Thursday 28th June 2007 at 6.00pm
in Committee Room 4 at the Council House, Dudley

PRESENT:-

The Bishop of Dudley (Independent Chairman)
Councillors Ms Craigie, Fraser-Macnamara, Kettle, Ms Partridge and
Tyler; Miss L Smith

OFFICERS

The Director of Law and Property, Assistant Director Legal and
Democratic Services and Mr J Jablonski (Directorate of Law and
Property).

1 APOLOGY FOR ABSENCE

An apology for absence from the meeting was submitted on behalf of
Councillor J Davies

2 DECLARATIONS OF INTEREST

A declaration of personal interest was made on behalf of all elected
members present in accordance with the Members' Code of Conduct in
respect of Agenda item 8 – Members' Allowances Scheme – in view of
the content of the report.

The Bishop of Dudley and Miss Smith declared a personal interest in
accordance with the Members' Code of Conduct in that part of Agenda
item 8 – Members' Allowances Scheme – relating to consideration of
payment to co-opted members.

The Bishop of Dudley also declared a personal interest in accordance
with the Members' Code of Conduct in that part of Agenda item 8 –
Members' Allowances Scheme – relating to consideration of payment to
co-opted members in particular those "statutory co-optees", to scrutiny
committees dealing with education matters who serve on a voluntary
basis in view of his involvement in such appointments.

3 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 22nd
March 2007, be approved as a correct record and signed.

4

WORK PROGRAMME 2007/08

A report of the Monitoring Officer was submitted on a proposed work programme for the Committee for 2007/08. It was noted that other items would probably be added to the programme during the course of the year.

RESOLVED

That the following work programme of the Committee for 2007/08, be approved: -

Date of Meeting	Items of Business
28 th June 2007	<ul style="list-style-type: none">• Revised Code of Conduct• Review of Confidential Reporting Policy
18 th October 2007	<ul style="list-style-type: none">• Annual report – Members' Code of Conduct• Annual report of the Committee on Standards in public life
14 th January 2008	<ul style="list-style-type: none">• CIPFA Ethical Governance Framework Information bulletins from the Standards Board for England• Summary of Decisions of Adjudication Panel for England
24 th April 2008	<ul style="list-style-type: none">• Development of Standards Committee Website

5

REVISED CODE OF CONDUCT FOR MEMBERS

A report of the Monitoring Officer was submitted on the revised Members' Code of Conduct. Attached as Appendix 1 to the report submitted was a copy of the Ten General Principles of Public Life based on seven original principles set out by the Committee on Standards in Public Life. A copy of the revised Code was attached as Appendix 2 to the report.

Following consideration of the main changes contained in the revised Code, as detailed in paragraphs 6 to 19 of the report submitted, it was:

RESOLVED

That the Council be recommended that:

- (1) The revised Code of Conduct, including the Ten General Principles, set out in Appendix 1 of the report submitted, as a preamble to the Code, be adopted with effect from 17th July 2007.
 - (2) All Members be notified of the need to renew their registration of interests
 - (3) A copy of the revised Code of Conduct and the Guide issued by the Standards Board for England be provided to every member of the Council.
 - (4) Arrangements be made for every member to sign a written undertaking to observe the Code before 16th September 2007; and
 - (5) Further training on the new Code be made available to Members .
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6

CONFIDENTIAL REPORTING POLICY

A report of the Monitoring Officer was submitted on the operation of the Council's Confidential Reporting Policy. A copy of the current policy was attached as Appendix 1. The results of the latest survey, undertaken on a regular basis, to monitor the policy was set out at paragraphs 5 to 8 of the report submitted. It was noted that only one update was required in respect of paragraph 7.5 of the Policy.

RESOLVED

That the information contained in the report submitted, on the outcome of the recent monitoring of the Confidential Reporting Policy, be noted and that the minor amendment to paragraph 7.5 of the Policy, as set out in paragraph 5 of the report submitted, be endorsed.

7

MEMBERS' ALLOWANCES SCHEME

A joint report of the Director of Finance and the Director of Law and Property was submitted on a report from the Members' Allowances Independent Panel, a copy of which was attached at Appendix 1 to the report submitted. The recommendations of the Independent Panel were set out in paragraph 5 of the report submitted.

Arising from the presentation given on the content of the report, detailed consideration was given to the nine recommendations of the Independent Panel and to the issue of members' allowances generally, in the light of the comparative table of members' allowances set out in the Appendix to the report of the Independent Panel. The further implications that were considered to arise in particular for the recruitment and retention of persons to serve as elected members were also considered.

Given the concerns expressed it was considered that the three Political Group Leaders on the Council be asked to consider the overall position with regard to members' allowances together with the views, as set out below, of this Committee on the nine recommendations of the Independent Panel.

RESOLVED

That further consideration of the content of the report received from the Members' Allowances Independent Panel be deferred pending consideration by the three Political Group Leaders on the Council of the overall position with regard to members' allowances in the light of the content of that report and concerns expressed at the meeting together with the views, as follows, of this Committee on the nine recommendations of the Members' Allowances Independent Panel: -

- That support be given to the recommendation that the levels of Basic and Special Responsibility Allowances paid by all three Local Authorities in the financial year 2007/08 should be increased by the same percentage increase as the agreed pay award for NJC Local Government Services effective from 1st April, 2007;
- That support be given to the recommendation that the levels of Basic and Special Responsibility Allowances should be varied with effect from 1st April, 2008 until 1st April, 2010 in line with increases in the agreed pay award for NJC Local Government Services;
- That the recommendation that the three local authorities should monitor the duties, workloads and time commitments of Elected Members and if that shows significant changes, the Independent Panel should be asked to undertake a further review, be endorsed and that the appropriate action be taken leading to the carrying out of a further review and that such review include monitoring of the costs of mobile telephone calls so that some recognition of these costs might be reflected in allowances paid;
- That the recommendation that where a Member holds more than one office qualifying for a Special Responsibility Allowance, that Member should be paid the higher allowance only be not supported and that the provision contained in the Council's current Members' Allowances Scheme continue;

- That the recommendation that in respect of all travel outside the County Area, Members should be encouraged to travel by public transport, the costs of which should be reimbursed or paid directly and where public transport is not available the mileage rates applicable for officers travel should be used, be supported together with the recommendation that where members are unable to take main meals in their normal place, the reasonable cost for purchasing a meal and beverage or appropriate refreshments should be reimbursed, as this was currently the practice;
- That the recommendation that membership of the Local Government Pension Scheme be made available to all Elected Members and both Basic and Special Responsibility Allowances should be pensionable be endorsed as this was contained in the Council's current scheme;
- That the recommendation that where any Elected Member is required to pay a carer in order to attend official Council business, for reasonable actual cost of that care should be reimbursed up to a total annual maximum amount of 10% of the Basic Allowance be not supported and that the current provision in the Council's scheme whereby reasonable actual cost of that care will be reimbursed be continued;
- That the recommendation that as a general rule, Co-opted Members should not be paid an allowance continue to be supported, and that the recommendation that if authorities want to recognise the commitment of the "statutory co-optees" to scrutiny Committees dealing with education matters who serve on a voluntary basis, an allowance of up to £1,000 (to include travel and other expenses) be paid, depending on actual workloads and time commitments be noted in so far as this Council was concerned;
- That the recommendation that Councils give consideration to including specific provisions in their Members' Allowances Scheme covering the suspension and absence of Elected Members be noted given that the Council's Members' Allowances Scheme already contains such specific provision.

The meeting ended at 7.15pm

CHAIRMAN