



Committee and date

Standards Committee

1 July 2010

Item No

5

Public

**MINUTES OF THE STANDARDS COMMITTEE HELD ON THURSDAY,
28 JANUARY 2010**

Responsible Officer Richard Thomas

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Present:

Unitary Councillors:

Mr M Bennett, Mr C J Mellings, Mrs P Dee, Mr R A Evans, Mr V J Hunt and
Dr J E Jones

Parish/Town Councillors:

Mrs B Carlyle, Professor Paulene Collins, OBE, Mrs A Dugdale, Mrs E M Francis
and Mrs R Griffiths

Independent Members:

Mrs J Clarke, Mr T Griffiths, Mr D S McLaren, Mr P Moore, Mr W Maddocks,
Mr G J Parry and Mr J Till

1. APOLOGIES

Apologies for absence were received from Mr R Bentley and Mr M Salt.

2. DECLARATIONS OF INTEREST

- (a) Mr R A Evans declared a personal and prejudicial interest in Item 10 - Other Action – as a former Clerk to West Felton Parish Council.
- (b) Mrs A Dugdale declared a personal interest in Item 13 - as a member of Much Wenlock Town Council.
- (c) Mrs B Carlyle declared a personal interest in Item 17 resulting from being a friend of both former Clerks to the West Felton Parish Council.

3. MINUTES

RESOLVED:

That the minutes of the meeting held on 8 July 2009, as circulated, be approved and signed by the Chairman as a correct record.

4. PUBLIC QUESTIONS

The Chairman reported that no public questions had been received in accordance with Procedural Rule 14 before the deadline.

5. MEMBER DEVELOPMENT PROGRESS REPORT

The Committee received a report from the Senior Organisation Development Officer, Mr J Skelton, informing them of the member development activities which had taken place since the elections in June 2009 and the future programme proposed for elected members. Members were also asked to consider the proposed terms of reference for the establishment of a Member Development Working Group, the purpose of which was to ensure that all future learning and development for members was appropriately focused and member led in an ever changing environment. Members raised a number of detailed questions regarding the use of mentors, the process of individual development review and the disparate nature of the events in the programme.

Replying, Mr Skelton explained that mentoring was taking place and would be continued and that the individual development reviews were being conducted. Their effectiveness would be assessed through feedback. With regard to the nature of the programme of events, he advised that this was a combination of core and other skills considered necessary to improve members' effectiveness.

The Monitoring Officer advised that the Council would be putting more thought into how it supported members and the level of resources required to achieve this objective. It was essential to invest appropriately in this area so that members had the necessary skills to undertake their duties effectively.

RESOLVED:

- (a) That the proposed terms of reference for the Member Development Working Group be approved.
- (b) That the Member Development Programme from October 2009 be approved.

6. LOCAL ASSESSMENT OF COMPLAINTS

Detailed consideration was given to the Monitoring Officer's report on this subject, a copy of which is attached to the signed minutes.

She advised that the Council had a responsibility for assessing all complaints about councillors across Shropshire. Feedback from those members who had been the subject of complaints and from member training sessions had indicated that the lack of information about the complaint added to the difficulties encountered by the member being complained about. It also limited their opportunity to make amends prior to the Assessment Sub-Committee reaching its decision.

The Monitoring Officer asked the Committee whether they thought it appropriate to increase the amount of information given to members about the alleged complaint.

Members recognised that there were both positive and negative benefits attaching to such a change and that there were difficulties in resisting requests for further additional information. However, on balance, the general point was accepted.

RESOLVED:

That the assessment criteria for dealing with complaints regarding member conduct be amended to provide that normally upon receipt of a complaint, the member complained of be advised of the substance of that complaint.

7. PROMOTION OF TRAINING FOR MEMBERS

The Monitoring Officer introduced her report on this subject, a copy of which is attached to the signed minutes.

She requested the Committee to consider the best methods of encouraging elected members to attend relevant training sessions and consider what incentives, if any, might be provided to achieve this objective.

She advised that the issue centred on the promotion of essential training only among all 74 members of the Council and included such matters as the Member Code of Conduct, corporate parenting, equality and diversity and safeguarding function.

RECOMMENDED:

- (a) That Group Leaders be expected to assist officers to ensure that all members of their respective groups have undertaken the essential training, together with any additional specific training, required for them to perform their specific and generic roles as a councillor.
- (b) That members appointed to any committee dealing with planning or licensing by their Group Leader do not participate in the work of that committee until they have completed their specialist training.
- (c) That Group Leaders be requested to ensure that all members of their groups, including those elected mid term, undertake the essential training as soon as is practicable after their election and that appropriate sessions be scheduled after full council meetings to assist in the achievement of this requirement.
- (d) That the Council's Constitution be amended to reflect these changes.

8. ETHICAL GOVERNANCE SURVEY

Consideration was given to the Monitoring Officer's report on this subject, a copy of which is attached to the signed minutes.

The Monitoring Officer informed members that the former Shropshire County Council had undertaken the Audit Commission's Ethical Governance Self-Assessment Survey to establish how the Council complied with the Code of Conduct for Members and other ethical governance systems and processes. This had revealed a number of interesting outcomes and she recommended that the process be repeated subject to members concurrence, and that there would be a need to appoint a Task and Finish Group to oversee the process and report back to the Committee in April.

RESOLVED:

- (a) That an ethical audit based on the Audit Commission's Ethical Compliance Survey documentation be undertaken as soon as is practicable.

- (b) That a Task and Finish Group comprising Professor P Collins, Mrs P A Dee, Mr T Griffiths, Mr C J Mellings and Mr G Parry be appointed to oversee and commence the survey and report back to the Committee at its next meeting in April 2010.

9. TRAINING FOR THE STANDARDS COMMITTEE AND PARISH/TOWN COUNCILS

The Monitoring Officer's report on this subject, a copy of which is attached to the signed minutes, was received and considered. She explained that, although principally for information, the report provided important feedback on the training which had been delivered up to the end of 2009. She stated that the programme would recommence in March 2010. It would continue in the current format until the end of the year, after which it would be reviewed and revised.

A number of members commented on the training offered and suggested that other approaches should be considered, including the use of CD ROMs with an accompanying script, to enable members to train on their own and to stimulate interest.

The Monitoring Officer noted these suggestions and confirmed that they would be considered for future sessions. She also undertook to provide members with a list of the relevant training dates.

RESOLVED:

That the report be noted and that the continuance of the rolling programme of training for parish/town councils across the remainder of Shropshire be endorsed.

10. OTHER ACTION

Consideration was given to the Monitoring Officer's report on this subject, a copy of which is attached to the signed minutes.

Members noted that in the event of the Assessment Sub-Committee directing the Monitoring Officer to take "other action", she was required to report the outcome to the Committee. On this occasion the Assessment Sub-Committee had directed the Monitoring Officer to take other action in relation to allegations received and this was completed by 8 October 2009.

RESOLVED:

That the other action taken by the Monitoring Officer be noted.

11. 2009 ANNUAL ASSEMBLY OF STANDARDS COMMITTEE

The Vice-Chairman presented his report on the Annual Assembly held at the ICC in Birmingham between 12-13 October 2009, a copy of which is attached to the signed minutes.

Members noted both the formal and informal agenda, which related to the practicality of more localised investigations, partly on grounds of cost.

On behalf of the Committee, the Chairman thanked the Vice-Chairman for his report on proceedings.

RESOLVED:

That the report be noted.

12. DECISION OF ADJUDICATION PANEL FOR ENGLAND

The Monitoring Officer reported that this report resulted from a hearing held on 30 July 2009. She explained that the Adjudication Panel's decision had been that there was no breach of the Code, so the documentation was principally for information.

RESOLVED:

That the report be noted.

13. COMPLAINTS ABOUT MEMBER CONDUCT

Detailed consideration was given to the Monitoring Officer's Report, a copy of which is attached to the signed minutes.

The Council's Solicitor reported on the progress of complaints about member conduct which had been dealt with by either the Assessment Sub-Committee or the Review Sub-Committee since 8 July 2009.

Members noted that all the figures had been distorted by the inclusion of one allegation involving members of one particular town council.

RESOLVED:

That the report be noted.

14. STANDARDS COMMITTEE WORK PLAN 2009/10

RESOLVED:

That, subject to the removal of the West Mercia Independent Members' Forum Report at item 5, the Work Plan for 2009/10 be approved.

15. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with the provisions of Schedule 12A Local Government Act 1972 and Paragraph 10.4 of the Council's Procedure Rules, the public and press and excluding during consideration of the following items.

16. CODE OF CODE COMPLAINT REFERENCE BDC0004

RESOLVED:

That the report be noted.

17. CODE OF CONDUCT COMPLAINT – REFERENCE OBDPAC4

RESOLVED:

That the report be noted.

The meeting closed at 5.26 p.m.

CHAIRMAN

DATE