



## **STANDARDS COMMITTEE**

### **ANNUAL REPORT 2008-09**

#### **The Standards Committee**

1. All local authorities are required by the Local Government Act 2000 to put in place a Standards Committee whose main functions are to promote high standards of conduct by the members and co-opted members of the County Council and to assist members and co-opted members to observe the authority's Code of Conduct.
2. The terms of reference of the Committee are set out in Part 3 of the County Council's constitution. They were changed in September 2008 to provide for changes in the law relating to the assessment and review of complaints and decisions relating to politically restricted posts and exemptions therefrom.  
[http://website/index/your\\_council/local\\_democracy/constitution/3\\_responsibilities\\_for\\_functions.htm](http://website/index/your_council/local_democracy/constitution/3_responsibilities_for_functions.htm)
3. There are five elected members on the Standards Committee and two independent members. One of the independent members is Chairman of the Committee. The membership during 2008/09 was as follows:
  - Mr. M.J. Caple (Chair)
  - Mr. M.H. Charlesworth CC (Liberal Democrat Spokesman)
  - Mr. P.S. Harley CC
  - Mr. J.S. Moore CC (Conservative Spokesman)
  - Ms. Betty Newton (Labour Spokesperson)
  - Mr. H.M. Pearson
  - Mr. E.F. White CC

#### **Meetings**

4. The Committee meets on an ad hoc basis, which enables it to meet when required to deal with specific issues. It met twice during the year, on 28<sup>th</sup> July 2008 and 17<sup>th</sup> November 2008.

### **Training**

5. As part of its role in assisting members and co-opted members to observe the Authority's Code of Conduct, the Committee has been involved in some training activities. During 2007/08, member briefings on revisions to the Code of Conduct were held. The briefings were carried out by the County Solicitor as Monitoring Officer and the sessions were chaired by Mr. Caple as Chairman of the Standards Committee. They took place with the support of the Group Leaders and were attended by 51 members and co-opted members of the Council.
6. A practical and constructive training session was held for members of the Standards Committee on 3<sup>rd</sup> June 2008 conducted by the County Solicitor as Monitoring Officer and using materials provided by the Standards Board for England. The training covered the assessment and review of complaints and took place as part of the Committee's preparations for their new role.
7. Preparations are in hand for new members to receive training on the Code of Conduct as part of their induction arrangements following the County Council elections in June 2009.

### **Preparation for Local Assessment**

8. As part of the preparations for the new arrangements for assessing and reviewing complaints locally which came into force in May 2008, an information item was circulated to all members of County Council on 23<sup>rd</sup> May 2008 informing them of the change. An article was placed in the July edition of Leicestershire Matters publicising the new arrangements with a supporting comment from the Chairman of the Standards Committee. Leicestershire Matters can be viewed on the County Council's website and aims to distribute hard copies to all households in Leicestershire.
9. At its meeting on 28<sup>th</sup> July 2008, the Standards Committee was advised of the action already taken to prepare for the local assessment of complaints and it approved the procedure for notifying the subject member, assessment criteria to be applied to complaints, the criteria for referral to the Standards Board and the criteria for considering requests for confidentiality. The following day a press release was issued to give further publicity to the new arrangements.
10. In addition to the above, the information on the County Council's website was improved by bringing all the information relating to standards of conduct of both members and officers together in one area of the website with links to both codes of conduct and related documents and guidance. As part of that, information was included on the website providing guidance on how to make complaints together with an online

complaints form, the contents of which were endorsed by the Committee at its meeting on 28<sup>th</sup> July 2008.

### **Local Assessments and Reviews**

11. During the year, 9 complaints have been made. Two of them involved 2 County Councillors and one involved 3 County Councillors. All complaints were considered by the Assessment Subcommittee within the timescales recommended by the Standards Board for England. One complaint was referred to the Monitoring Officer for investigation and led to a hearing in December 2008. The Hearing Subcommittee found the Councillor had breached the Code of Conduct and decided he should be suspended for up to 2 months or until such time as he issued a written apology.
12. Four complaints were referred to the Monitoring Officer for other action. In two cases the Committee suggested letters of apology be issued. In one case the member was invited to attend a one to one briefing with the Head of Democratic Services and Administration on the issues raised by the complaint. In the remaining case which related to the 3 County Councillors other action was taken in respect of one Councillor. A letter was sent to the Chairman of the Development Control and Regulatory Board about the treatment of members of the public attending the Board to make representations and officers were asked to include guidance on the matter in the next training session.
13. In three cases, one of which included other elements of the complaint against the 3 County Councillors, the Assessment Subcommittee decided that no action was necessary. The latter case was subject to a review which upheld the original assessment decision.
14. At the end of the year, 2 complaints were outstanding. One had been reported to the Monitoring Officer for investigation and one was awaiting assessment.
15. Information about all the above cases has been provided to the Standards Board for England within the timescales provided as part of their system of seeking quarterly returns.
16. Whenever the Subcommittee considers complaints, the members look to see whether there are any other learning opportunities arising from the complaint. This has led to two Information items being circulated via the Members' Information Service. The first on 16<sup>th</sup> October 2008 relating to political leaflets, and the second on 23<sup>rd</sup> January 2009 containing guidance notes on restrictions on the work of Political Assistants.

### **Other Work**

17. At its meeting on 28<sup>th</sup> July 2008 the Committee approved a Whistleblowing Policy for County Council contractors which is now on the Council's website and is included with the Council's information relating to procurement. The Committee asked the Head of Procurement to write to all suppliers to make sure they were aware of the arrangements.
18. At its meeting on 17<sup>th</sup> November 2008 the Committee considered a consultation paper Communities in Control : Real People, Real Power – Code of Conduct for Local Authority Members and Employees and agreed a number of responses to the consultation for submission to the Department for Communities and Local Government.
19. Also at its meeting in November 2008 the Committee considered a document Positive Engagement – A Guide for Planning Councils. The Committee agreed that it should be incorporated into future training provided to members on planning issues but commented on a suggestion in the Guide that Councillors should be encouraged to hold discussions with an applicant and officers before a planning application is made. The Committee suggested that the advice given on the particular issue in the County Council's Planning Code of Good Practice previously endorsed by the Committee should be followed instead.

### **Conclusion**

The new system for assessing and reviewing complaints locally has meant that the work of the Committee has increased. It is considered that the new arrangements have been introduced smoothly and effectively and Committee members' expertise and experience have been considerably increased.

21 April 2009

Mr M J Caple  
Chairman