



Standards Committee

Wednesday 28th April 2010 at 10.00a.m.

WICKER ROOM, PARK HOUSE, NORTH STREET, HORSHAM

Councillors: Andrew Baldwin
Duncan England
Sheila Matthews

Pat Rutherford
Claire Vickers
Keith Wilkins

Parish Council Representatives:

John Charles
David Coldwell

Alan Grant
David Herson

Independent Representatives:

Eric Blackburn (Chairman)
Paul Byford

Mary Jagger (Vice-Chairman)
David Tilsley

You are summoned to the meeting to transact the following business

TOM CROWLEY
Chief Executive

AGENDA

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No. |
|---|---------------------|
| 1. Apologies for absence | |
| 2. To approve the minutes of the meeting of the Committee held on 13 th January 2010 (attached hereto) | 1 |
| 3. To receive any declarations of interest from Members of the Committee | |
| 4. To receive any announcements from the Chairman of the Committee, the Chief Executive or the Monitoring Officer | |
| 5. To note the list of Standards Committee Reports and Documents available for inspection | 5 |
| 6. To receive a report from the Parish Council representatives | |
| 7. To receive a report from Members of the Association of Independent Members of Standards Committees in England (AIMSCE) | |

8. To consider the following reports by the Monitoring Officer:
 - (i) Ethical Framework Update **10**
 - (ii) The Ombudsman Update **54**

9. Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

STANDARDS COMMITTEE

13th January 2010

Present: Councillor: Andrew Baldwin

Parish Council Representative: David Herson

Independent Representatives: Eric Blackburn (Chairman), Mary Jagger
(Vice-Chairman), David Tilsley

Apologies: Councillors Duncan England, Sheila Matthews, Pat Rutherford,
Claire Vickers, Keith Wilkins
John Charles, David Coldwell, Alan Grant (Parish Council
Representatives)
Paul Byford (Independent Representative)

SC/24 **MINUTES**

The minutes of the meeting of the Committee held on 21st October 2009 were approved as a correct record and signed by the Chairman, subject to the amendment of the first sentence of Minute No. SC/18 to read: "Mary Jagger reported that she and David Tilsley had recently attended...".

SC/25 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

SC/26 **ANNOUNCEMENTS**

The Chairman welcomed David Herson, the recently appointed Parish Council representative, and Sarah Smith, the recently appointed Senior Solicitor (Monitoring/Standards), to their first meeting of the Committee.

The Chairman, on behalf of the Committee, congratulated Karen Jordan, Standards Support Officer on her appointment to a post in the Performance Management department of the Council and thanked her for her invaluable support since the inception of this Committee.

The Monitoring Officer reported on a request that had been received from a neighbouring local authority for nominations for membership of an appeals panel. Two members of the Council's Independent Remuneration Panel and the Chairman had offered their services and the Monitoring Officer was currently seeking expressions of interest from elected Members.

SC/27 **STANDARDS COMMITTEE REPORTS AND DOCUMENTS AVAILABLE FOR INSPECTION**

The list was noted.

SC/28 **REPORT BY PARISH COUNCIL REPRESENTATIVES**

It was noted that the next meeting of the Horsham Association of Local Councils would be held in Steyning on 25th January 2010.

SC/29 **REPORT BY MEMBERS OF THE ASSOCIATION OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEES IN ENGLAND (AIMSCE)**

It was noted that the next meeting of the AIMSCE would be held in Horsham on 17th March 2010.

SC/30 **ETHICAL FRAMEWORK UPDATE**

The Monitoring Officer reported on developments in the ethical framework that affected the role and activities of Councillors and the Council's business, including:

- Standards for England Bulletin 46: contained useful guidance on bias and pre-determination.
- Training and awareness: Training for all Members on the new Code of Members' Conduct would be devised when the Code became available. The new DVD on Local Assessment from Standards for England was to be shown at the end of the meeting and a further viewing would be arranged for those Members not present. Following the viewing, a decision would be made as to whether to purchase additional copies.
- The next Parish Clerks' meeting would be held on 26th January 2010, when arrangements for viewing by Parish Clerks/Chairmen of the Standards for England DVD on local assessments would be discussed.
- Details and statistics relating to local assessment of complaints against Members and local reviews; other action; local investigations and local determinations
- Freedom of Information requests.
- Performance management arrangements
- Management Review update: the new Management Team was now complete.
- Membership of the Committee: An induction session had been held for David Herson, the additional Parish Member on the Committee, and the Monitoring Officer would ensure he received adequate training to assist him with the work of the Committee.
- Consultation on proposed changes to both the Code of Members' Conduct and the Employees' Code of Conduct: it was noted that the revised Members' Code had not yet been received and that further consultation on the introduction of a code for officers was likely to take place in 2010.
- Standards for England Annual Review 2008/09.

SC/30 Ethical Framework Update (cont.)

- Changes to the Adjudication Panel for England.
- A Local Government Ombudsman's case update for October 2009 – January 2010.
- A Standards for England case review for October 2009 – January 2010.
- Members' Bulletin
- Register of Member's Interests. The annual updates had been returned by all Members and were now available to view on the Council's website.
- The Parliamentary Standards Act 2009.
- The Committee on Standards in Public Life.
- The Local Democracy Economic Development and Construction Act 2009, with particular reference to the new duties to promote democratic understanding and to respond to petitions, including electronic petitions. Whilst the Council's Constitution already contained a procedure for the receipt of petitions this would need updating to include reference to electronic petitions.
- Standards for England Memorandum of Understanding with the Audit Commission.
- Governance Toolkit for Parish and Town Councils: the third edition was now available.

RESOLVED

That the report be noted.

SC/31 WORK PROGRAMME 2010/11 AND FUTURE ANNUAL REPORTS

The Monitoring Officer reported that the production of a work programme was an essential part of the Council's performance monitoring, reporting and planning procedures. The successful delivery of the programme was one of the indicators that enabled an objective judgment to be made on how effective the Committee had been in promoting high ethical standards amongst District and Parish Councils in Horsham and providing appropriate training.

It was therefore recommended that, in accordance with best practice, a formal work programme should be agreed for 2010 rather than being subsumed in the Monitoring Officer's regular Ethical Update reports.

A suggested work programme for 2010/11 was submitted, incorporating the key responsibilities of the Standards Committee including previous known responsibilities and additional matters that had been added through the local assessment regime and the new strategic regulator role of Standards for England. The list also included matters incorporated in the oral annual report that had been made to Council in December 2009. It was intended that the

SC/31 Work Programme 2010/11 and Future Annual Reports (cont.)

Ethical Update Report, which was made to each meeting of the Committee, would include details on how the Committee was progressing in achieving its work programme and any changes required.

Members discussed the proposed work programme and made suggestions in respect of its presentation and content, including ways of promoting the role and work of the Committee. It was also suggested that the Committee should hold an awayday/workshop session to enable informal/in-depth discussion of relevant issues. This would be investigated.

Whilst the Chairman of the Committee currently presented an oral annual report to Council at the end of each calendar year on the work undertaken by the Committee and future developments, best practice indicated that the annual report should be produced in a written format. It was therefore proposed that work should commence on the Committee's first written annual report for Council for 2010/11.

RESOLVED

- (i) That the draft work programme for the next year be noted.
- (ii) That the Monitoring Officer be authorised to finalise the programme in consultation with the Chairman and Vice-Chairman of the Committee.
- (iii) That, in future, an Annual Report be presented to Council orally by the Chairman of the Committee and that it be circulated subsequently in written format, commencing in 2010/11.

REASONS

- (i) To comply with best practice.
- (ii) To enable objective judgment to be made on how effective the Committee has been.

SC/32 **URGENT ITEMS**

There were no urgent matters to be considered.

The meeting finished at 12.05pm having commenced at 10.13am.

CHAIRMAN

LIST OF STANDARDS COMMITTEE REPORTS AND DOCUMENTS – 2009

onward

The following reports and documents are available for inspection by arrangements with the Monitoring Officer and his staff.

PART A - REPORTS

Date of report	Subject of report
14.1.09	Ethical Framework Update
1.04.09	Ethical Framework Update
1.04.09	Ombudsman Update
15.7.09	Ethical Framework Update –July 09
15.7.09	Report to Council – Appointment of Additional Parish Member of Standards Committee
21.10.09	Ethical Framework Update – October 2009
21.10.09	Ombudsman Update
13.01.10	Ethical Framework Update – January 2010
13.01.10	Work Programme and future Annual Reports 2010/11
28.04.10	Ombudsman Update
28.04.10	Ethical Framework Update – April 2010

PART B – DOCUMENTS

	Description	Date	Publisher	Internet Links
SC306	Adjudication Panel ruling – Use of Council owned computer	23.1.09	Adjudication Panel	APE0406
SC307	Advert for Independent Member of Standards Committee	7.2.09	HDC	
SC308	Recruitment Pack for Independent member of Standards Committee	7.2.09	HDC	
SC309	Schedule of Ombudsman cases 2008/09	19.3.09	HDC	
SC310	Schedule of Local Settlement cases	19.03.09	HDC	
SC311	Schedule of Local Assessment and	23.03.09	HDC	

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	Review cases post May 2008			
SC312	Schedule of dates for Local Assessment Meetings 2009/10	31.03.09	HDC	
SC313	Press release – Reassurance over allowances (code of conduct and ROI)	17.04.09	HDC	http://www.horsham.gov.uk/your_area/News/news_9992.asp
SC314	Local Government Ombudsman – New Guidance note –Running a complaints system	4.08	LGO	http://www.lgo.org.uk/news/2009/may/guidance-running-complaints-system/
SC315	Annual Return to Standards Board for England 2008/9	14.5.09	HDC	
SC316	Schedule of Local Assessment and Review cases held post May 2008	22.6.09	HDC	
SC317	Independent Remuneration Panel Report May 2009	May 2009	IRP	http://www.horsham.gov.uk/your_council/your_council_3154.asp
SC318	Standards Committee (Further Provisions) (England) Regulations 2009 (SI 2009/1255)	15.6.09	OPSI	http://www.opsi.gov.uk/si/si2009/uksi_20091255_en_1
SC319	Probity in planning - the role of councillors and officers: revised guidance note on good planning practice for councillors and officers dealing with planning matters	June 2009	LGA	http://www.lga.gov.uk/lga/aio/1940404
SC320	Assessing the Impact and Effectiveness of the Ethical Framework in Local Government in England – First Interim Report to the Standards Board for England	April 2009	Centre for Local and Regional Government Research	http://www.standardsboard.gov.uk/Research/2009reports/SBE%20Research%20Report%20Final%20Year1%2022.04.09.doc2.pdf
SC321	Stakeholder Tracker 2009 (Satisfaction with the Standards Board for England and Attitudes to the Ethical Environment)	June 2009	SBfE	http://www.standardsboard.gov.uk/Research/2009reports/Report_7166_D31.pdf
SC322	LGO Annual Review letter 2008/9	15 June 2009	LGO	http://www.horsham.gov.uk/your_council/your_council_1038.asp
SC323	SB press release	17 July 2009		
SC324	Local Government Ombudsman Annual		LGO	http://www.lgo.org.uk/publications/annual-report/

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	Report 0809			
SC325	Standards for England Corporate Plan 2009-2012		SfE	http://www.standardsforengland.gov.uk/media/SfE_CorporatePlan%20230709.pdf
SC326	Local Government Ombudsman Updated Schedule of cases reporting year 2008/09 (final)	30.9.09	HDC	
SC327	Local Government Ombudsman Schedule cases for period April – September 2009	30.9.09	HDC	
SC328	Local Government Ombudsman Local Settlement schedule reporting year 2008/09	30.9.09	HDC	
SC329	Local Government Ombudsman neighbouring authority comparisons – Appendix 2 of Annual Review Letter	6.09	LGO	
SC330	Planning Code of Good Practice –updated for 2007 Code of Conduct		ACSeS	http://www.acses.org.uk/public_file/filename/8/ACSeS_Members_Planning_Code_update_draft_07_07.pdf
SC331	Speech by the Rt Hon Rose Winterton MP Minister for Local Government to the NALC Annual Conference and Exhibition 2009	4.09.09	NALC	
SC332	Local Government Ombudsman recent cases		LGO	
SC333	SfE case review July – October 2009	30.9.09	SfE	http://www.adjudicationpanel.tribunals.gov.uk/Public/Decisions.aspx
SC334	SBfE Guidance on powers to suspend Standards Committees			http://www.standardsforengland.gov.uk/Aboutus/Suspendingstandardscommitteesassessment/
SC335	SfE Research Public Perceptions of ethics	7.09	SfE	http://www.standardsforengland.gov.uk/Research/2009reports/paper_PE_2009_23July2009_FINALTR1.pdf
SC336	Raising Awareness – Standards Committee article in Horsham District News	Autumn 09	HDC	http://www.horsham.gov.uk/your_area/News/news_3158.asp
SC337 A	Revised schedule of Local Assessment Sub – Committee members 2009/10	30.9.09	HDC	
SC337 B	Sub - Committee members 2010/11			
SC338	Schedule of Local Assessment cases from 5/08 – 9/09	30.9.09	HDC	

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SC339	Training pack from Local Assessment Session held 21 October 2009			
SC340	Standards for England Annual Review 2008/	11.09	SfE	
SC341	Annual Report of Chairman of Standards Committee to Council 8.12.09	8.12.09		
SC342	The Parliamentary Standards Act 2009			http://www.opsi.gov.uk/acts/acts2009/ukpga_20090013_en_1
SC343	Local Assessment of complaints 8 th May 2008 – 31 st December 2009	5.12.09	HDC	
SC344	Local Government Ombudsman national case update			
SC345	SfE case review			
SC346	Transfer Order - The Transfer of Tribunal Functions Order 2010 No 22	6.1.10	OPSI	http://www.opsi.gov.uk/si/si2010/uksi_20100022_en_1
SC347	Guidance on appeals procedure	18.1.10	General Regulatory Chamber (GRC)	http://www.adjudicationpanel.tribunals.gov.uk/FormsGuidance.htm
SC348	Local Government Ombudsman Schedule of Cases Reporting Year 2009/10	1.4.10	HDC	
SC349	Schedule of Local Settlement Cases 2009/2010	1.4.10	HDC	
SC350	Work Programme 2010/11	13.01.10	HDC	
SC352	SfE Annual Return 2010	28.04.10	HDC	

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SC353	Publicity Guidance 2010	28.04.10	HDC	
SC351	Standards Committee Article Horsham District News	Spring 2010		
SC354	Local Democracy Economic Development and Construction Act 2009 Explanatory note	12.11.09		
SC355	Assessing the Impact and effectiveness of the ethical framework for Local Government – Project outline		CLRGR at Cardiff University for Sfe	
SC356	Local Standards 2.0 – The Proportionality Upgrade	05.03.10		
SC357	Regulatory Statement February 2010	00.02.10	Sfe	
SC358	National Association of Local Councils Model Standing Orders	00.03.10	NALC	
SC359	Assessing the Impact of Standards Committees – research report		Hull University + University of Teeside	