

**STANDARDS COMMITTEE**  
**28<sup>th</sup> April 2010**

Present: Councillors: Andrew Baldwin, Sheila Matthews, Pat Rutherford,  
Keith Wilkins

Parish Council Representatives: David Coldwell, Alan Grant,  
David Herson

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

Apologies: Councillors: Duncan England, Claire Vickers  
Parish Council Representatives: John Charles

SC/33 **MINUTES**

The minutes of the meeting of the Committee held on 13<sup>th</sup> January 2010 were approved as a correct record and signed by the Chairman.

SC/34 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

SC/35 **ANNOUNCEMENTS**

The Chairman reported that the AIMSCE meeting held on 17<sup>th</sup> March 2010 at Horsham District Council had been well attended and successful.

The Monitoring Officer reported on a standards liaison meeting which had been attended by the Monitoring Officer, the Chief Executive, the Leader of the Council and the Leader of the Opposition. The Chief Executive had indicated that he wished to attend one Standards Committee meeting per year.

The Monitoring Officer welcomed Christie Redley, who would be taking up the role of Standards Support Officer, to her first meeting of the Committee.

SC/36 **STANDARDS COMMITTEE REPORTS AND DOCUMENTS AVAILABLE FOR INSPECTION**

The list was noted.

SC/37 **REPORT BY PARISH COUNCIL REPRESENTATIVES**

SC/37 Report by Parish Council Representatives (cont.)

Alan Grant reported:

- That consensus amongst the parishes suggested that they favoured a move towards reconciliation and mediation to resolve disputes.
- The most recent HALC meeting with Horsham District Council and West Sussex County Council had been very useful.
- It was considered that the method of electing parish council representatives needed to be clarified. It was noted that some guidance on this had been provided by Standards for England.
- The NALC had produced revised standing orders for local councils, which were considered helpful.

SC/38 **REPORT BY MEMBERS OF THE ASSOCIATION OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEES IN ENGLAND (AIMSCE)**

Mary Jagger reported that she, David Tilsley and the Chairman, Eric Blackburn, had attended the last meeting of AIMSCE on 17<sup>th</sup> March 2010 at Horsham. Issues discussed had included:

- Standards for England Bulletin 46.
- Aspects of Good Practice.
- Examples of Good Practice, including the merits and demerits of having a joint Standards and Audit Committee.

The meeting had also received a presentation from Horsham District Council's Monitoring Officer on "Other Action", which had been well received.

It was noted that the next meeting of the AIMSCE would be held in Petersfield on 26<sup>th</sup> October 2010.

SC/39 **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 47: Included details regarding the Stakeholder Tracker 2009, key messages and risks to councillors regarding use of social networking methods together with case studies, examples of notable practice and key learning points arising from the research into notable practices carried out by Hull University and University Teeside on behalf of Standards for England.
- Training and awareness: Although revisions to the Code of Conduct had been anticipated these had not yet been received due to the general election. Once received training would be carried out on the revised code.

SC/39 Ethical Framework Update (cont.)

- Annual Assembly of Standards Committees: The event was due to take place on the 18<sup>th</sup> and 19<sup>th</sup> of October and two places had been reserved for members of the Committee. The value of these events was discussed and it was considered that the newer members of the Committee would benefit the most from attendance. Nominees would be decided upon by the next meeting of the Committee.
- Local Assessment DVD: Members who had missed the viewing of the DVD after the meeting in January borrowed copies to take away and watch. Members discussed the fact that many Parish Councils did not have the facilities to show the DVDs.
- Standards for England: A new range of online guides had been published on the Standards for England website on a variety of topics.
- Idea article: Idea had an article running which involved a seasoned “blogger” offering advice on how councillors could make the most of blogs and social networking media.
- The latest Parish Clerks’ meeting had been held on the 20<sup>th</sup> April 2010. The Monitoring Officer had attended and run a training session involving the Standards for England Local Assessment DVD.
- Freedom of Information requests.
- Performance Management.
- Standards for England Annual Return: A copy of the Annual Return Form, which had been submitted to Standards for England at the beginning of April, was presented to Members. It was considered that the form was useful in indicating what Standards for England were looking for from standards committees. The information given would be fed into Standards for England’s Annual Review document and the Council’s Use of Resources Statement.
- New rules for the First Tier Tribunal: The new tribunal had the power to award costs against standards committees, Ethical Standards Officers or subject members if it was considered that they had acted unreasonably in bringing, defending or conducting the proceedings.
- A Local Government Ombudsman’s case update for January 2010-April 2010.
- A Standards for England case review for January 2010-April 2010.
- An update on other cases relevant to the work of the Committee.
- Committee on Standards in Public Life.
- Assessing the Impacts of Standards Committees: Research into ‘notable practice’ in standards committees had been carried out jointly by Hull University and the University of Teeside. It was noted that it would be useful for members of the Committee to read this report.
- LGC Awards 2010.
- Work Programme Update: Members had been presented with a copy of the work programme for 2010/11. This incorporated the key responsibilities of the Committee and where the responsibility for each item arose from – i.e. from statutory obligations or best practice. The importance of liaison with Parish Councils was noted and Members discussed ideas for the promotion of the Committee to

SC/39 Ethical Framework Update (cont.)

parishes, for example through the Council's website. It was noted that training for parish councils should take place at their parish meetings to ensure higher attendance rates.

- Publicity guidance in the pre-election period.
- Members' Bulletin: Although Standards material was published in the bulletin it needed to be more clearly advertised so that not only members of the Committee would read it.
- Local Democracy Economic Development and Construction Act 2009.
- CenSus: Members discussed which authority would deal with a complaint involving Members from more than one authority. It was decided that this should be discussed as and when the issue arose.
- Assessing the Impact and Effectiveness of the Ethical Framework for Local Government.
- Local Standards 2.0 – The proportionality upgrade.
- National Association of Local Councils: NALC had published model Standing Orders for guidance purposes, as well as a guide on the administration law of local councils.

RESOLVED

That the report be noted.

REASONS

To ensure that the Committee was kept up to date with developments in the ethical framework.

SC/40 THE OMBUDSMAN UPDATE – APRIL 2010

The Monitoring Officer reported on the developments, volume and nature of complaints about the Council to the Local Government Ombudsman, including figures for the 2009/10 reporting year.

There had been 14 cases referred between 1<sup>st</sup> April 2009 and 31<sup>st</sup> March 2010. Two of these cases had been determined as 'local settlement', one as ombudsman discretion, one as 'too historic', one as 'outside jurisdiction', two as having 'no or insufficient evidence of maladministration found', one as ongoing and six had been referred back as premature complaints, five of which had been dealt with through the complaints procedure and the files were now closed and one of which was still ongoing.

RESOLVED

That the report be noted.

SC/40 The Ombudsman Update – April 2010 (cont.)

REASONS

- (i) To ensure that the Committee had the necessary information to ensure that complaints could be easily made to the Council and properly responded to.
  
- (ii) To assist with learning lessons and improving performance following complaints made to the Local Government Ombudsman about the Council.

SC/41 **URGENT ITEMS**

There were no urgent matters to be considered.

*The meeting finished at 12.06pm having commenced at 10.05am.*

CHAIRMAN