



# Minutes

Name of meeting	<b>STANDARDS COMMITTEE</b>
Date and time	<b>MONDAY, 21 JANUARY 2008 COMMENCING AT 6.00 PM</b>
Venue	<b>COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	<u>Independent Members:</u>  Mr Mark Southwell (Chairman), Mr Anthony Brindle, Mr Bruce Claxton, Mr Keith Fagan, Mr George Hibberd, Mr Peter Tautz, Mrs Susie Tudor Smith  <u>Representative of Town and Parish Councils:</u>  Mr Denis Russell, Mr Ron Mew (1 <sup>st</sup> Deputy)  <u>Isle of Wight Council Members :</u>  Cllrs Mike Cunningham, Heather Humby, Muriel Miller
Officers Present	Davina Fiore, Chris Mathews, Julie Martin
Apologies	Mr Richard Day, Cllr Erica Oulton
31.	<b>Minutes</b>  <u>RESOLVED :</u>  THAT the Minutes of the meeting held on <a href="#">19 November 2007</a> be confirmed.
32.	<b>Declarations of Interest</b>  There were no declarations received at this stage.
33.	<b>Update from the Chairman</b>  The Chairman welcomed Davina Fiore, Director of Legal and Democratic Services and Monitoring Officer to her first meeting of the Standards Committee. It was noted that Chris Mathews and Helen Miles had been appointed as Deputy Monitoring Officers.  Members were told that the Chairman continued to be contacted by members of the public. There had been a number of contacts from one

person relating to a local election although no matters had related to breaches of the Code of Conduct.

The Chairman referred to letter that had been sent to the Chief Executive relating to a planning application that he had been copied into.

The Committee was advised that the Chairman had received an invitation from the Society of Clerks to speak at their Annual meeting in February 2008.

34. **Reports of the Director of Legal and Democratic Services**

(a) Review of Hearing Process

The Committee was told that following the recent hearing (SC 02/07), the following two key points had been raised which could be an addition to the process:

- that the outcome of the hearings should be formally reported to the next meeting of the full Council
- that a copy of the guidance in relation to the possible sanctions be available in advance of the hearing.

Thanks were given to Julie Martin for her administration in setting up the hearing.

RESOLVED :

- (i) THAT the outcome of this and any future hearing should be formally reported to the next available Full Council meeting.
- (ii) THAT the guidance on possible sanctions to should be provided at an earlier stage of the process to members of the Hearing Panel.

(b) Report Back on Outside Bodies

Work had previously taken place on elected members serving on Outside Bodies with a recommendation that an initial pack relating to information on the Outside Bodies should be provided to them. When the members were to be appointed they would have all the information needed. All that information had been obtained but unfortunately had not been provided at the time the appointments were made. A decision previously made by the Standards Committee was to survey all members who had received that information for their views on the quality of that information. As members had only received the information after they had been on the Outside Body for a while it was believed it would not be useful to proceed with a questionnaire. The process would however be in position when a new council was elected in 2009.

It was suggested that a library of Outside Body information could be set up to enable members to access the information at any time.

There was some discussion relating to building it into the induction process so that those members who were appointed to an Outside Body should sign to say they had received a pack and understood what their obligations and duties were.

RESOLVED :

THAT the current position be noted and no further action be taken at this stage but an assessment of the quality of usefulness of information provided on Outside Bodies be undertaken as part of the assessment of the 2009 induction process.

(c) Review of Contract Standing Orders

The Full Council had already reviewed the Contract Standing Orders and established a new Procurement Code.

Members were advised that a training programme for all officers involved in the procurement process was being set up. The training would also be available Cabinet, Audit and Scrutiny Committee members.

The Committee asked if they could also be included in the training and the Chairman asked anyone who was interested to register that interest. Both Bruce Claxton and Keith Fagan registered their interest in attending the procurement training.

RESOLVED :

THAT it be noted that at its meeting on 21 November 2007 the Council reviewed its Contract Standing Orders and established a new Procurement Code.

(d) To Consider the Consultation Paper on Orders and Regulations Relating to the Conduct of Local Authority Members in England

The consultation paper issued by the Department for Communities and Local Government was generally in line with expectations. Responses had been drafted to questions raised in the paper and members commented on those as follows :

Question 2 – How would the Standards Committee know that the same complaint had been made to more than one authority? Whilst it was noted that Monitoring Officers tend to have their own arrangements for avoiding any duplication this would depend on local knowledge. This point should be made in the response.

Question 6 – There were a variety of opinions across the country where, if someone was suspended, this should be with loss of allowance. It was suggested that generally where suspension was the appropriate sanction allowances would be stopped.

Question 11 – Whilst being in favour of joint working it was proposed that the Isle of Wight should deal with their own local matters locally. The 2<sup>nd</sup> paragraph should be more strongly worded.

**RESOLVED :**

- (i) THAT the changes to the responses to questions 2, 6 and 11 be agreed.
- (ii) THAT the Chairman and Monitoring Officer be authorised to sign off the final version of the response.

(e) **Draft Annual Report**

The Committee considered a draft of its Annual Report.

The Committee believed that the section relating to the training, particularly of Parish and Town Councils, needed to reflect the importance of training. Additionally the point should be made that should any Councillors be faced with an allegation of a breach of the code, a refusal to have accepted training would be looked upon very unsympathetically by the Panel considering the alleged breach.

Members were advised that the Standards Committee's roles and responsibilities were to encourage and engage around training. Induction of Town and Parish Councils was a matter for their clerks. The Isle of Wight Council had a team of officers who provided advice and help to all Town and Parish Councils.

**RESOLVED :**

THAT the Chairman and Monitoring Officer be delegated to produce the final version of the Annual Report.

35. **Updates from Monitoring Officer**

The Committee had asked that more training for members particularly around declarations of interests be arranged. A schedule of short information seminars for councillors had been set up with the first of these being around declarations of interest. There was a need for more discussion around code of conduct issues. The Committee was advised they would be able to sit in on the seminars.

There had been an issue around Northwood Village Management Committee and the change of chairman. The Deputy Monitoring Officer had been involved and the problem had been resolved.

A complaint by one member of Sandown Town Council about two other members had been reported to the Standards Board for England who had decided not to investigate the complaints. Keith Fagan and the Deputy Monitoring Officer continued to be involved in assisting to overcome the recurrent problems.

Havenstreet and Asheby Parish Council had had three resignations. One was a vacancy because the person had not attended for six months and the other two had resigned as they had not realised it would be such a heavy workload.

A list of visits by Standards Committee members to a Town and Parish Councils would be circulated to all members of the Committee. All Parish and Town Councils would be informed of these visits and that the visiting member would introduce themselves before they attended the meeting.

The Deputy Monitoring Officer also indicated there were three issues that he wished to report but these would have to be taken following the exclusion of the public and press.

36. **Workplan**

The 17 March 2008 meeting should include the formal update on the implementation of the Ethical Audit Action Plan.

The first report on an induction pack for new elected members would be moved to the 19 May 2008 meeting.

37. **Exclusion of Public and Press**

RESOLVED :

THAT under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting on the grounds that there was likely to be disclosure of exempt information as defined in paragraphs 1, 3 and 7 of Part 1 of Schedule 12A (as Amended) of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

38. **Confidential Updates from the Monitoring Officer**

(a) Members were advised that East Hampshire Standards Committee had considered an appeal by 5 Members against a local decision not to indemnify members subject to a Standards Board for England Investigation. One Members appeal had been dismissed and the other 4 allowed.

(b) A discussion with a Parish Councillor highlighted the fact that an interest had not been registered on the register of financial interests. This was to be rectified.

- (c) Members were updated on an ongoing informal investigation SC 04/07.

CHAIRMAN