

Public Document Pack

BEST ACHIEVING
COUNCIL OF THE YEAR



Barry Keel
Chief Executive

Plymouth City Council
Civic Centre
Plymouth PL1 2AA

www.plymouth.gov.uk/democracy

Date 28 June 2011

Please ask for: Helen Rickman, Democratic Support Officer
T: 01752 304022 E: helen.rickman@plymouth.gov.uk

STANDARDS COMMITTEE

Date: Wednesday 6 July 2011

Time: 10 am

Venue: Council House, Armada Way, Plymouth

Committee Members:

Steve Pearce, Chair

Councillors Mrs Aspinall, Drean, Jordan, Lowry and Dr. Mahony.

Independent Members:

Ms Farrell, Mr Williams and Mr Campbell

Members are invited to attend the above meeting to consider the items of business overleaf.

Members and officers are requested to sign the attendance list at the meeting.

Please note that unless the chair of the meeting agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used in meetings.

Barry Keel
Chief Executive

STANDARDS COMMITTEE

AGENDA

PART I – PUBLIC MEETING

1. APPOINTMENT OF CHAIR

The panel will be asked to appoint a Chair for the municipal year 2011/12.

2. APOLOGIES

To receive apologies for non-attendance submitted by Committee Members.

3. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this Agenda.

4. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. MINUTES

(Pages 1 - 4)

The Committee will be asked to confirm the minutes of the meeting held on 6 January 2011.

6. APPOINTMENT OF INDEPENDENT MEMBER VACANCIES

The appointment of Independent Members to the Committee will be discussed.

7. FUTURE OF STANDARDS

The future of the Standards regime will be discussed by the Committee.

8. VOLUNTARY CODE

Members will discuss the requirement for a voluntary code.

9. UPDATE ON OUTSTANDING COMPLAINTS

The Committee will be updated on outstanding complaints.

10. DATE AND VENUE OF NEXT MEETING

For the Committee to note the next Standards Committee will take place at 10am in the Council House on Wednesday 14 September 2011.

11. EXEMPT BUSINESS

To consider passing a resolution under Section 100(A)(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE MEETING)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

This page is intentionally left blank

Standards Committee

Thursday 6 January 2011

PRESENT:

Steve Pearce (Independent Member), in the Chair.
Councillors Delbridge, Lowry, Dr. Mahony, McDonald and Mrs Stephens.

Independent Members: Roy Campbell

Apologies for absence: Corinne Farrell and John Williams

Also in attendance: Tim Howes – Assistant Director for Democracy and Governance and Dave Shepperd – Head of Legal Services.

The meeting started at 2.00 pm and finished at 2.50 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made by members in accordance with the code of conduct.

2. MINUTES

Agreed that the minutes of the meeting held on 10 March 2010 were confirmed as a correct record.

Under this item an update was requested on the current outstanding Standards complaints. Members were informed that there were currently two complaints to still be considered, a review from a complaint that had previously been submitted to an Assessment Sub Committee and a hearing as a result of a recent investigation.

The Chair informed the committee, for the benefit of new members, that the terms of reference for the Standards Hearing Sub Committee had been agreed at the City Council meeting on 5 July 2010.

3. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

4. THE FUTURE OF THE STANDARDS REGIME

Tim Howes – Assistant Director for Democracy and Governance and Dave Shepperd – Head of Legal Services provided the committee with an update on the future of the standards regime.

The Committee was informed that –

- (a) the standards regime was going to be abolished in the near future alongside the Standards for England and the First Tier Tribunal which would result in the loss of jurisdiction over member conduct;
- (b) the Government aimed to remove the national Code of Conduct for Councillors as well as the requirement to have a Standards Committee;
- (c) it would be for Councils themselves to choose whether or not they wanted to have a local code of conduct or a Standards Committee;
- (d) any Standards Committee would no longer have the power to suspend a member; there would also be a new criminal offence created relating to the failure to register or declare interests;
- (e) the new proposals needed primary legislation and were part of the Decentralisation and Localism Bill which had recently been introduced to Parliament. The current framework for dealing with allegations of breaches of the code of conduct would remain in place until the bill receives Royal Assent. Standards for England advised that this was likely to be late 2011 at the earliest;

The Committee discussed the changes to the standards regime and the possibility of continuing with a voluntary code of conduct for Councillors and a Standards Committee to maintain a voluntary code.

Members discussed that –

- (f) it was a good idea to retain a voluntary code so Councillors knew the behaviour expected of them;
- (g) a possible sanction in the new voluntary code could include a formal apology of a Member at a City Council meeting;
- (h) if a voluntary code was decided upon it should be published on the Council's website for comments;
- (i) the voluntary code should be based on the Nolan principles;
- (j) the disciplinary policy for employees should be considered when writing the new voluntary code;
- (k) an appeal system would need to be in place if a voluntary code of conduct was agreed upon;
- (l) the current code was too slow in reacting to complaints;

Agreed that Members of the Committee instruct officers to further explore the possibility of a voluntary code aligned with the Nolan principles and further engage with other public bodies and associations to research work done regionally and nationally in light of national guidance and report back to the committee in June 2011. Members also requested that officers consider the Council's employee terms of employment and disciplinary procedure when researching new ideas for the standards regime.

5. **DATE AND VENUE OF NEXT MEETING**

The next scheduled meeting of the standards committee was due to take place on 16 March 2011, at 10.00 a.m. in the Council House.

6. **EXEMPT BUSINESS**

There were no items of exempt business.

This page is intentionally left blank