

## STANDARDS COMMITTEE

### Meeting – 27 February 2002

Present: Councillors: Mrs Barton, Prof. Hogarth, Mr Rigby and Dr Scott

Parish Representative: Mr Sharp

Independent Members: Mrs Babb, Mr Bowers and Mr Mills

Apologies for Absence: Mrs Kverndal and Mr Royston

#### 1. APPOINTMENT OF CHAIRMAN

**RESOLVED** that Prof. Hogarth be appointed Chairman of the Committee.

#### 2. APPOINTMENT OF VICE-CHAIRMAN

**RESOLVED** that Mrs Babb be appointed Vice-Chairman of the Committee.

#### 3. MINUTES

The minutes of an informal meeting of Members of the Standards Committee held on 26 September 2001 were received.

Arising therefrom it was noted that the composition of the Committee provided for a sole representative of the parishes - Mr Sharp. It was suggested an alternate should be appointed and it was

**RESOLVED** that the South Bucks Association Local Councils be invited to appoint a named alternate to attend the Standards Committee in the event of the absence of Mr Sharp.

#### 4. REMIT OF THE COMMITTEE

The Committee considered a report of the Chief Executive about its remit.

The remit for the Committee first approved by the Council was:-

- (a) To develop and then subsequently review on a regular basis the Code of Conduct for Members and also for Officers.
- (b) To monitor the effect of implementation of the Codes of Conduct.
- (c) To hear complaints about breaches by Councillors of the Member Code of Conduct or of the National Code of Conduct.
- (d) To promote on an active basis the highest standards of ethical conduct by Councillors and Officers.

The informal meeting of the Committee had considered a report dealing with local investigations into breaches of the Code and looked at the process for the investigation and reporting of complaints. Since that time, the Standards Board for England had been established and had made it clear that it would be dealing with all complaints of any nature about alleged breaches of Codes of Conduct or the general behaviour of Councillors.

Accordingly there was little point in adopting a procedure for local investigations and it was appropriate to consider a change in the remit to reflect this. It was likely that the Standards Board may later refer matters back to the Council once it had carried out its investigation and further guidance was expected on this. The Chief Executive circulated an updated procedure for registering and investigating complaints which the Committee agreed to receive, with a view to it being finalised once further advice from the Standards Board had been received.

Amendments to the remit, to reflect the position on complaints and also the responsibility for training, were proposed as follows:-

Revised: (c) To receive any references from the Standards Board for England and deal with them as necessary.

New: (e) To provide training and guidance to Councillors, including assisting Parishes to train their own Councillors, on all necessary aspects of Codes of Conduct and adherence to ethical standards for Councillors.

**RECOMMENDED** that the remit of the Committee be amended as set out above.

## 5. CODE OF CONDUCT

The Committee considered the report of the Chief Executive about adoption of the Model Code of Conduct issued by the Secretary of State.

The Council was required to adopt the Code of Conduct by 5 May 2002, otherwise the Model Code would be deemed to be adopted. Although it was open to the Council to add to the Model, the Standards Board for England was aiming for overall consistency throughout the country and had suggested that additional provisions should not be adopted. No comments had been made by Members to vary the code and it was proposed that it be adopted in its model form.

Additional guidance building on the rules of the local code could also be approved. The Committee considered the existing Planning Committee Code of Conduct together with a draft update, presented as guidance for Members of the Planning Committee, which had been amended to reflect in particular the new categories of personal and prejudicial interest. It was proposed that this guidance also be recommended for adoption by the Council, and could include any comments subsequently made by Members of the Committee or by Members of the Planning Committee. It was suggested the Chairman invite Town and Parish Councils to consider whether they needed to adopt guidance on planning matters at the next meeting of the Local Association.

The Parish Councils would each need to adopt their own Code of Conduct and advice and assistance to Parish Clerks in this respect had been given. The report set out various requirements on the District and Parishes once each had adopted its code including the necessity to advertise. In order to save cost, it was proposed to publish a joint notice in the local press.

**RECOMMENDED** that:-

- (1) The Model Code of Conduct (for authorities operating executive arrangements) be adopted without modification by the Council at its meeting on 9 April 2002, to be reviewed in say one year's time.

- (2) Subject to any comments from the Planning Committee, Guidance for Members of the Planning Committee be adopted by the Council as a protocol within the Constitution which Members of the Committee would undertake to abide by.
- (3) A joint public notice about the adoption of each Parish Code of Conduct and the District Code of Conduct be placed in the local press at no charge to Parish Councils.

## 6. TRAINING INCLUDING PARISH COUNCILS

The Committee considered the report of the Chief Executive about the training requirements for Members of the District and Parish Councils and Parish Clerks.

The Local Government Act 2000 and the remit of the Committee, as now recommended, envisaged a responsibility for training Members in relation to the Code of Conduct and ethical standards generally. District Councillors and Parish Councils, via the Clerk, had all been provided with a copy of the Model Code of Conduct but no training had been undertaken to date. However, a presentation had been made at the Buckinghamshire Association of Local Councils meeting held in Beaconsfield on 12 February attended by a number of local Parish Councillors.

The Committee recognised that training was highly desirable for all District and Parish Councillors. It was suggested that a training session for District Councillors may be combined with a debate at a forthcoming Council meeting. Separate sessions would be required for Parish Councillors (of whom there were 136 in South Bucks) to be arranged on say two or three on different evenings. It was suggested a representative from the Standards Board be invited to participate.

**RESOLVED** that training for District and Parish Members be arranged as set out above.

## 7. CONFERENCES AND COURSES

The Committee received details of a Standards Committee Conference being organised by the Standards Board for England at the ICC in Birmingham on 20 May 2002. Details were also received of a seminar on Committee Training for Standards Committee Members on 14 March 2002.

It was noted that until regulations had been published under Section 66 of the Local Government Act 2000 (about references to Monitoring Officers) and guidance had been issued about dispensations that could be issued by Standards Committees, any training course attended in the near future may be incomplete.

**RESOLVED** that

- (1) the Chairman, Mr Mills and the Monitoring Officer be appointed to attend the Standards Committee Conference in May; and
- (2) training for other Members of the Committee be sought when all regulations and guidance was complete.

## 8. TERMINATION OF MEETING

The meeting, having commenced at 4.15 p.m. terminated at 5.10 p.m.