

**STANDARDS COMMITTEE
23 January 2013**

PRESENT: Councillor Stephen Chappell - in the Chair; Councillor Malcolm Davies - Vice-Chairman; Councillor Ben Grower.

INDEPENDENT PERSONS: Chris Purkis and Edward Stevens.

The meeting commenced at 9.30 a.m.

SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL

No Items

SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS

1. APOLOGY

An apology for absence was received from Councillor Lawrence Williams, Cabinet Member for Corporate Policy Implementation.

2. WELCOME TO INDEPENDENT PERSONS

The Chairman extended a warm welcome to Chris Purkis and Edward Stevens who were attending their first meeting of the Standards Committee following their recent appointment by the Council to serve as Independent Persons on the Committee.

3. DECLARATIONS OF INTEREST

There were no declarations of interest on matters before the Committee.

4. DEPUTATIONS

There were no deputation requests for this meeting.

5. MINUTES OF LAST MEETING

DECISION MADE:

That the minutes of the last meeting of the Committee held on 24 October 2012 be confirmed and signed.

Standards Committee, 23 January 2013

6. UPDATE ON COMPLAINTS

The Committee considered a report of the Monitoring Officer which updated Members on the position in respect of complaints made about Councillors in this Council. This was the first report giving details of complaints received and dealt with under the new arrangements adopted by the Council in accordance with the provisions of the Localism Act 2011.

The report, at Appendix A, gave details of three complaints which had been made about Councillors during the period October 2012 to January 2013. In all cases, the Monitoring Officer had decided that no action was appropriate as there was no breach of the local Code of Conduct.

DECISION MADE:

That the report be noted.

7. COMMITTEE WORK PROGRAMME

As requested by the Committee at its last meeting, the Monitoring Officer submitted a report on the future work programme of the Committee. The report set out options relating to the key outstanding issues at this time with particular regard to the need to update the Officer/Member Protocol of the Council.

The options contained in the report related to:

1. Finalising and adopting the draft Officer/Member Protocol in its present form.
2. Agreeing to the preparation of a number of shorter, separate Protocols dealing with distinct issues.

In respect of option 2 above, the report suggested a number of areas which could be the subject of separate distinct Protocols and Guidance documents. The report included an Appendix on one separate draft document which had already been prepared by the Monitoring Officer providing guidance to Members on access to information.

The Committee discussed the options outlined in the report and was of the view that it would be more beneficial for the Monitoring Officer to prepare new Protocols and Guidance documents as suggested above rather than update the existing Officer/Member Protocol which was a lengthy and rather unwieldy document. The Committee commented on issues which should be addressed within those documents and considered the priority which should be given to their preparation.

Standards Committee, 23 January 2013

DECISION MADE:

1. That the Monitoring Officer be authorised to prepare Protocols and Guidance documents covering the following distinct areas in the order of priority shown:

Priority Subject Matter

1. Officer/Member relationships generally
 2. Role of Officers in advising Members in regard to committees/individually/political groups etc.
 3. Use of resources
 4. Ward Member role and issues relating to Officer advice/assistance and particular issues relating to mixed Wards
 5. Use of ICT equipment
 6. Review of media relations
2. That the Monitoring Officer be authorised to consult the Members of this Committee and the appropriate Officers on the above draft Protocols and Guidance with a view to the final documents being submitted to this Committee for approval and recommendation to the Council for adoption and inclusion within Appendix B of the local Code of Conduct.
 3. That the Monitoring Officer be authorised to circulate to the Members of this Committee the final version of the document providing guidance to Members on access to information prior to the agreed document being made available to all Members of the Council.

8. LOCAL CODE OF CONDUCT - OTHER INTERESTS

The Committee considered a briefing paper from the Monitoring Officer on the disclosure by Members of other interests under the local Code of Conduct.

The Committee was reminded that the Council on 12 June 2012 had adopted a new local Code of Conduct as required by Sections 27(2) and 28 of the Localism Act 2011. In accordance with Section 30(3) of the Act and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, the adopted Code set out at Appendix C the disclosable pecuniary interests which Members had a legal requirement to register with the Monitoring Officer. These disclosable pecuniary interests related to:

- Employment, office, trade, profession or vocation
- Sponsorship
- Contracts
- Land

Standards Committee, 23 January 2013

- Licences
- Corporate tenancies
- Securities

The adopted Code of Conduct also made provision at Appendix D for the disclosure of other interests by Members. Any interests to be included in this Appendix would be recommended to the full Council by the Standards Committee.

With regard to the disclosure of other interests by Members, the Committee was advised that the main area which it might wish to consider was whether Members should be required to register details of their membership of outside bodies and organisations. The Committee noted that, under the provisions of the previous Model Code of Conduct repealed by the Localism Act 2011, Members of local authorities were required to register details of their membership of outside bodies and organisations. The details to be registered were as follows:

- Membership or in a position of general control or management of a body to which the Member has been nominated or appointed by the authority.
- Membership or in a position of general control or management of a body exercising functions of public nature.
- Membership or in a position of general control or management of a body directed to charitable purposes.
- Membership or in a position of general control or management of a body one of whose principal purposes include the influence of public opinion or policy.

The Committee discussed whether Members should be required to register details of their membership of outside bodies and organisations as set out above. The Committee was of the view that, before a final decision was made, it would be beneficial to obtain the views of the Group Leaders and their respective Political Groups.

DECISION MADE:

1. That the briefing paper by the Monitoring Officer be referred to the next Group Leaders' meeting with the Chief Executive to be held on 12 February 2013 with a request that the Group Leaders consult their respective Political Groups on the issue of whether Members should be required to register details of their membership of outside bodies and organisations.
2. That the feedback received from the Group Leaders and their Political Groups be considered at the next meeting of the Committee.

Standards Committee, 23 January 2013

9. TRAINING AND DEVELOPMENT ISSUES

The Monitoring Officer reported that arrangements were being made for a number of training sessions to be held for all Members of the Council on the implications of the proposed new Financial Framework and Procurement Rules to be considered shortly by the Cabinet and the Council.

The Monitoring Officer also reported that no further specific training had yet been put in place on issues surrounding the operation of the local Code of Conduct. For the benefit of Members, the Committee was of the view that it was important that the role and profile of the new Independent Persons be developed. It was suggested that the Independent Persons could attend a variety of Council meetings which would enable them to meet Members and enhance their knowledge of the Council's political structure and the democratic process generally. Following an initial briefing session which had been held with the Independent Persons, the Monitoring Officer confirmed that it was her intention to arrange a further meeting with them to discuss and provide detailed advice on their role in the complaints process.

DECISION MADE:

That the information be noted.

10. DISPENSATION TO MEMBERS

The Monitoring Officer reported on a technical issue whereby she would be granting a dispensation to all Members of the Council to enable them to speak and vote on the budget for 2013/14.

DECISION MADE:

That the information be noted.

The meeting closed at 10.47 a.m.

Contact: David Harrison, Principal Democratic Services Officer
☎ 01202 451104 ✉ david.harrison@bournemouth.gov.uk