

MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE HELD IN
ROOM 27, WALLFIELDS, HERTFORD
ON TUESDAY, 19 AUGUST 2008 AT
4.00 PM

PRESENT:

District Council Members:

Councillors P A Ruffles, J Warren and M Wood.

Town Councils' Representative:

Mrs E Woods

Independent Members:

Mr S Bouette
Mr D Farrell
Mr J Morphew (Chairman)
Mr T Vickers

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Monitoring Officer
Jeff Hughes	- Head of Democratic and Legal Support Services

211 APOLOGIES

Apologies for absence were submitted on behalf of
Councillor N C Poulton and Mr B Taylor.

212 CHAIRMAN'S ANNOUNCEMENT

As this was the first meeting of the newly constituted
Standards Committee, the Chairman invited all present to
introduce themselves.

213 DECLARATIONS OF INTEREST

In response to a question from Councillor P A Ruffles, the Monitoring Officer confirmed that all of the conditions identified within the guidance note forming part of the agenda would need to be met for a Member's personal interest to be a prejudicial interest also in a matter. The guidance note reflected statutory requirements.

ACTION

RESOLVED ITEMS

214 ELECTION OF CHAIRMAN

The Head of Democratic and Legal Support Services invited the Committee to elect its Chairman for the Civic Year 2008/09.

The Committee noted that under the existing regulations, it would need to elect an independent member to this position. It further noted that this was the first committee meeting for three of the four independent members.

The Committee agreed to elect a Chairman (Mr J Morphew) for this meeting. Members felt that appointing an independent member as Chairman for the remainder of the current Civic Year should be the subject of consideration at its next meeting.

RESOLVED – that (A) Mr J Morphew be elected Chairman of the Committee for this meeting, and

(B) appointing an independent member as Chairman for the remainder of the current Civic Year be the subject of consideration at the next meeting of the Committee

215 MINUTES

In response to a question from Mrs E Woods with regard to

Minute 682 – complaints in respect of a town councillor – Standards Board references SBE 19488.07 and 19505.07 – the Monitoring Officer commented that the subject had received further training on the Code of Conduct and undertaken an anger management course.

RESOLVED – that the Minutes of the meeting of the Standards Committee held on 6 May 2008 be confirmed as a correct record and signed by the Chairman.

216 LOCAL ASSESSMENT IMPLEMENTATION

The Monitoring Officer submitted a report inviting the Committee to approve various documents (e.g. an information sheet for potential complainants and procedural rules for the local assessment of complaints) proposed to be used by the Authority in respect of the local assessment regime for dealing with Code of Conduct complaints. The Monitoring Officer also invited the Committee to approve the establishment of a decision making structure as part of the process to deal with complaints.

The Committee noted the Monitoring Officer's suggestion that three sub-committees should be established. He drew Members' attention to an appendix to his report that contained details of the proposed terms of reference for these sub-committees.

The Committee supported the Monitoring Officer's suggestion that membership of these sub-committees should not be fixed. Within the defined parameters, the sub-committees would be constituted from a pool formed by all members of the Standards Committee.

The Committee agreed to establish the suggested Assessment and Review Sub-Committees. It decided that it would undertake the role identified for the Hearing Sub-Committee.

The Committee noted that meetings of the sub-committees would be held as and when required.

The Committee noted a Member's observation of the need to be aware of and address appropriately policy provisions that provide jurisdictional conflict. He highlighted, for example, that an issue arising through the staff Confidential Reporting Code relating to a Member's conduct would need to go through the local assessment procedure.

The Monitoring Officer confirmed that comprehensive advice and guidance would be given to a complainant to enable them to understand fully the various processes that may apply in relation to dealing with their complaint and, in particular, the matter of confidentiality.

Members made a number of comments in respect of the documents appended to the Monitoring Officer's report. They highlighted the need to keep information as simple as possible and to avoid duplication of narrative and the use of inflexible statements. The Monitoring Officer undertook to amend the documents in the light of the Members' comments.

RESOLVED – that (A) the various documents to be used for local assessments, appended to the report now submitted and subject to amendment on the basis now detailed, be approved and the Monitoring Officer be authorised to review and to amend them as necessary in the light of experience; MO

(B) the Assessment Sub-Committee and the Review Sub-Committee be established on the basis, and with the terms of reference, detailed in the appendix to the report now submitted, and MO

(C) the Local Assessment Procedure, as detailed within Appendix 'D6' to the report now submitted and as now amended, be approved. MO

217 LOCAL ASSESSMENTS – REGULATIONS AND GUIDANCE

The Monitoring Officer submitted a report on The Standards Committee (England) Regulations 2008 and associated guidance produced by the Standards Board for

local authorities when considering any matter under the local assessment regime.

The Committee noted the provisions of the guidance and regulations (both of which were appended to the report now submitted).

In response to a query from a Member, the Monitoring Officer provided further information on the circumstances (e.g. new evidence that leads to the opinion that the matter is materially more/less serious) and processes that would apply for a matter referred for investigation to be referred back to the Standards Committee.

The Committee agreed to receive the report.

RESOLVED – that the report be received.

218 ANTI-FRAUD AND CORRUPTION STRATEGY AND CONFIDENTIAL REPORTING CODE

The Monitoring Officer submitted a report on the Council's Anti-fraud and Corruption Strategy and its Confidential Reporting Code. He advised that a copy of each of these documents was appended to the report.

The Committee noted that the documents had been referred to it for consideration by the Council's Audit Committee after it had considered a report on Fraud Corruption Overview.

The Monitoring Officer commented that these documents were essential aspects of good practice in people management. All employees would be made aware of their provisions through a training programme.

The Committee supported a Member's views that the documents needed to be simplified and grammatical errors corrected. Further, in relation to confidential reporting, staff needed to have clear reassurances on confidentiality and details of courses of action available to deal with any matters (in a seemly and appropriate manner) should be

clarified.

The Committee considered that these documents need to include narrative that reflected their inter-relationship with the Code of Conduct as appropriate.

The Committee agreed to invite the Council's Human Resources Committee (the body responsible for approving the Code and Strategy) to establish a group of uninvolved officers to review these documents on the basis now detailed.

RESOLVED – that the Human Resources Committee be invited to establish a group of uninvolved officers to review the Anti Fraud and Corruption Strategy and Confidential Reporting Code on the basis now detailed.

MO

219 TRAINING AND FUTURE WORK PROGRAMME

The Deputy Monitoring Officer submitted a report inviting the Committee to consider a proposed training event for its Members and to identify items for consideration at future meetings.

The Committee noted the outline details of the proposed training event and agreed that it should be held.

A Member sought information on the support provided by the Council to its constituent parish/town councils in relation to the Code of Conduct. The Committee agreed that a report on this matter be submitted to its next meeting.

RESOLVED – that (A) the proposed training event detailed in the report now submitted be approved, and

MO/
HDLSS

(B) a report be submitted to the next meeting of the Committee on the support provided by the Council to its constituent parish/town councils in relation to the Code of Conduct.

MO/
HDLSS

The meeting closed at 5.50 pm

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Chairman

Date