

**Present:** Councillors Clark (Chair), Dasgupta (Vice-Chair), Bick, McGovern, McPherson, Stuart, Taylor and Williams

**Also Present:** Simon Pugh (Head of Legal Services and Acting Monitoring Officer)  
Toni Birkin (Committee Manager)

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**10/s/01 Minutes and Matters Arising**

The minutes of the meeting held on 14<sup>th</sup> October 2009 were confirmed as a correct record and signed by the Chair.

The Head of Legal Services updated members on actions from the last meeting.

09/s/23 Bullet points 11 and 12. Publication of a register of senior officer gifts and hospitality is likely to take place soon. A decision on officer declarations of interest is awaiting the outcome of a full review of the officer code of conduct.

**10/s/02 APOLOGIES**

Apologies were received from Cllr Dryden.

**10/s/03 DECLARATIONS OF INTEREST**

Councillor	Agenda item	Interest
None		

**10/s/04 PUBLIC QUESTION TIME**

No members of the public were present.

**10/s/05 APPOINTMENT OF A CONSIDERATION AND HEARING SUBCOMMITTEE**

The Acting Monitoring Officer explained why this appointment was necessary and outlined the role of a Consideration and Hearing Sub Committee to receive reports of the Investigating Officer when a complaint was subject to investigation.

Mr Williams expressed concerns that this would add another stage to the considerations process and would delay to the progress of complaints unnecessarily. Members discussed the need for more information on this matter and how complaints are dealt with. A further report on this matter was requested. The officer explained that the process is set out in the Local Government Act 2000 and the Standards Committee (England) Regulations 2008 and that the Standards Board for England recommended that receipt of the Investigating Officer's report was delegated to a sub committee. The alternative would be for the full committee to carry out this function.

Cllrs McGovern and Stuart were minded to resolve this matter immediately and expressed support for delegating authority to the sub committee groupings already established as proposed in the report.

Debate followed on the possibility of the same committee members considering a complaint on more than one occasion. The Acting Monitoring Officer confirmed that this is a possibility and is permissible within the guidelines. Mr Williams expressed concerns about this.

The Chair proposed accepting the recommendations and reviewing the decision in the new municipal year. Cllr Taylor seconded this.

**Resolved:**

- 1 That the Standards Committee expands the role of its Assessment Sub-Committees to act as Consideration and Hearing Sub-Committees.
- 2 That Consideration and Hearing Sub-Committees are convened in the same manner as Assessment Sub-Committees.
- 3 That Consideration and Hearing Sub-Committees are given delegated authority:
  - to receive Investigation Reports into alleged breaches of the Code of Conduct;

- to decide whether or not to accept the findings of the Investigating Officer;
- to decide whether a report should be referred to the Standards Board for decision by the First-tier Tribunal (Local Government Standards, England) or whether it should be referred to the Standards Committee;
- to take procedural decisions preparatory to a Standards Committee hearing.

## **10/s/06 MEASURING SATISFACTION WITH COMPLAINTS HANDLING**

Members discussed the report. Concerns were raised that due to the small numbers involved, it would be possible to identify individuals, even if they are not named.

Members felt that the feedback form could be expanded and questions broken down to capture satisfaction levels with each part of the process rather than the process as a whole. It was agreed that the middle option of “Neither satisfied nor dissatisfied” being removed to encourage people to express an opinion.

Timeframes for dealing with complaints were discussed and members requested more information on this. The Head of legal Services stated that it is often difficult to predict how long an investigation will take. He suggested a follow up report on timeframes be brought to the next meeting.

### **Resolved:**

- 1 That the questions set out in paragraph 3.3 of the agenda are used with the middle option of *neither satisfied nor dissatisfied* removed, along with an invitation to comment generally, to obtain feedback from complainants and from those who are the subject of a complaint at the conclusion of the complaint process.
- 2 That the feedback received is reported to this Committee.
- 3 That a report on time frames for complaint handling be brought to this committee.

**10/s/07 STANDARDS COMMITTEE ANNUAL REPORT**

Members discussed the contents of the report and its intended audience. It will be available on the website and as a hard copy. Minor typing errors were corrected. The independent members were asked to submit brief information about themselves to be included in the report. Members felt that this report should be delayed until the end of the municipal year.

Debate followed on the publication of the decisions of the hearing panels. This is dependent on the committee's decision to make a meeting open to the public or the subject of the complaint's decision about placing a notice in the newspaper, as is their right.

**Resolved:**

- 1 That the final version of the report be brought to the June meeting for approval.

**10/s/08 STANDARDS COMMITTEE ANNUAL RETURN**

The Acting Monitoring Officer introduced the report and invited members to comment. Members expressed an interest in commenting on the electronic version of this report before it is submitted.

The suggestion that independent members of this committee and the Chief Executive of the Council should meet formally was discussed. Dr Clark stated that he felt it was important to remain at arms length and not be drawn into the day to day running of the Council in order to remain impartial. However, he felt well informed and confident that he could request further contact should the need arise.

**Resolved:**

The Committee received the Standards Board's questionnaire and will review the Acting Monitoring Officer's draft response electronically at a later date.

**10/s/09 STANDARDS BOARD BULLETIN - DECEMBER 2009**

Members discussed the best way to receive this information. Members are happy to receive the Standards Board Bulletins electronically as soon as they

are available. However, having them on the agenda was agreed to be useful as a prompt for discussion.

### **10/s/10 DATES OF FUTURE MEETINGS**

The dates for future meeting were agreed as follows:

16<sup>th</sup> June 2010, 20<sup>th</sup> October 2010, 1<sup>st</sup> December 2010 and 9<sup>th</sup> March 2011.

The meeting ended at 7.25 pm

**CHAIR**