

**BRIGHTON & HOVE CITY COUNCIL**

**STANDARDS COMMITTEE**

**5.00pm 14 SEPTEMBER 2010**

**COMMITTEE ROOM 1, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors: Deane, Harmer-Strange and C Theobald

**Independent Members:** Dr M Wilkinson (Chairman), Mrs H Scott

**Rottingdean Parish Council Representatives:** Mr G W Rhodes and John Bustard

**Apologies:** Ms M Carter (Independent Member), Councillor Bob Carden, Councillor Jeane Lepper and Councillor David Watkins

**PART ONE**

**10. PROCEDURAL BUSINESS**

**Vote of Thanks: Independent Member, Mrs. Helen Scott**

Before proceeding to the formal business of the meeting the Mayor, Councillor Geoffrey Wells attended in order to present a bouquet of flowers and a framed service certificate to Mrs. Helen Scott, Independent Member who was stepping down after 7 years following her appointment as a magistrate. He commended Mrs. Scott for her contribution to the Committee over that period and stated that she would be sorely missed.

The Chairman of the Committee, Dr Wilkinson referred to the excellent contribution made by Mrs. Scott and wished to place that on record along with the Committee's best wishes for the future. Members unanimously supported the Chairman's Vote of Thanks.

Mrs. Scott responded by thanking the Mayor and the Committee for their good wishes for the future and stating that she had found her period on the Committee very interesting and had enjoyed it immensely.

**10a. Declarations of Interest**

10.1 There were none.

**10b. Exclusion of Press and Public**

10.2 In accordance with Section 100A of the Local Government Act 1972 ("The Act"), the Standards Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during an item, that there would be disclosure to them of confidential information (as defined in Section 100A(3) of the Act) or exempt information (as defined in Section 100(1) of the Act).

10.3 **RESOLVED** – That the press and public be not excluded.

## 11. MINUTES OF THE PREVIOUS MEETING

11.1 **RESOLVED** - That the minutes of the meeting held on 22 June 2010 be signed by the Chairman as a correct record.

## 12. CHAIRMAN'S COMMUNICATIONS

12.1 The Chairman re-iterated his thanks and those of the Committee to Mrs. Scott. He also took the opportunity to welcome Councillor Lizzie Deane to the Committee in place of Councillor Paul Steedman and Mr. John Bustard, who had been appointed to the Committee as a representative on behalf of Rottingdean Parish Council in place of Mr. Janse Van Vuuren.

## 13. PUBLIC QUESTIONS

13.1 There were none.

## 14. REVIEW OF THE CODE OF CONDUCT AND THE ARRANGEMENTS REGARDING THE REGISTER OF MEMBER'S INTERESTS

14.1 The Committee considered a report of the Monitoring Officer setting out the council's existing Code of Conduct and the arrangements regarding the Register of Members' Interests and recommending amendments to the arrangements.

14.2 The Senior Lawyer, Ms Woodley introduced the report and explained that as most of the requirements to be met by local authorities under Section 50 of the Local Government Act 2000 were mandatory, the Council's ability to make changes to its code were limited.

14.3 Mr. Rhodes, Rottingdean Parish Council queried the wording of Paragraph 3.3.6 and Ms Woodley agreed that she would check that this wording which had been downloaded from the Sfe website was correct, and would amend it as necessary

14.4 The Chairman referred to the requirement to register interests stating that although Members could not be expressly required to record instances where hospitality had been offered but had been declined he was of the view that this should be encouraged as it represented good practice. The Committee were unequivocally of that view and he felt it was important that this was stressed to Members, besides protecting their position, it

would also enable patterns of inappropriate offers of hospitality to be identified if such a situation were ever to arise. The Acting Director of Strategy and Governance agreed that he would ensure that this matter was carried forward.

- 14.5 **RESOLVED** –That the Committee notes the Code of Conduct and arrangements regarding the Register of Members’ interests and recommends to Council that the arrangements regarding the Register of Members’ Interests be updated and amended as proposed in paragraphs 3.3.5 and 3.3.6.

## 15. THE APPOINTMENT OF INDEPENDENT MEMBERS

- 15.1 The Committee considered a report of the Monitoring Officer setting out the requirements regarding the appointment of Independent Members and a timetable for the recruitment of two new independent members.
- 15.2 The Acting Director of Strategy and Governance stated that it was intended that the appointments would be for a four year term. Mrs. Scott’s appointment was due to expire on 30 September and it was hoped that the appointment process would be concluded prior to the next scheduled meeting of full Council which would enable those appointments to be ratified at that meeting of Council.
- 15.3 The Acting Director went on to state that the potential number of applicants for these two posts was as yet unknown. He recommended however that in the event that there were a large number of applicants that he be authorised to draw up a shortlist in consultation with the Chairman. The Committee was in agreement that this would be appropriate.
- 15.4 Councillor C Theobald enquired whether CV’s would be accepted and whether information regarding interviewees would be provided to Members of the Committee. It was confirmed that it would and arrangements relating to setting up the Panel to interview applicants and agree the successful candidates were also explained.
- 15.5 **RESOLVED** – That the contents of the report are noted and that the Acting Head of Strategy and Governance be authorized to set up a shortlist of candidates for interview in consultation with the Chairman as necessary.

## 16. REVIEW OF THE CODE OF CONDUCT FOR MEMBER/OFFICER RELATIONS

- 16.1 The Committee considered a report of the Monitoring Officer setting out the conclusions of the Working Group set up to review the Council’s Code of Conduct for Member/Officer Relations and recommending the adoption of a revised Code.
- 16.2 The Senior Lawyer, Ms Woodley, Senior Lawyer explained that the proposed revisions recommended by the Working Group were set out in Appendix 1. The Working Group had been set up in response to the recommendation of the Audit Commission to “Review the framework for Member/Officer relations and related arrangements to ensure that they are understood and followed in practice.”

16.3 The Chairman referred to Paragraph 6 of Appendix 1. He stressed that it was very important that officers kept Members informed both about the major issues concerning the Council and, more specifically, about issues and events affecting the wards which they represented. Mr. Bustard, Rottingdean Parish Council stated that the Parish Council would welcome a similar approach as the level and quality of information received by it could be inconsistent. The Acting Director of Strategy and Governance stated that periodic reviews would take place to ensure that the information provided to Members was consistent.

16.4 **RESOLVED** – That the Standards Committee recommends to Council that the revised Code of Conduct for Member/Officer Relations set out in Appendix 1 to the report to be adopted.

## 17. COMPLAINTS UPDATE

17.1 The Committee considered a report of the Monitoring Officer detailing complaints regarding Member conduct administered under the arrangements as defined by the Standards Committee (England) Regulations 2008 which came into effect on 8 May 2008. The report set out information about active Standards complaints and the time taken to deal with closed complaints.

17.2 Corporate complaints were dealt with under the Corporate Complaints Procedure at Stage 1, Stage 2 and via the Local Government Ombudsman. The report also contained a brief summary of corporate complaint activity.

17.3 In answer to questions the Standards and Complaints Manager explained that the number of complaints received overall had reduced e.g., environment. Mrs. Scott, referred to the Chairman's visit to political group meetings across the Council. It appeared that this had been effective in reducing the number of complaints made by Councillors about other Councillors as there had been a clearer understanding of what constituted a valid complaint. It would be useful if such visits could be repeated periodically. The Chairman was in agreement; stating that this had been positively welcomed by the group leaders and that he hoped it would be possible to repeat these meetings following the Council elections in 2011.

17.4 The Chairman stated that the Committee's Panels had latterly been called upon to determine some more complex cases but that instances of potential serious misconduct had been rare, no complaints had been received in relation to Rottingdean Parish Council. This bucked the national trend as complaints relating to the activities of Parish Councillors often made up a large percentage of the complaints received by a local authority. Mr. Rhodes explained that fortunately to date any of their potential complaints had been able to be resolved informally without a formal complaint needing to be lodged. The Parish Council had always sought advice from the relevant officers of the Council and had found this to be invaluable.

17.5 **RESOLVED** – That the contents of the report be noted.

The meeting concluded at 5.50pm

Signed

Chairman

Dated this

day of