

## CORPORATE AFFAIRS COMMITTEE

A meeting of the Corporate Affairs Committee was held on 8 February 2006.

**PRESENT:** Councillor Clark (Chair), Councillors McPartland, Mrs H Pearson and Porley.

**OFFICIALS:** J Bennington, C Davies, R Painter and R G Long.

**\*\* AN APOLOGY FOR ABSENCE** was submitted on behalf of Councillor J A Jones.

### **\*\* DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

### **\*\* MINUTES**

The minutes of the meeting of the Corporate Affairs Committee held on 26 October 2005 were submitted and approved as a correct record.

## **SCHOOL GOVERNING BODIES - LEA SCHOOL GOVERNORS - APPOINTMENTS**

A report of the Head of Education Policy and Resources was submitted relating to vacancies for LEA appointed School Governors, which had arisen as a result of resignations; the expiry of terms of office; or the removal of School Governors owing to non-attendance, and any vacancies deferred from the previous meetings of the Committee.

Members were required to consider certain Governors whose terms of office were to expire on March 2006.

It was noted that there were currently 19 vacancies out of a total of 141 Governorships for LEA representatives, which equated to 13%

In view of the forthcoming changes to Governing Body constitutional arrangements whereby the number of LEA Governors on each Governing Body was likely to reduce it was suggested that consideration be given to ensuring that there was adequate LEA representation on all Governing Bodies.

**ORDERED** as follows:

1. That the following appointments be approved for a four-year term of office: -

<u>School</u>	<u>Governor</u>
Brambles Primary	Mrs S Enderwick
Hemlington Hall Primary	Rev. D Desics
Marton Grove Primary	Mrs M McDermott (w.e.f. 30.3.06)
Acklam Grange Secondary	Councillor Harris
Holmwood Special	Mrs S Enderwick
Priory Woods Special	Mrs K Morris

2. That appointments to the following vacancies be deferred pending the receipt of nominations in respect of:

Archibald Primary (1)  
 Berwick Hills Primary (1)  
 Chandlers Ridge Primary (1)  
 Lingfield Primary (1)  
 North Ormesby Primary (1)  
 Park End Primary (2)  
 Pennyman Primary (1)

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Rose Wood Primary (1)  
St. Augustine's R C Primary (1)  
Hall Garth Secondary (1)  
King's Manor Secondary (1)

3. That in view of the lengthy period during which two vacancies had existed in respect St. Gerard's R C Primary School and given the impending publication in the local press encouraging applications for school governors the Officers be given delegated authority in consultation with the Chair to determine the appointment of any appropriate applicants to such vacancies.

#### **PUBLIC SECTOR - OMBUDSMEN SERVICES – REFORM**

Further to the meeting of the Committee held on 26 October 2005 and in a report of the Members' Office Manager the Committee was advised of the reply received (Appendix 2 of the report submitted) from the Cabinet Office in response to the submission by the Council relating to proposals for the Reform of Public Sector Ombudsmen in England (Appendix 1).

**ORDERED** as follows: -

1. That the information provided be noted.
2. That the results of the consultation exercise be submitted to the Committee once they have been received from the Cabinet Office.

#### **INDEPENDENT PANEL - MEMBER'S REMUNERATION – APPOINTMENTS**

A report of the Members' Office Manager was submitted relating to the expiry of the terms of office of three members of the Independent Panel on Members' Remuneration.

Reference was made to a meeting of the Committee held on 23 December 2002 when the Committee had approved a revised structure for and a 'rolling programme' of appointment to, the Independent Panel for Members' Remuneration.

As part of the agreed process and in order to ensure a wide range of experience, it had been agreed that wherever possible appointments should be made from a broad group of stakeholder groups. It had also been agreed that the Panel membership should include where possible, one member from the faith communities and voluntary sector, and two members from the general community.

It was reported that the term of office in respect of the Chair, Dr Jim Whiston, who represented the faith communities and voluntary sector, had expired during 2005. The terms of office in respect of Mr Dennis Lane and Mr George Melville, who represented the general community, had expired at the end of May 2005.

The Committee was advised that previously, recruitment to the Panel had been undertaken by a number of methods, including writing to the relevant stakeholder organisations or their representative bodies inviting nominations, and by way of advertisements in the local newspaper.

**ORDERED** as follows: -

1. That recruitment to the three posts on the Independent Panel on Members' Remuneration be undertaken as outlined.
2. That in relation to the recruitment process, the main faith, voluntary sector and community groups be written to asking for nominations, and an advertisement placed in the local paper inviting applications from any member of the public in respect of the places available for the general community.

3. That the selection process of applicants be undertaken by the Chair of the Corporate Affairs Committee, Monitoring Officer and the Members' Office Manager and subsequently reported to the Committee.

## **STANDARDS OF CONDUCT – LOCAL GOVERNMENT – OFFICE OF THE DEPUTY PRIME MINISTER**

In a report of the Members' Office Manager details were provided of a report published by the Office of the Deputy Prime Minister entitled 'Standards of Conduct in English Local Government: The Future'. The Paper compiled the Government's current views on the future of the conduct regime for local government in England, and set out the Government's intentions following various consultation exercises.

The Paper contained several proposals for changes to the Code of Conduct for Members briefly summarised as follows: -

- a) making the Code clearer and simpler;
- b) maintaining a rigorous approach to the identification of serious misconduct;
- c) amending the regime for declaring interests and speaking at council meetings in recognition of the need for certain relaxations, particularly to support councillors' advocacy roles for their constituents and the public bodies on which they serve;
- d) making changes to the arrangements for determining whether conduct in private life should fall within the ambit of the code;
- e) amending the rules on the reporting of allegations by members to reduce the number of vexatious complaints.

It was also pointed out that the Paper notes that a specific provision should be added to the Code of Conduct to clarify that bullying behaviour by Members constitutes a breach of the Code.

Specific reference was made to the proposal in the Paper for a major shift of emphasis in the system from central to local decision making stating that future local Standards Committees should be 'at the heart of decision-making within the conduct regime', only the most serious cases would be investigated by the Standards Board.

The detailed proposals included: -

- i) Monitoring Officers will undertake the investigation of most allegations;
- ii) Local Standards Committees will make determinations of most cases;
- iii) Only the most serious cases will be referred to the Standards Board for investigation;
- iv) Monitoring Officers and Standards Committees will need to become central not only in investigating but also in promoting and championing high standards, and ensuring that standards become embedded as an intrinsic part of the local culture;
- v) Capacity building measures and support to be provided to Standards Committees between now and the coming into effect of the new regime;
- vi) Standards Committees will be required to have an independent chair;
- vii) Standards Committees will report to the Standards Board on how they have been undertaking their role which may be through the submission of annual reports, in a common format;
- viii) The Standards Board will monitor the performance of Standards Committees.

The Paper also proposed a number of changes relating to the conduct of local government employees, which included;

- retention of the existing framework which restricts the political activities of certain senior staff although consideration would be given to amending the existing legislation to ensure that Political restriction only applied to the most senior, or the most sensitive posts;
- abolition of the post of Independent Adjudicator, and delegation of the role in the making decisions on applications for exemption from Political restriction to local Standards Committees.

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- an interim measure to increase the pay of Political Assistants to Spinal Column Point 44 and to pursue primary legislation to fix their rate of remuneration to a scale between Points 44 and 49;
  - to issue a code of conduct, which all employees should follow, which will be incorporated into each employee's contract of employment.

It was pointed out that the Paper rejected any further changes to the rules relating to political or Mayoral assistants, and in respect of the rules relating to employees acting as elected members.

In commenting on the Consultation Paper, Members expressed support for the proposals, in particular:

- a) the increased level of local accountability; and the
- b) likelihood of achieving greater consistency.

Members hoped that the proposals would take into account the need for:-

- i) greater clarity in relation to the declaration of interests;
- ii) specific guidance as to how to deal with vexatious complaints.

The Committee noted the significant resource implications both in terms of Members' and Officers' time and potential financial implications in so far as the new requirements related to the following: -

- the initial assessment of all complaints locally by the Standards Committee;
- investigations being undertaken by the Monitoring Officer;
- consideration and determination of cases by the Standards Committee.

In recognition of the resource implications an indication was given in the Consultation Paper which suggested that a phased introduction would allow for capacity building measures to be put in place to prepare for the revised regime.

**ORDERED** as follows: -

1. That the information provided be noted.
2. That the proposals contained in the Consultation Paper entitled 'Standards of Conduct in English Local Government: The Future' be reported to the Standards Committee.
3. That the views of the Committee outlined above be forwarded to the Office of the Deputy Prime Minister.

## **REGISTRATION MODERNISATION- BIRTHS DEATHS MARRIAGES**

The Director of Legal and Democratic Services submitted a report regarding the Government's Consultation Paper on the delivery of the local registration service in England and Wales responses to which had been asked for by 20 February 2006.

The report outlined the current legislation and recent attempts to change present arrangements to allow appropriate modernisation to the service.

The Government intended to revise the interpretation of the Registration Service Act likely to come into effect later in 2006. In practice, all staff would become subject directly to the management of the authority.

It was acknowledged that the Council would have a much larger role in the service provision, and a new management structure would underpin improvements in service delivery.

The pressure for a review of the service had been in place for some time owing to a number of factors including; the increased workload of statutory duties in particular certificate issues; the designation of Middlesbrough as a regional centre for certain marriage preliminaries; and the registration service in respect of civil partnership, a duty allocated to local authorities in December 2005.

Reference was made to a range of new and improved customer services which the Superintendent Registrar for Middlesbrough wished to pursue in the near and medium term for which a business plan was currently being compiled.

The questions posed in the consultation document and recommended responses were outlined in the report submitted.

**ORDERED** as follows: -

1. That the proposal for a revised legal framework be supported as it was considered that this would give greater ownership of, and responsibility for the delivery of the registration service.
2. That the suggested responses to the Consultation document as outlined in the report submitted be approved.