
STANDARDS COMMITTEE

A meeting of the Standards Committee was held on 31 August 2005.

PRESENT: G Fell (Chair)

Councillors Brady, Clark, Elder, J Jones and Williams.

Independent Members:
W Anderson and D Middleton

Parish Council Representative:
Councillor I Bruce.

OFFICIALS: J Bennington, C Davies, R G Long and D Robinson.

****APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors B Taylor and T Ward.

**** NEW MEMBER – WELCOME**

The Chair welcomed Councillor Elder who was attending her first meeting following appointment to the Committee.

**** DECLARATIONS OF INTEREST**

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

Councillor Williams stated that although he had been present at the meeting of the Hemlington Community Council referred to in the complaint and that he had not been subsequently interviewed he had agreed after taking advice that he did not have to declare an interest in such circumstances.

STANDARDS BOARD FOR ENGLAND – CODE OF CONDUCT INVESTIGATION

The Director of Legal and Democratic Services submitted a report in respect of a joint complaint from Mr Quinn and Mr Honeyman received by the Standards Board relating to the conduct of Councillor Heath at a meeting of the Hemlington Community Council held on 1 February 2005.

Following referral of the matter from the Standards Board for local investigation the Director of Legal and Democratic Services in accordance with the Regulations appointed Mr C Davies, Members' Office Manager, to carry out the investigation.

A copy of the final report prepared by Mr Davies had been appended to the report submitted and a copy sent to the Standards Board, Councillor Heath and the complainants.

The Committee was advised of their remit specifically to determine either of the following: -

- a) to accept the finding made by the investigating officer, or
- b) to require the complaint to be referred to the Standards Panel Hearings Sub-Committee for a full hearing.

In the event of the Committee agreeing that the Code of Conduct had not been breached the Council should arrange for a notice to be published to that effect although in accordance with the Regulations Councillor Heath could request that such notice be not published in the local press.

Should the Committee conclude that based on the finding of the Investigating Officer there appeared to have been a breach of the Code of Conduct then the matter must be referred to the Standards Panel Hearings Sub-Committee for a full hearing

The Board considered the findings of the Investigating Officer and sought clarification on a number of points.

In commenting on the contents of a letter from the Department of Transport and Design Services the need to avoid technical terms in such correspondence with members of the public was highlighted. It was agreed that the Head of Service should be advised accordingly.

ORDERED that the finding of the Investigating Officer be accepted in that there had been no breach of the Code of Conduct specifically Paragraph 4 and 2 (b) of the National Code of Conduct.

COMPLAINTS – STANDARDS BOARD FOR ENGLAND

The Director of Legal and Democratic Services reported upon the creation of a database of complaints alleging a breach of the National Code of Conduct which were referred to the Standards Board for England.

In receipt of a complaint there were a number of actions available to the Standards Board, which included rejection at the initial stage; referred to an Ethical Standards Officer for investigation; or referred to the Authority's Monitoring Officer for investigation.

It was considered to be good practice for an Authority to establish a database detailing the complaints received by the Standards Board. Such information to include identification of the Councillor's name; the Standards Board Case Reference Number; the date the Council received the allegation; the nature of the allegation; the date of completion; and the outcome.

The Committee was advised of an issue regarding confidentiality. Whilst a matter was under investigation by the Standards Board it was confidential and any person who released information could be committing a criminal offence. It was noted however, that once an investigation had been completed the details were made public by the Standards Board.

The Standards Board did not however publish those complaints it had decided not to investigate.

NOTED AND APPROVED