

## STANDARD COMMITTEE

A meeting of the Standards Committee was held on 27 May 2008.

**PRESENT:** G Fell (Chair)  
Councillors Carter, Davison, Khan, McPartland and Taylor  
Parish Council Member: Councillor I Bruce

**OFFICIALS:** M Braithwaite and R G Long

**\*\* ALSO PRESENT AS AN OBSERVER:** Councillor McTigue

**\*\*APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors C Hobson and Lowes and Mr C Nestor

### **NEW MEMBER WELCOME**

The Chair welcomed newly appointed members of the committee, Councillors Carter and Khan to the meeting.

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

There were no declarations of interest for this meeting.

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

The minutes of the meeting of the Standards Committee held on 11 March 2008 were taken as read and approved as a correct record.

### **INDEPENDENT MEMBER**

The Director of Legal and Democratic Services reported that expressions of interest had been received from two members of the Independent Panel on Members' Remuneration. Once applications were received the Director and Members' Office Manager would conduct interviews for appointment to the vacancy. Members were also advised that, as requested at the previous meeting of the committee, the Independent Panel on Members' Remuneration had considered whether, in addition to the Chair of the Standards Committee, other members of the committee should receive an allowance. The Independent Panel's view was that remuneration should not apply at this time.

**NOTED**

### **CODE OF CORPORATE GOVERNANCE**

The Director of Legal and Democratic Services presented a report requesting approval to a revised Code of Corporate Governance which had recently been reviewed and up dated to incorporate the Corporate Governance framework set out in the CIPFA/SOLACE document "Delivering Good Governance in Local Government". The new framework comprised six core principles that support the governance of the Council as follows:-

- Core principle 1 Focussing on the Council's purpose and outcomes for its citizens and creating and implementing a vision for the area.
- Core principle 2 Members and officer working together achieve a common purpose with clearly defined functions and roles.
- Core principle 3 Promoting high standards of conduct across the Council.
- Core principle 4 Making transparent decisions that are subject to scrutiny and risk Management.
- Core principle 5 Developing the capacity of Members and officers to be effective.

Core principle 6 Engaging with local people and stakeholders

Copies of the current and revised codes were attached as appendices to the submitted report.

**ORDERED** that the Code of Corporate Governance attached at Appendix 2 to the report be approved.

#### **LOCAL DETERMINATIONS GUIDANCE**

The Director of Legal and Democratic Services presented details of guidance issued by the Standard Board for England "Local Assessment of Complaints" together with a set of papers prepared by barristers from chambers at 39 Essex Street that provided a breakdown of changes made to the standards regime in regard to Members' conduct, the revised role of the Standards Board and standards committees in dealing with local assessments, reviews and hearings of complaints against the councillors had breached the code of conduct. The Standards Board guidance provided information designed to assist local authorities develop criteria and effective procedures to deal with the new legislative requirements under the Local Government and Public Involvement in Health Act 2007.

**NOTED**

#### **PARISH COUNCIL REPRESENTATION – STANDARDS COMMITTEE**

The Director of Legal and Democratic Services informed the committee that in line with the rules regarding the make-up of standards committees, the committee currently had one parish council representative who, with the agreement of both Nunthorpe and Stainton and Thornton Parish Councils represented both authorities on the committee. Guidance from the Standards Board suggested that where an authority had responsibility for any parish or town councils there should be a minimum of three parish or town council representatives on the standards committee to ensure that there would be sufficient representatives available to take part in the newly established sub-committees, and who would not have a conflict of interest for both the assessment and review sub-committees when a complaint was considered against a member of those councils.

However, as Middlesbrough, unlike the majority of other responsible authorities has responsibility for only two parish councils, it was felt that one representative from each authority would be sufficient. Letters had been circulated to both parish councils advising them of the new arrangements and requesting Nunthorpe Parish Council to either confirm their current representative or nominate a replacement and, for Stainton and Thornton Parish Council to nominate a new member.

**NOTED**

#### **POLITICALLY RESTRICTED POSTS**

The Director of Legal and Democratic Services reported that section 202 of the Local Government and Public Involvement in Health Act 2007 had transferred responsibility for dealing with the grant and supervision of exemptions from political restriction of posts from the Independent Adjudicator appointed under section 2(2) of the Local Government and Housing Act 1989 to standards committee. As a consequence the Council at its annual meeting amended the Constitution and the Committee's terms of reference to take on board this new responsibility. The Director of Human Resources is the proper officer responsible for maintaining the list of politically restricted posts within the Council.

**NOTED**