

STANDARDS COMMITTEE

A meeting of the Standards Committee was held on 10 June 2008.

PRESENT: G Fell (Chair)
Councillors C Hobson and McPartland
Independent Member: C J Nestor
Parish Council Members: Councillors I Bruce and R Macmillan.

OFFICIALS: J Bennington, C Davies, B Roberts and D Robinson.

****APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Carter, Davison, Khan and Taylor.

****DECLARATIONS OF INTEREST**

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

**** WELCOME**

The Chair welcomed Councillor Bob Macmillan (Stainton and Thornton Parish Council) attending his first meeting of the Standards Committee.

****MINUTES – MATTERS ARISING – INDEPENDENT PANEL ON MEMBERS REMUNERATION**

The minutes of the meeting of the Standards Committee held on 27 May 2008 were submitted.

Members sought clarification on the decision by the Independent Panel on Members' Remuneration that members of the Standards Committee should not receive an allowance. The Members' Office Manager confirmed that it had been agreed that this would be reviewed at the end of the Municipal Year when the extent of the commitment arising from new functions would be clearer.

ORDERED as follows: -

1. That the minutes of the meeting of the Standards Committee held on 27 May 2008 be approved.
2. That the information provided be noted.

MEMBER DEVELOPMENT STRATEGY 2008/2009

The Members' Office Manager presented a report regarding the Member Development Strategy for 2008/2009 following a review by the Member Development Working Group of the 2007/2008 Strategy. Once approved, the Member Development Strategy would be submitted to Council for final approval and then adopted as the Council's Strategy 2008/2009.

It was confirmed that since the 2007/2008 Member Development Strategy had been agreed, the I&DeA/NEREO (North East Regional Employers Organisation) Member Development Charter and the Investors in People (IIP) award for elected Members had both been achieved which had been reflected in the 2008/2009 Strategy.

The Member Development Programme, the latest copy of which was circulated at the meeting, had also been updated for the forthcoming year, along with the Member Development Budget.

Clarification was sought regarding the opportunity for independent members and co-opted members to contribute to the development of the programme. The Members' Office Manager confirmed that the Member Development Working Group would consider any suggested topics. It was noted that in most cases the training was available for all elected Members of the Council but that if required special arrangements could be made for Independent Members and Parish Council Members on the Standards Committee to attend as appropriate.

ORDERED as follows: -

1. That the Member Development Strategy and the draft Member Development Programme for 2008-2009 as outlined at Appendix A of the report submitted be approved and submitted to Council.
2. That the ongoing Members training held prior to meetings of the Planning and Development Committee be recorded within the Member Development Programme.

ANNUAL ASSEMBLY OF STANDARDS COMMITTEES 2008

The Members' Office Manager presented a report on the forthcoming 7th Annual Assembly of Standards Committees scheduled to take place on 13 and 14 October 2008 at the International Convention Centre in Birmingham.

The event programme was entitled 'Delivering the Goods: Local Standards in Action' and was intended to highlight key issues of governance and ethics, including how to develop an exemplary standards committee, promote good governance and build public confidence in local authority members.

The proposed programme included 21 breakout sessions to choose from, including several sessions with a practical focus designed to help those attending put the local standards framework and the Code into action. Details of each day's programme were outlined in the appendix of the report submitted.

ORDERED that authority be granted for attendance at the 7th Annual Assembly of Standards Committees to Councillor McPartland and Mr C J Nestor and that the Chair acts as substitute.

STANDARDS COMMITTEE WORK PROGRAMME 2008/2009

The Members' Office Manager submitted a report, which outlined progress on the work undertaken by the Committee during 2007/2008 and provided information to assist in the consideration of topics for inclusion in the work programme for 2008/2009.

In formulating the work programme the Committee was mindful of the changes brought about under the Local Government and Public Involvement in Health Act 2007. Following the establishment of new sub-committees, there would be additional duties placed upon members of the committee in preparing for its new local assessment, review and determination functions.

It was acknowledged that should the need arise urgent matters may be added to the programme and additional meetings convened.

The Committee considered the suggested programme for 2008/2009 which identified items already covered at the meeting of the Committee held on 27 May 2008; standard items; ongoing issues; and potential areas of work for 2008/2009.

It was confirmed that the item relating to changes to the Constitution would cover the amendments to the terms of reference to reflect the new functions and responsibilities. The Committee was advised of the intention to include a module within the existing overall Corporate Complaints system that would provide a high level of confidentiality but would identify the staged process in respect of complaints against Members. It was noted that further details on the process would be submitted to the Committee following discussion with the Director of Legal and Democratic Services.

ORDERED as follows: -

1. That the following standard items and ongoing issues as outlined in the report submitted form part of the Standards Committee Work Programme 2008/2009:-

- Adjudication Panel and Standards Boards Decisions;
- Corporate Complaints, Comments and Compliments, Monitoring;
- Annual Ombudsman's Letter;
- Annual Audit and Inspection Letter;
- Training – Local Determination of Complaints;
- Review of Member/Officer Protocol;
- Reports in relation to Investigations – Complaints against Members;
- Code of Conduct for Employees;
- Corporate Area Assessment;
- Review of Officer Scheme of Delegation.

2. That the following specific items as outlined in the report submitted be included in the Standards Committee Work Programme 2008/2009 and considered at meetings of the Committee as follows:-

Meeting 9 September 2008:

- Review of Register of Interests/Register of Gifts and Hospitality;
- Local Investigation of Complaints against Members and Procedures for Dealing with Standards Issues;
- Changes to the Constitution;
- Corporate Area Assessment;
- Ethical Governance Audit.

Meeting 9 December 2008:

- Review Member/Officer Protocol;
- Member Training and Development Programme;
- Feedback report on the Standards Board 7th Annual Assembly of Standards Committees.

Meeting 10 March 2008:

- Review of Members/Officers' Interests/Gifts and Hospitality Registers;
- Review of Code of Corporate Governance 2009.

STANDARDS COMMITTEE – APPOINTMENT – PARISH COUNCIL REPRESENTATIVE

In a report of the Director of Legal and Democratic Services the Committee was advised of a nomination received from Stainton and Thornton Parish Council for appointment to the Standards Committee.

Reference was made to the changes in the operation of the conduct regime and the need to appoint three new sub-committees in order to deal with the assessment, review and hearing of complaints relating to breaches of the Code of Conduct.

It was confirmed that guidance suggested that three parish council representatives should be appointed to standards committees to ensure parish representation was available for each of the sub-committees when they were required to deal with complaints against parish councillors.

As Middlesbrough Council was only responsible for two parish councils it had been agreed that one representative from each parish council would be sufficient, providing that the same representative did not attend both the initial assessment and the review meetings.

Nunthorpe Parish Council's representative, Councillor Ian Bruce currently represented both parishes.

The Committee was advised that Stainton and Thornton Parish Council had now nominated Councillor Robert Macmillan as its representative.

ORDERED that Councillor Bob Macmillan be appointed as the Stainton and Thornton Parish Council representative on the Standards Committee.