

STANDARDS COMMITTEE

A meeting of the Standards Committee was held on 8 March 2011.

PRESENT: C Nestor, (Chair)
Councillors Carter, Elder, McPartland, Sanderson and Taylor
Independent Members Prof. B Footitt and Ms J Kidd
Parish Council Members: Councillors R Macmillan and C Morrish

OFFICERS: C Davies, S Harker, R G Long

****DECLARATIONS OF INTEREST**

There were no declarations of interest at this point of the meeting.

**** MINUTES**

The minutes of the meeting of the Standards Committee held on 7 December 2010 were taken as read and approved as a correct record.

BUSINESS REPORT OF THE MONITORING OFFICER

The Director of Legal and Democratic Services presented a report to update Members of the Standards Committee on issues dealt with by the Monitoring Officer since the last meeting and to report on some future matters.

Local Government Elections – Purdah Period

In light of the forthcoming elections to be held in May, all Elected Members had received guidance in relation to the relevant provision of the Local Government Act 1986. The rules that applied, particularly during the period leading up to an election known as Purdah, precluded proactive publicity by candidates and other politicians with effect from 25 March 2011 until the Elections on 5 May 2011. A copy of the guidance was appended to the submitted report.

Member Induction - Training

In preparation for the incoming new political administration, arrangements were in hand to conduct a series of training events for new and returning Councillors as part of a full induction programme.

Until further information was available on the future of Standards Committee and its Sub Committees, the programme of induction would contain provisional dates for Member training on standards and ethical issues, including Co-opted and Parish Council Members.

Standards Sub Committee Meetings

During the period from May 2010 to date, the Standards Sub Committees had received ten new complaints against Members of the Council and two existing complaints had been completed. Six meetings of the Initial Assessment Sub Committee had been held, one meeting of the Review Sub Committee and three meetings of the Hearings Sub Committee. Further meetings of the Review Sub Committee and the Hearings Sub Committee were in the process of being arranged.

Gifts and Hospitality Register – Registers of Interest

An Internal Audit inspection of the Gifts and Hospitality Register had recently been conducted to examine the strength of current processes and procedures. The outcome of the inspection would be reported to the June meeting of the Committee.

Future Work Programme

Depending, on the timing of Government proposals for changes to the regime for standards, discussion between the Monitoring Officer and the Chair would take place in the coming months to determine issues to be considered in any future work programme for the Committee. This might include how or whether the Committee will be re-established either in its current or an amended form.

NOTED

CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY

A copy of the Code of Recommended Practice on Local Authority Publicity consultation and the Communities and Local Government Select Committee report on the Code had been circulated. It was acknowledged that Local Authority publicity was important to transparency and to localism, as the public needed to know what their Local Authority was doing in order to hold it to account. The revised Publicity Code contained specific guidance on the frequency, content and appearance of Local Authority newsletters, news sheets or similar publications. It was noted that in future, Middlesbrough News would be published quarterly in order to comply with the Code.

NOTED

MAINTAINING HIGH ETHICAL STANDARDS IN LOCAL GOVERNMENT – BRIEFING NOTE

The Localism Bill published on 13 December 2010 contained proposals to abolish the Standards for England regime. A copy of a paper produced jointly by the Local Government Group and the Association of Council Secretaries and Solicitors (ACSeS) entitled 'Maintaining High Ethical Standards in Local Government' had been circulated for information.

Subject to Parliament approving the legislation, Standards for England would cease to operate, Councils would no longer be required to have a local Standards Committee, the National Code of Conduct for Elected Members would be abolished and Councils would be allowed to adopt voluntary Codes of Conduct. Members' attention was drawn to the following proposals outlined in the Bill:

- Elected Members would be required to continue to register and declare personal interests and would not be allowed to use their position improperly for personal gain. The Government intended that wilful failure to comply with these requirements would constitute a criminal offence.
- The requirement for Local Authorities to adopt a model Code of Conduct and for Local Authority Members to abide by that Code would be abolished. However Local Authorities would be free to adopt their own, voluntary code of conduct if required.
- The requirement for Councils to maintain a Standards Committee would be abolished. However, Local Authorities would be free, should they choose, to establish voluntary Standards Committees to consider complaints about the conduct of Elected and Co-opted Members. Such Committees would, according to Councils' local Constitutions, be able to censure but would not be able to suspend or disqualify Members from Council membership.

Further discussion regarding arrangements for Middlesbrough Council would be required once the new legislation was in place.

NOTED

ACCESS TO MEETINGS – LETTER FROM DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

Members' attention was drawn to a copy of a letter from the Department for Communities and Local Government regarding access to Council meetings. As part of the Government's transparency drive, the importance of Councils giving citizens the opportunity to access and experience local democracy using modern communication methods was highlighted. Councils were encouraged to take a welcoming approach to blogging, tweeting or filming of Council

meetings by interested members of the public as well as mainstream media. Whilst there were obligations under the Data Protection Act 1998 on whoever was filming or publishing information, these obligations should not prevent access for journalism.

NOTED

PROVISIONAL DATES AND TIMES FOR FUTURE MEETINGS 2011/2012

ORDERED that the dates and times for future meetings would be as follows:-

Tuesday 14 June 2011
Tuesday 13 September 2011
Tuesday 13 December 2011
Tuesday 13 March 2012