

**MINUTES of the meeting of Standards Committee held at  
The Council Chamber, Brockington, 35 Hafod Road,  
Hereford on Friday, 17th October, 2008 at 2.00 p.m.**

**Present:** Robert Rogers (Independent Member)(Chairman)  
  
Councillor J Stone (Local Authority Representative) and  
Councillor JB Williams (Local Authority Representative)

**In attendance:**

**65. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Ms Lynda Wilcox, the Chief Executive of the Herefordshire Association of Local Councils (HALC). Ms Wilcox had been due to present Agenda Item 4 (STANDARDS BOARD FOR ENGLAND/HEREFORDSHIRE ASSOCIATION OF LOCAL COUNCIL JOINT PILOT PROJECT).

**66. DECLARATIONS OF INTEREST**

Members made the following declarations of interest:

<b>Member</b>	<b>Item</b>	<b>Interest</b>
Robert Rogers		

**67. MINUTES**

**RESOLVED: (unanimously) that the minutes of the meeting held on 04 July 2008 be approved as a correct record and signed by the Chairman.**

**68. STANDARDS BOARD FOR ENGLAND/HEREFORDSHIRE ASSOCIATION OF LOCAL COUNCILS JOINT PILOT PROJECT**

Mr Richard Gething reported on progress made with a joint pilot project between the Standards Board for England (SBE), the Herefordshire Association of Local Councils (HALC), the Society of Local Council Clerks (SLCC), and the Standards Committee. The project aimed to produce a model for compacts between Associations of Local Councils, Monitoring Officers and Standards Committees, through activities such as joint training, the production of joint guidance, and informal meetings.

HALC was in the process of identifying parish and town councils to participate in the project, and would arrange for Standards Committee members to attend their meetings and give an informal talk on the Committee's role and work. Mr Gething pointed out that, under the terms of the Pilot, parish and town council representatives on Standards Committees would not participate in these informal sessions. Members felt that there was merit in producing a brief guidance note for the sessions, on one side of A4, to ensure a consistent approach.

**RESOLVED: (unanimously) that the report be noted.**

**69. APPLICATIONS FOR DISPENSATIONS RECEIVED FROM PARISH AND TOWN COUNCILS**

There were no applications for dispensations received.

The Committee considered the question of what happened when it had granted a dispensation, and subsequently the membership of the parish council changed, with the effect that there were fewer than half of the Councillors affected. Members noted that, because the dispensation was granted to named individuals, it would still apply until its expiry date or until revocation. They agreed that a parish or town council should revoke a dispensation if it remained in place for less than the qualifying number, or if the nature of an interest changed so that the dispensation was no longer applicable. This would prevent parish and town councillors from taking advantage of a dispensation when the legal requirements were no longer fulfilled.

The Committee would produce a new version of the dispensation application form, consulting the Herefordshire Association of Local Councils (HALC).

**RESOLVED: (unanimously) that the Dispensations Application form be amended to take account of changes affecting dispensations already granted to parish and town councillors, in accordance with the above minute.**

**70. CONSULTATION PAPER: "COMMUNITIES IN CONTROL: REAL PEOPLE, REAL POWER CODES OF CONDUCT FOR LOCAL AUTHORITY MEMBERS AND EMPLOYEES**

The Committee considered a consultation paper from the Department for Communities and Local Government which sought views on revising the Local Authorities (Model Code of Conduct) Order 2001, and on the proposed introduction of a model code of conduct for local government employees. Members held an initial discussion, and agreed to finalise its views on the consultation by email.

**RESOLVED: (unanimously) that the Standards Committee finalise its views on the consultation and submit them by the deadline of 24 December 2008. The consultation response would also be posted on the Council's website in due course.**

**71. CODE OF CORPORATE GOVERNANCE**

Members noted that the new Code of Corporate Governance for the Council, which it had revised at its meeting on 04 July 2008, had been approved by the Audit and Corporate Governance Committee on 25 September 2008. The aim of the new version was to be short, straightforward and clear, as befits what would be in effect the council's promise to the people of Herefordshire. The Committee envisaged that a detailed working version of the Code would also be produced, setting out exactly how compliance with the high-level aims would be achieved.

**RECOMMENDATION: (unanimously) that it be recommended to Council that the re-drafted Code of Corporate Governance and Foreword, be adopted.**

**72. ASSESSMENT CRITERIA: ANONYMOUS COMPLAINTS**

The Committee agreed a process for dealing with anonymous complaints, as

recommended by the Standards Board for England. The document "Assessment and Review Criteria of Herefordshire Council Standards Committee" would be updated to reflect the changes.

**RESOLVED: (unanimously) that the criteria for dealing with anonymous complaints about local authority, parish and town councils, as recommended on Pages 25 and 26 of the SBE guidance "Local Assessment of Complaints", be agreed and included in the local publication: "Assessment and Review Criteria of Herefordshire Council Standards Committee".**

**73. SEVENTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES**

Four members provided an oral report on the Annual Assembly of Standards Committees, which they had attended at the International Conference Centre in Birmingham on 13 and 14 October 2008. The theme had been "Delivering the Goods: Local Standards in Action", and had concentrated on operating the local filter, and sharing experiences of the new regime in place since 08 May 2008. The conference had been over-subscribed; an indication of its popularity and its invaluable contribution towards training.

**RESOLVED (unanimously) that the report be noted.**

**74. STANDARDS BOARD FOR ENGLAND BULLETIN 40**

Members noted the contents of Bulletin 40 from the Standards Board for England.

**RESOLVED: (unanimously) that the report be noted.**

**75. EXPERIENCE OF LOCAL FILTER CASES, AND DETERMINATIONS SO FAR**

The Committee reviewed progress made with complaints about local authority, town and parish councillors since the introduction of the local filter on 08 May 2008. The Assessment Sub-Committee, which dealt with the initial handling of complaints, had considered twelve complaints to date, and was meeting approximately once a month. Members agreed that the information should be produced at every meeting in spreadsheet form. The report would be dealt with in "exempt" session, meaning that it would not be in the public domain. This was because the subjects of the complaints would be named in the report, to assist the Standards Committee in establishing whether there were any conflicts of interest. Members requested that the legal advisor and members of every Sub-Committee also be named on the report to assist with monitoring use of resources.

Members considered a system for managing and keeping track of complaints, as required by the new Standards Committee Regulations, and also noted the manner in which the Monitoring Officer was required to report the complaints to the Standards Board.

The Assistant Chief Executive (Legal and Democratic) apprised members of any training that had taken place, arising from the decisions of the Assessment Sub-committees.

Members considered In addition, the Committee considered a specific comment from the complainant in respect of complaints numbers 17223.07 – 17229.07, that there were inaccuracies contained in some of the Decision Notices which were published as part of the minutes of a meeting of the Standards Committee held on 11 May 2007. The Committee agreed that six of the seven Decision Notices were inaccurate at the time of issue, and that the set of minutes, which incorporated the decision

notices, would be amended and re-published on the Council's website.

**RESOLVED: (unanimously) that:**

- (a) The Standards Committee agrees to keeping track of the progress of complaints about local authority, town and parish councillors via a confidential spreadsheet as attached to the report, with the addition of the details of legal advisors and Sub-Committee members present, and the Committee notes the system for reporting this information to the Standards Board for England;
- (b) The Standards Committee agrees any amended or additional procedures and practices it deems necessary in order to ensure the successful operation, and improve the efficiency and effectiveness, of the Local Filter;
- (c) The Standards Committee agrees to amend the Decision Notices published as part of a minute of the Standards Committee meeting held on 11 May 2007, in respect of complaint numbers 17223.07 – 17229.07, as a result of inaccuracies that had come to light subsequent to the meeting, and that the amendments would be published on the Council's website.

#### **76. PROCEDURES FOR RECRUITMENT OF INDEPENDENT MEMBERS**

The Chairman reported on the interview process for recruiting an additional Independent Member. The additional had been agreed at the Committee's last meeting, in order to reduce the possibility of statutorily required independent chairs being conflicted out of the various stages of the local filter process. The interviews had taken place on 26 August 2008, and the panel had consisted of Robert Rogers (Chairman), Councillor John Stone, John Hardwick, and Colonel Tony Ward OBE (Independent Member of the West Mercia Police Authority, and a member of that Authority's Standards Committee) as an external member. The process had produced some very impressive candidates; and the panel had been unanimous in recommending the appointment of Ms Isabel Fox.

Members commented that, from their initial experiences of working with the local filter, it was clear that a further Independent Member would be required. This would ensure resilience in the case of conflict, would enable much greater flexibility in the process, and would assure the public of continued transparency in what was proving to be a very demanding area.

**RESOLVED: (unanimously) that it be recommended to Council that:**

- (i) Ms Isabel Fox be appointed as an Independent Member of the Standards Committee;
- (ii) The recruitment of a fourth Independent Member of the Standards Committee be approved.

The meeting ended at 4.07 p.m.  
<LAYOUT\_SECTION>

**CHAIRMAN**