

REPORT OF THE STANDARDS COMMITTEE

Meeting held on 18 January 2008

Membership:

Robert Rogers (Independent Member) (Chairman); Councillor John Stone; Councillor Beris Williams; Richard Gething (Town and Parish Council Representative); John Hardwick (Town and Parish Council Representative); David Stevens (Independent Member).

INDEPENDENT REVIEW OF THE COUNCIL'S CONTRACTUAL AND FINANCIAL ARRANGEMENTS

1. We considered the report by Ian Crookall, the former Chief Executive of Buckinghamshire County Council, who had conducted an independent review of financial and contractual governance arrangements in respect of the Council's ICT department. We welcomed Chris Bull, the new Chief Executive, to our meeting, and he updated us on the progress made since publication of Mr Crookall's report and his approach for the future.
2. In addition, we endorsed proposed amendments to the Council's contractual and financial standing orders so far as they touched on the responsibilities of the Standards Committee.

LOCAL ASSESSMENTS

3. As councillors will be aware, a major change is about to take place in the handling of complaints against members of authorities in England, devolving most decisions to local Standards Committees. From April 2008 we will take on the task of examining any complaint against a Herefordshire Councillor, or a Parish or Town Councillor in Herefordshire, and deciding whether it should be investigated, in addition to our present power to hear and determine cases. We have considered the advice from the Standards Board for England Bulletin on implementing this devolution, including: the size and structure of the committee, any training needs, and how to deal with the various stages of the complaints process. We will need to make some changes to maintain a robust and resilient system. For example, a Standards Committee member who participates in a local assessment decision must not then participate in any review of the same decision if one is requested. To address these issues, we have decided on the following courses of action:
 - We will recruit one additional independent (external) member. This will enable us to use in any review process a member who has not been previously involved. The independent status of the additional member is particularly important because it will be a requirement that all local hearings and reviews must have an independent Chairman. This will also ensure cover in the event of any conflicts of interest, other commitments or sickness. The same problem does not exist for Local Authority and Parish and Town Councillors, because we have the ability to co-opt additional members from the Council and from the Herefordshire Association of Local Councils, should it become necessary.

- We will explore the possibility of making a reciprocal arrangement with the Standards Committees of Worcestershire and Shropshire Councils to ensure impartial review when that proves necessary.
- We will review the Constitution to reflect these changes.
- In addition, we will establish a Sub-Committee for initial consideration of complaints.

RESTRICTIONS ON POLITICAL ACTIVITIES BY LOCAL AUTHORITY OFFICERS

4. Before the coming into force of the Local Government and Public Involvement in Health Act 2007, local authorities appointed an independent adjudicator to grant dispensations to staff in politically restricted posts who wished to engage in political activity. The role of the adjudicator has now been abolished, and will instead be undertaken by Standards Committees. The Committee will also oversee the Council's list of politically restricted posts, and offer general advice on the application of criteria for designating a post. This sets a new precedent for Standards Committees who have previously dealt exclusively with councillors. We will not embark on this task until national guidance has been issued by the Department of Communities and Local Government.

CONSULTATION ON ORDERS AND REGULATIONS RELATING TO THE CONDUCT OF LOCAL AUTHORITY MEMBERS IN ENGLAND

5. We considered a consultation paper from the Department for Communities and Local Government which sought views on the detailed arrangements for putting local assessment into effect. The closing date for responses to a set of 16 questions – on fairly complex issues - is 15 February 2008. We acknowledged that the brevity of the consultation period (one third of the time recommended by Government) might cause particular difficulties for parish councils who wished to comment, but only meet bi-monthly or quarterly. We shall mention this in our response, which will be posted on the Council website.

TRAINING

6. With the advent of local assessment, and the adoption of the new Code of Conduct, our involvement in training continues to grow. Over the coming months, we will focus on the following:
 - Joint training with Standards Committee members from Worcester and Shropshire Councils, Hereford and Worcester Fire and Rescue Authority, and West Mercia Police Authority, on the new code of Conduct and local assessment. The Head of Legal and Democratic Services, Alan McLaughlin, has written to these authorities, and the response has been positive. He will arrange a meeting with them to agree a training plan.
 - We are responsible for training parish and town council members on ethical standards and the Code of Conduct. We took part in a joint Herefordshire Association of Local Councils (HALC) training session on 25 October 2007,

and a significant increase in the number of training sessions is planned for 2008 – also seeking to engage to engage those councils who are not HALC members.

STANDARDS COMMITTEE ANNUAL REPORT 2007

7. We considered a first draft of our annual report for 2007, and will publish it shortly. Our report for 2006 was widely distributed and very well received, and has even been used as a template by other Standards Committees.

DETERMINATIONS BY THE STANDARDS BOARD FOR ENGLAND – 2007

8. We have considered progress reports on current investigations by the Standards Board for England.

**ROBERT ROGERS
CHAIRMAN
STANDARDS COMMITTEE**

BACKGROUND PAPERS:

- Agenda papers of the meeting held on 18 January 2008.