North West Leicestershire District Council

Standards Committee

Annual Report 2007/8

1. Introduction

This is the Annual Report of North West Leicestershire District Council's Standards Committee and covers the period from 1st April 2007 to 31st March 2008.

2. Terms of Reference

Paragraph 7 of Part 3 of the Council's Constitution sets out the Standards Committee's Terms of Reference, as set out below:-

Membership: Five Councillors
Five Independent Members
Two Parish Councillors

Quorum: Three Councillors

The Council is required by law to appoint a Standards Committee and it has the following statutory roles and functions:-

- Promoting and maintaining high standards of conduct by Councillors and co-optees.
- Assisting the Councillors and co-optees to observe the Members' Code of Conduct.
- Advising the Council on the adoption or revision of the Members' Code of Conduct.
- To determine any issues referred to the Committee (except for any matter reserved to Council).
- Monitoring the operation of the Members' Code of Conduct.
- Advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct.
- Granting dispensations to Councillors from requirements relating to interests set out in the Members' Code of Conduct.
- Dealing with any reports from a Case Tribunal or Interim Case Tribunal, and any report from the Monitoring Officer on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer.
- Receiving and assessing complaints, reviewing local decisions and conducting hearings following investigation.
- To exercise the above functions for the parish councils wholly or mainly in its area and the members of those parish councils.

And, in addition, the Standards Committee also oversees the ethical framework of the Council including oversight of:-

- The Whistle Blowing Policy.
- Complaints Handling
- Ombudsman Investigations.

During the year the Committee has reviewed its Terms of Reference to ensure that they reflect its developing role and new legislation. A recommendation has therefore been made to Council in this regard.

3. Composition

Throughout 2007/08, the Committee has comprised:

Independent Representatives

Norman Bird - Chairman
Appointed by Council 31st October 2006
Membership expires 30th October 2010

Christopher Lewis
Appointed by Council 31st October 2006
Membership expires 30th October 2010

Kirsty Morrison
Appointed by Council 31st October 2006
Membership expires 30th October 2010

Linda Lambert
Appointed by Council 31st October 2006 with effect from 17th December 2006
Membership Expires 16th October 2010

There is currently one vacancy.

Parish Representatives

Maureen Havers
Appointed by Council 26th June 2007
Membership Expires 25th June 2011

There is currently one vacancy.

District Councillors

Councillor G Allman (Deputy Chairman)
Appointed by Council 15th May 2007

Councillor T Gillard
Appointed by Council 15th May 2007

Councillor P Holland
Appointed by Council 15th May 2007

Councillor J Legrys
Appointed by Council 15th May 2007

Councillor C Meynell
Appointed by Council 15th May 2007

Councillors R D Bayliss, **C G Dalby**, **J Lewis**, **J T Male** and **P J Regan** served until 3rd May 2007.

The main officer support for the Committee is provided by the Monitoring Officer (Elizabeth Warhurst), the Acting Monitoring Officer (Margaret Taylor) and the Democratic Services Manager (Melanie Phillips).

4. Meetings and Work Programme

The Standards Committee had been meeting on an ad hoc basis but meeting dates are now scheduled in the Council diary with a minimum of four per annum. In addition to its scheduled meetings, the Committee may still need to meet on an ad hoc basis in order to conduct local hearings. Its workload is likely to increase following the introduction of local filtering of complaints in April 2008. The Committee now has its main work planned in advance through a Work Programme which enables it to be more proactive, strategic and focused in its approach to key issues. A copy of the current work programme is attached.

5. Procedures and Workloads

Dispensations

The Code of Conduct for Members requires that a member who has a personal and prejudicial interest in a matter must disclose the existence and nature of that interest and withdraw from the meeting when the matter is considered. Section 81 of the Local Government Act 2000 and The Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002 ("the 2002 Regulations") enable members of the District Council and of the Town and Parish Councils within the district to apply in writing to the Standards Committee for dispensation to allow them to take part in the discussion of an issue in respect of which they have an interest. The 2002 Regulations require that dispensations may only be granted where failure to do so would result in the transaction of business being impeded because more than 50 per cent of members entitled to participate in the consideration of the matter would be prohibited from doing so or, in the case of the District Council only, it would not be possible to comply with the political balance requirements under Section 15(4) of the Local Government and Housing Act 1989.

During 2007/8, there have been two applications made to the Standards Committee for dispensations in respect of 15 Town and Parish Councillors.

Appointments

The Standards Committee agreed a recruitment process for the appointment of Independent Members of the Standards Committee and to the establishment of an Appointments Panel to consider all applications received through the appointments process. Work commenced in February 2008 to fill the vacancy for an Independent Member and the vacancy for a Parish Council representative.

Cases Referred by Ethical Standards Officers

Section 66 of the Local Government Act 2000 provides for the local investigation and/or determination of cases referred to Standards Committees by Ethical Standards Officers appointed by the Standards Board for England (SBE).

No investigations of complaint were referred to the Monitoring Officer during 2007/8.

Individual Cases – Local Statistics

Set out below is the position in respect of those cases referred to the Standards Board for England or determined between 1st April 2007 and 31st March 2008 for District Councillors and Town and Parish Councillors.

Cases referred to the Standards Board for England during 2007/08 – Four

Cases referred to the Standards Board for England in previous years but determined in 2007/08- Nil

There were two referrals of possible breaches of the Code in relation to Parish Councillors and difficulties in working relationships, which were brought to the attention of the Acting Monitoring Officer but these have been dealt with informally.

There were also a number of issues which arose in the run-up to the by-election in January 2008 in relation to District Councillors. These were dealt with internally, where possible, and referred to the Electoral Commission, where appropriate.

Members' Register of Interests

The Acting Monitoring Officer has undertaken a half-yearly check of the Register of Members' Interests and a reminder has been sent to all Members asking them to update their entries.

Revised Code of Conduct

A revised statutory Code of Conduct for Members was laid before Parliament on 4th April 2007 and came into effect on 3rd May 2007. The revised Code was adopted by the Council on 24th July 2007 and took effect from 1st September 2007.

Training

Training on the new Code of Conduct to District and Parish Councillors was provided on 12th July 2007 and 25th September 2007 by Peter Keith Lucas. Those Members who could not attend received the training on the Code from the Monitoring Officer. The training was very well received.

Guidance

The Monitoring Officer/Acting Monitoring provided guidance to Members in relation to conduct issues that arose during the year, both informally and through the Standards Committee.

Annual Conference of the Standards Board for England

The Chairman attended the Annual Conference of the Standards Board for England held in Birmingham during October and updated the Committee on the issues discussed, specifically the three 'pilot' areas of local investigations, joint working and information requirements.

Work Programme for 2007/8

The Committee has achieved all it set out to do in its work programme for 2007/8.

Work Programme for 2008/9

The main focus of the Committee in the coming year will be on the changing role of the Committee which will replace the Standards Board for England as the body which will initially receive and consider all complaints of breaches of the Code of Conduct. Other important issues will be to continue work on the Ethical Framework with regard to Partnerships, and providing assistance and guidance to Parishes.

6. Policies

During the course of the year, the Acting Monitoring Officer has reviewed the Council's Whistle Blowing Policy & Procedures and proposed amendments were brought before the Committee for consideration.

7. Conclusion

The Chairman, through the report, would like to thank all members of the Committee for the open and constructive discussions at the meetings which have been carried out in a positive manner. He would also like to convey his thanks to the officers of the Council who have helped support the work of the Committee.

The Committee is ready to face the challenges of handling the initial assessment of allegations and will continue to raise its positive profile. North West Leicestershire District Council continues to have a good record in ensuring high standards of conduct and it is the Council's intention to promote, maintain and enhance those standards.

Norman Bird
Chairman

Appendix

Standards Committee Work Programme

Issue	Progress	Meeting at which will be reported
Corporate Governance Training.	Training for existing and new officers undertaken in March 2007.	Completed
Code of Conduct Training	Training for Standards Committee Members undertaken in June 2007.	Completed
Review of Code of Conduct	Adopted and all Members have signed up to it.	Completed
District Member Induction	Induction following elections in May 2007.	Completed
Governance Arrangements in respect of Partnership Working	Report by Acting Monitoring Officer	Completed
Review of Procedures for Local Investigation of Complaints and Filter.	Report by Acting Monitoring Officer	Completed
Register of Interests	Report by Acting Monitoring Officer	Completed
Parish Toolkit	Report by Acting Monitoring Officer	Completed
Whistle Blowing Policy	Report by Acting Monitoring Officer	Completed
2007/8 Annual Report	Draft Report by Acting Monitoring Officer.	For Council to note -13th May 2008.
Review of Terms of Reference	Report by Acting Monitoring Officer	Rec. to Council – 13th May 2008.
Procedure on Local Investigations/ Hearings	Update on the requirements and Procedure	10th June 2008
Training on Local Investigations/Hearings	Role Play/Training for Standards Committee members on undertaking a local investigation.	10th June 2008
Appointments to the Standards Committee	Report by Acting Monitoring Officer	10th June 2008
Annual Audit Letter	To note the report.	28th October 2008
Standards Board for England Conference – October 2008	2 places for booked for Chairman and Monitoring Officer who will report back.	28th October 2008
Review of training provision.	Report by Monitoring Officer	28th October 2008
2008/9 Annual Report	Chairman's Report.	March 2009 for submission at the following Council meeting.