

## **Standards Committee**

## **Agenda Item No. 2**

7<sup>th</sup> November 2011 – At a meeting of the Committee held at 2.15 p.m. at County Hall, Chichester.

Present:

Mr Hammett (Chairman), Mr Coleman, Mrs Elson, Mr Longmore, Mr Rogers and Mr Wilkinson.

Apologies for absence were received from Mr Britton and Dr Wilsdon.

### **Declaration of Interests**

29. None declared.

### **Minutes**

30. Resolved – That the minutes of the meeting of the Committee held on 13<sup>th</sup> June 2011 be approved as a correct record and that they be signed by the Chairman.

### **Urgent Matters – Outcome of Hearing Sub Committee**

31. The Chairman reported that a Hearing Sub-Committee held on 4<sup>th</sup> November 2011 had heard a complaint about the conduct of Mr Acraman and had found him to be in breach of the code of conduct. Details would be published in the Members' Information Service and in the local press. One of the sanctions imposed on Mr Acraman was suspension from the Standards Committee for three months.

32. The Committee asked to receive full details of the Sub-Committee, citing a need to know as Mr Acraman was a member of the Standards Committee.

33. Resolved – That the minutes of the Standards Hearing Sub-Committee held on 4<sup>th</sup> November 2011 be shared with all members of the Standards Committee.

### **Confidential Reporting Policy**

34. The Committee considered a report by the Head of Legal and Democratic Services (copy appended to the signed minutes) which provided a summary of recent cases. The report was introduced by Tony Kershaw, Head of Legal and Democratic Services.

35. The Committee agreed that the issues raised under the policy had been properly investigated and supported the Head of Legal and Democratic Services' conclusion that the Policy was effective.

36. Resolved – That the report be noted.

## **Future of the Standards Committee**

37. The Committee received a report by the Head of Legal and Democratic Services (copy appended to the signed minutes) which outlined the results of a survey of County Councillors and gave an update on the national changes likely as part of the Localism Bill.

38. Tony Kershaw, Head of Legal and Democratic Services, introduced the report and advised that amendments had been made to the Localism Bill in the House of Lords. As a result it was now very likely that a code of conduct with some basic principles would remain a requirement and it would still be possible to use standards committees as a mechanism to investigate possible breaches of that code. The national Standards Board for England was still set for abolition, removing the element of oversight and the appeal mechanism. He advised that predetermination rules would be clarified as part of the Localism Bill. The Bill was likely to be enacted before the end of the year, with many aspects taking effect by 1<sup>st</sup> April 2012.

39. The Committee welcomed the results of the members' survey, which demonstrated firm support from members for retaining an enforceable code of conduct and a Standards Committee. There was some limited support in the survey for extending the current code to incorporate behaviour when not on Council business. The Committee considered that it would be difficult to incorporate conduct outside council business into a revised code and any complaints would have to be considered on a case by case basis.

40. It debated whether members should be informed at the time the Head of Legal and Democratic Services receives an initial complaint, but concluded that it was better to retain the current system so that members were not subject to concern about allegations that may quickly be resolved as trivial and unfounded.

41. The Committee wished to retain the current mechanisms for assessments, reviews and hearings as far as possible as this provided a fair and thorough system for considering complaints. It noted the support in the members' survey for retaining a standards committee that included voting independent members and had the power to investigate complaints and impose sanctions.

42. Resolved – That the following recommendations be made to the Governance Committee and County Council:
- (1) That a code of conduct be retained by the County Council, as similar to the current version as is permissible under the Act and in accordance with guidance from the Local Government Association.
  - (2) That the Standards Committee be retained in its current form including provision for independent members, in chairing roles with voting rights if permissible.
  - (3) That the enforcement role of the Committee be retained by the County Council as far as is permissible under the Act.

- (4) That appeals against decisions of a Hearing Sub Committee should be determined by the whole Standards Committee if this is permissible under the Act.
- (5) That the Head of Legal and Democratic Services, in conjunction with the Chairman and in consultation with all members of the Committee, considers whether suitable wording can be found to incorporate behaviour outside official council business into the code of conduct.

The meeting ended at 3.19 p.m.

Chairman