

Minutes of the Standards Committee

5th April, 2004 at 10.30 a.m.
at the Fire Service Headquarters, Birmingham

Present: M W Chambers (Chair);
Councillors Eustace (Substitute for Councillor Byron)
Harper and Ryder.

Apology: Councillor Byron.

1/04 **Minutes**

Resolved that the minutes of the meeting held on 26th September, 2003 be confirmed as a correct record.

2/04 **Provision of Member Training**

Further to Minute No. 4/03 the Committee received a report regarding the future provision of training to Members of the Authority on the Authority's Code of Conduct, appointments and appeals and disciplinary matters.

Officers reported that the Code of Conduct was issued to Members upon their appointment to the Authority. A written declaration was signed by each member agreeing to observe the code as required under Section 52 of the Local Government Act 2000.

Training for elected members serving on the Authority tended to be directed at Members who served on particular Committees such as the Appeals, Disciplinary and Appointments Committees. Members also received training through their service on the constituent District Councils and in other settings, such as the Policy Planning Forum or other seminars.

Questionnaires had been distributed to all members on the Authority to ascertain the level of training received within the seven constituent District Councils on the requirements of the model

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Code of Conduct. Results from the survey showed that though some members had attended training within their respective districts, no provision had been made for any formal training on the requirements of the code as it applied to the work of the Authority.

It was stressed that Members that had not received training should refrain from sitting on Appointments, Appeals and Disciplinary Committees. It was suggested that the Standards Committee also be added to that list.

It was further suggested that training be provided, at a Policy Planning Forum, after the annual meeting of the Authority to be held on 26th July, 2004. The training would provide an overview of the key issues facing the Authority, the Code of Conduct and Appointments. With regards to the more specialized area of employment, Officers recommended that the West Midlands Local Government Association be commissioned to provide training.

Resolved:-

- (1) that provision be made in the Authority's future calendar of meetings for a Policy Planning Forum to be held after the annual meeting of the Authority, to address any outstanding training needs of Members in relation to the Code of Conduct, appointments, standards, appeals and disciplinary cases;
- (2) that the Authority be recommended to confirm that only those Members who have undertaken training be selected to serve on the Appeals, Appointments, Standards and Disciplinary Committees.

3/04

Appointment of Independent Chair to the Standards Committee

The Committee received a report setting out the Authority's requirement to advertise for an Independent Chair of the Standards Committee and also the suggested selection process to be undertaken.

The Authority was required under the Relevant Authorities (Standards Committee) Regulations 2001 to advertise, in at least one newspaper circulating the area, for an independent Chair of the Standards Committee.

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It was suggested that the Appointments Committee be used to select the Chair, as in previous years. If approved the duties of the Appointments Committee would be to prepare a shortlist of applicants, to interview those shortlisted and to make a recommendation to the full Authority. The candidate would then be recommended for appointment and need to be approved by a majority of the Authority before he/she could sit.

The cost of advertising would be met from existing resources. Any travelling and subsistence costs would be absorbed within the existing budget for Members' Allowances.

The report would be submitted to the Authority on 19th April, 2004.

4/04

Local Investigation and Determination of Complaints

The Committee considered a report detailing proposed responses to consultation papers from the Office of the Deputy Prime Minister and the Standards Board for England relating to the local investigation and determination of complaints.

On 26th September, 2004³ the Committee adopted a procedure for determining referred complaints based on the guidance issued by the Standards Board for England at that time. The Government had since issued guidance that it proposed to issue further regulations enabling the Standards Board for England to refer complaints of member misconduct to the Authority's Monitoring Officer before investigation. The Monitoring Officer would then arrange for the local investigation of the complaint and for the matter to be reported to this Committee for determination.

Consultation papers by both the Office of the Deputy Prime Minister and the Standards Board for England had been issued to which Officers had drafted responses. Members considered the draft responses.

It was noted that whilst there would be no direct financial implications the transfer of responsibility for carrying out local investigations from the Standards Board potentially placed a greater workload upon the Monitoring Officer and members of his staff. It was anticipated that this increase could be accommodated at the present time using the existing resources.

Resolved that the Authority be recommended to endorse the draft responses to the consultation documents as set out in Appendices 3 and 4 of the report.

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(The meeting ended at 10.50 am)

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