

Minutes of the Standards Committee

7th September, 2007 at 10.30am
at the Fire Service Headquarters, Birmingham

Present: Councillors Douglas-Maul, Hussain, Ryder and Singh.
Mr Bagley, Mr Denny and Mr C Topliss (Independent Members).

Apologies: Councillors Eustace and Jackson.

12/07 **Election of Chair**

Resolved that Mr C Topliss be elected Chair for the 2007/2008 Municipal Year.

13/07 **Minutes of 5th March 2007**

Resolved that the minutes of the meeting held on 5th March 2007 be approved as a correct record.

14/07 **Appointment of Sub-Committees**

The Committee was informed that it was permitted under legislation to establish one or more sub-committees for the purpose of discharging its functions.

It was suggested that the Committee establish sub-committees to hear cases and consider reports from the Ethical Standards Officers or the Authority's Monitoring Officer concerning allegations of member misconduct. Advice from the Standards Board was that it was fairer and more efficient for smaller groups of members to hear allegations on misconduct and the Board suggested sub-committees of three or five members with an independent member as chair.

Standards Committee – 7th September 2007

The constitution of the Committee lent itself to establish three sub-committees, each consisting of an independent chair and two elected members.

The Monitoring Officer would select particular sub-committees to hear individual cases, in consultation with the Chair.

Resolved:-

- (1) that three sub-committees be established with full powers to hear and determine matters referred to the Standards Committee under the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 or any amended superseding legislation;
- (2) that each Sub-Committee comprise three members, including one independent member, to act as Chair, as follows:

1	2	3
Mr Topliss	Mr Denny	Mr Bagley
Cllr Ryder	Cllr Douglas-Maul	Cllr Jackson
Cllr Eustace	Cllr Singh	Cllr Hussain

- (3) that the Monitoring Officer, in consultation with the Chair, be authorised to determine which particular cases are to be heard by which sub-committee.

15/07 Payment of Allowances to Independent Members

Further to Minute No. 4/07 (15th January 2007), the Clerk presented findings on the practices of peer authorities in relation to the payment of allowances to independent members.

The current Members' Allowances Scheme allowed for independent members to be paid travelling and subsistence allowance only. Elected members currently received a basic allowance of £3,000 per annum. The Committee was also informed of the Special Responsibility Allowances currently paid to elected members.

Standards Committee – 7th September 2007

The current Members' Allowances Scheme was due to be reviewed by an Independent Remuneration Panel, with any new scheme becoming effective from 1st April 2008 and the Standards Committee was asked to consider whether it would like the Independent Remuneration Panel to consider the payment of allowances to independent members.

The Committee supported the principle of paying allowances to independent members but was not minded to recommend any particular amount and felt that this should be for the Independent Remuneration Panel to consider.

Resolved to recommend that the Authority ask the Independent Remuneration Panel to consider the payment of a Special Responsibility Allowance and Dependent Carers' Allowance to the Independent Chair and Members of the Standards Committee as part of its forthcoming review.

16/07 Revised Code of Conduct for Members of the West Midlands Fire and Rescue Authority

Further to Minute No 9/07 (5th March 2007), the Committee was informed that on 4th April, 2007, the Government had tabled in Parliament a revised Model Code of Conduct for Members. The revised Code came into force on 3rd May 2007, and local authorities had until 1st October 2007 to adopt it. The Standards Committee was charged with giving the Authority advice on adopting a local Code of Conduct and training members on the Code, or arranging for such training to be carried out.

A copy of the revised Code and the ten General Principles was submitted and considered.

Members gave consideration to which of the non-mandatory sections of the Model Code should be adopted and recommended that a provision on a Code of Publicity be included in the Code for the Authority.

Resolved to recommend:-

- (1) that the Authority adopt the revised Code of Conduct, in place of the existing Code;
- (2) that, in terms of the non-mandatory paragraphs within the Model Code, paragraph 6(c) relating to a Code of Publicity be adopted;
- (3) that the ten General Principles be adopted by the Authority as a non-enforceable annex to the Code to remind members and the public of the principles underlying the Code;
- (4) that a copy of the revised Code of Conduct be provided to every Member of the Authority;
- (5) that the Clerk and the Monitoring Officer notify all members of the need to register or renew their registration of interests;
- (6) that the Clerk and the Monitoring Officer be authorised to identify the training needs of members, co-opted members and appointed members of the Authority and to arrange appropriate training as necessary;
- (7) that the Clerk and the Monitoring Officer be authorised to carry out the post adoption formalities including:-
 - a. ensuring that copies of the revised Code of Conduct are available for inspection at the Authority's offices;
 - b. publishing notice of the adoption of the revised Code of Conduct in a local newspaper; and
 - c. sending a copy of the Code of Conduct, as adopted, to the Standards Board for England.

Standards Committee – 7th September 2007

17/07 Protocol for Members on Gifts and Hospitality

The Committee was advised that the Authority's current Protocol for Members on Gifts and Hospitality had been adopted in 2002. The Protocol had been revised to incorporate changes necessary as a consequence of the new Code of Conduct for Members and also included more guidance on when gifts and hospitality may be acceptable or inappropriate.

Resolved to recommend that the Authority adopts the revised Protocol for Members on Gifts and Hospitality.

(The meeting ended at 11.46 a.m.)

*Contact Officer: Stephnie Hancock
Democratic Services Unit
0121 569 3189*