

Minutes of the Standards Committee

15th January, 2007 at 2.00 pm
at the Fire Service Headquarters, Birmingham

Present: Mr M Chambers (Chair);
Councillors Jackson, Ryder and Singh;
Mr C Topliss.

1/07 **Minutes**

Resolved that the minutes of the meeting held on 3rd June, 2005, be confirmed as a correct record.

2/07 **'Strong and Prosperous Communities' - The Local Government White Paper**

The Committee considered a report setting out the main proposals contained in the recently published Local Government White Paper entitled 'Strong and Prosperous Communities'. The White Paper included proposals which aimed to give local people and local communities more influence and the power to improve their lives. The intention was to rebalance the relationship between central government, local government and local people so that communities became stronger and more prosperous and better public services were delivered.

Chapter 3 of the White Paper was entitled 'Effective, accountable and responsive local government' and set out various measures which included the establishment of a new locally-based conduct regime. The White Paper stated that strong and accountable local leadership required the highest standards of conduct and that these would be most likely to be guaranteed if decision making on conduct issues was devolved to the greatest extent possible to local level.

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The Government intended to legislate to deliver a more locally-based regime, with local standards committees making initial assessments of misconduct allegations, and most investigations and decisions made at local level; and a revised strategic regulatory role for the Standards Board to provide supervision, support and guidance for local authorities and to ensure consistent standards.

The Government also intended to put in place a clearer, simpler and more proportionate code of conduct for members, and a new code of conduct for employees.

The Committee discussed the implications of the White Paper, which suggested an increase in the number of local investigations and an enhanced role for the Committee. The importance of appropriate training for Standards Committee members was emphasised.

Training for Authority Members would also be required on the new Code of Conduct, although it was anticipated that members' home authorities would be providing training on this matter and duplication should be avoided.

Resolved that information be obtained from the constituent authorities on what training is to be provided for members on the new Code of Conduct.

3/07 **Local Government and Public Involvement in Health Bill**

Further to Minute No 2/07, the Committee was informed that the Local Government and Public Involvement in Health Bill followed on from the Local Government White Paper 'Strong and Prosperous Communities' and had been introduced into the House of Commons on 12th December, 2006. Part 9 of the Bill dealt with ethical standards, and gave effect to the proposals in the White Paper aimed at devolving most decision-making on the conduct regime for local authority members to local authorities, with a revised regulatory role for the Standards Board for England. Local standards

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committees would conduct the initial assessment of allegations of misconduct relating to their members or co-opted members and could either refer the allegation for local investigation and hearing; refer the allegation to the Standards Board for consideration; or could decide to take no action.

It was anticipated that the new provisions could lead to an increased workload for the Monitoring Officer and the Standards Committee.

The Committee discussed the implications of the Bill and noted:

- That the Authority already appointed an independent Member as Chair of the Standards Committee;
- That Standards Committees may appoint Sub-Committees to undertake any of their functions; and that this might be necessary in the light of the new responsibilities for local determination of allegations of misconduct. To enable this, it would be necessary to increase the membership of the Standards Committee, and it was suggested that this could be done by making the current substitute members full members of the Committee;
- That it would be advisable to agree protocols to govern the publication of the outcome of investigation reports by the Monitoring Officer;
- That Authority Members would need to be briefed at a forthcoming Policy Planning Forum on the new Code of Conduct;
- That it was necessary to establish whether there would be an appeal mechanism where the Standards Committee decided to take no action on an allegation of misconduct even after conducting a review.

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Resolved:-

- (1) to recommend to the Authority that the membership of the Standards Committee be increased for 2007/08 as follows:

6 elected members [Con 2; Lab 2; Lib Dem 2]
+ 2 independent members;

- (2) that a further report be submitted to a future meeting with regard to proposals for the appointment of sub-committees of the Standards Committee to deal with local hearings under the new Code of Conduct.

4/07

Standards Committees – a National Snapshot

The Committee noted a report setting out key findings of research on standards committees and monitoring officers published by the Standards Board for England, and discussed their implications for the Authority's ethical governance processes.

Resolved:-

- (1) that the Committee [including substitute members] receive refresher training on the process for local hearings at its next meeting;
- (2) that the practice of peer authorities in relation to the payment of allowances to independent members of Standards Committees be investigated and a further report be presented in due course;
- (3) that a further report be submitted in due course on the position with regard to indemnity insurance for Standards Committee members.

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5/07 Ethical Governance Toolkit

The Committee was informed that the Audit Commission, the Improvement and Development Agency and the Standards Board for England had launched a toolkit to help local authorities assess how well they were meeting the ethical agenda and to assist in improving their arrangements.

The toolkit consisted of four possible elements: a self assessment survey; a full audit; a light touch health check; and developmental workshops.

Resolved that a further report be submitted to a future meeting with regard to the Authority undertaking the Audit Commission self-assessment survey in 2007/08.

6/07 Report from the Standards Board Conference 2006

The Committee considered a report from Mr Topliss with regard to his attendance at the annual conference held by the Standards Board for England in October 2006.

The Committee noted the remarks made at the conference with regard to the implications of the new Code for Monitoring Officers and the potential for conflict of interest under the new arrangements for local hearings. It was suggested that arrangements could be discussed with other Fire Authorities to provide reciprocal arrangements in these circumstances. The Monitoring Officer also advised that she had two deputy Monitoring Officers who may be able to assist.

Members discussed the implications of the new Code of Conduct, and considered whether the Standards Committee, or some other body, should take on a wider role with regard to process, for instance, audit and scrutiny in its broadest sense.

Resolved that arrangements be made for the independent members of the Committee to meet

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with the Chair of the Authority to discuss the implications of the new Code of Conduct for the Authority.

7/07 Date and time of next meeting

Monday, 5th March, 2007 at 1.30 pm.

(The meeting ended at 3.35 pm)

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