

Minutes of the Standards Committee

7 November, 2011, at 1.35pm
at Fire Service Headquarters, Vauxhall Road, Birmingham

Present: Councillors Clinton, Hogarth and Sandy;
Mr Denny and Mr Topliss.

Apologies: Councillors Foster and Idrees.

7/11 **Election of Chair**

Resolved that Mr Topliss be elected Chair of the Committee for the period expiring with the Annual Meeting of the Authority in June 2012.

8/11 **Minutes**

Resolved that the minutes of the meeting held on 6 June, 2011, be approved as a correct record.

9/11 **Appointment of Standards Sub-Committees**

The Committee was asked to establish sub-committees for 2011/12 to discharge functions relating to assessment and review of complaints about member conduct, consideration of reports from the Monitoring Officer on the investigation of complaints and hearings into complaints, in accordance with the Standards Committee (England) Regulations 2008.

Members enquired about the impact of the Localism Bill on the assessment and review process and about the provision of relevant training. The Monitoring Officer indicated that a process for dealing with complaints about member conduct would probably be required under the new legislation. Training would be provided as necessary for

Standards Committee
7 November, 2011

members on the existing standards regime if a complaint was received and in due course on any new process. The Committee also received case summaries at each meeting which supplemented their training. Previously the Standards Committee had also received training by using the Standards Board resources such as DVDs.

Resolved that Assessment, Review, and Consideration and Hearing Sub-Committees be re-established for 2011/12 with the membership and functions set out in the attached Appendix.

10/11 **Update on the proposed abolition of the Standards Board regime - Localism Bill**

The Committee received a report setting out the latest position with regard to the Localism Bill.

It was anticipated that the Localism Bill would become law late in 2011 and was currently at the report stage in the House of Lords. Many concerns had been expressed about the draft legislation and a number of significant amendments had been moved during the course of its consideration. It was likely that a mandatory code of member conduct based on the Nolan principles would be retained and that criminal sanctions would be introduced for the most serious breaches. There would be local discretion on the arrangements for dealing with complaints about member conduct. It was not anticipated that there would be a requirement to have a Standards Committee but members dealing with complaints would have to consult with an independent person.

Further reports would be brought to the Committee and the Authority as final details emerged on the legislation.

11/11 **Case Summary**

The Committee noted a recently decided case in the First Tier Tribunal which dealt with issues around the conduct of a member at a local authority meeting. The case illustrated the need for members to ask even robust questions appropriately and to respect the authority of the person chairing the meeting.

Standards Committee
7 November, 2011

(Meeting ended at 2.10pm)

*Contact Officer: Georgina Wythes
Democratic Services Unit
Sandwell Metropolitan Borough Council
0121 569 3791*