

STANDARDS COMMITTEE MINUTES - 16 DECEMBER 2008

Present: Mr J Hicks (Chair);
Councillors Beard and Steele

Mrs Tina Barnes was also present.

Apologies: Councillors Maskell, Skeats, Tickner and Watson; Reverend Brian Shenton

RESOLVED ITEMS

3. MINUTES

The Minutes of the meeting held on 15 July 2008 were confirmed as a correct record and signed by the Chair.

4. INDEPENDENT MEMBERSHIP AND CONSULTATION ON AMENDED CODE OF CONDUCT FOR MEMBERS AND NEW EMPLOYEE CODE OF CONDUCT

The Monitoring Officer submitted a report recommending the appointment of a new independent Member to the Committee and giving details of a consultation paper proposing the amendment of the current Code of Conduct for Members, and the introduction of a new Code of Conduct for employees.

The report stated that Angie Lee MBE had resigned as one of the Committee's three independent Members in July 2008. Following a recruitment process undertaken by the Chair, the Monitoring Officer and the Head of Legal Services it was recommended that Ms Tina Barnes be appointed as a new Independent Member of the Committee. The report also gave details of the recruitment process that had been followed. The Chair and Monitoring Officer welcomed Mrs Barnes to the meeting, and introduced her to Committee members.

With regard to the proposed amendment to the current Code of Conduct for Members, the report stated that as part of their 'Communities in Control' Agenda the Department for Communities and Local Government had issued a consultation paper proposing the amendment of the current Code of Conduct for Members, and the introduction of a new Code of Conduct for employees. The deadline for comments was 24 December 2008, with a view to implementation, at least of the revised Member Code, in time for the local election in June 2009.

The draft response was attached to the report at Appendix A. This set out the 22 questions posed in the consultation paper about the two codes. With regard to the Members' Code, the DCLG was proposing amendments in two areas:

- To clarify the application of the Code to Members' conduct in their non-official capacity, following the Collins High Court judgement with regard to Ken Livingstone in 2006;

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- To review the general principles governing the conduct of Local Authority members, and to add a new principle (duty to abide by the law) which would apply the Code to a Member acting in a non-official capacity and where the Member's conduct would constitute a criminal offence.

The consultation paper also made proposals to introduce a requirement for authorities to incorporate a code of conduct for employees, based on a statutory model of conduct, which would be incorporated into individual terms and conditions of employment. The report stated that the Government saw the Code as setting out core values which should apply to all staff. The consultation paper had also proposed certain aspects limited to senior officers ('qualifying employees'), such as additional core values and the registration of interests. The Head of Human Resources had submitted a report to the Council's Personnel Committee on 10 December 2008 (Minute 22 refers) on the proposed new Employee Code.

Resolved -

- (1) That the appointment of Mrs Tina Barnes as an Independent Member of the Committee be approved, and recommended to full Council on 27 January 2009;
- (2) That the proposed response to the Department for Communities and Local Government consultation questions on the Member Code of Conduct, as set out in Appendix A to the report, be endorsed, and the Monitoring Officer be authorised to submit the response to the DCLG.

(The meeting commenced at 6.30pm and closed at 6.43pm).

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