

STANDARDS COMMITTEE MINUTES - 15 JULY 2008

Present: Mr J Hicks (Chair);
Councillors Byrne, Maskell and Watson;
Reverend Brian Shenton.

Apologies: Councillor Skeats; and Mrs A Lee.

RESOLVED ITEMS

1. MINUTES

The Minutes of the meeting held on 7 February 2008 were confirmed as a correct record and signed by the Chair.

2. TERMS OF REFERENCE AND ANNUAL REPORT

The Monitoring Officer submitted a report setting out the Committee's terms of reference and constitutional role for the Municipal Year 2007/08, updating the Committee on developments and complaints during the 2006/07 Municipal Year and looking forward to the new Municipal Year. The report had the following documents appended:

Appendix A - Terms of reference and constitutional and operational arrangements for the Committee, including details of the requirements for independent Members

Appendix B - The Council's revised Code of Conduct for Members, which was based on the new National Model Code.

Appendix C - Procedure for investigating complaints referred to the Monitoring Officer for local investigation.

Appendix D - Procedure for considering cases referred for local determination by the Assessment Sub-Committee.

Appendix E - The Register of Gifts and Hospitality offered to Councillors in the financial year 2007/08.

During 2005 the Standards Board for England had undertaken a review of the national Code of Conduct for Members, an exercise which it called "A Code for the Future". The Board had issued its findings and recommendations for improving the Code in September 2005. The Government (ODPM) had then issued a discussion paper in December 2005, and a consultation paper on a draft new Model Code of Conduct in January 2007. Following consultation with members of this Committee, the Monitoring Officer had responded to the consultation paper on behalf of the Council in March 2007. The Department of Communities and Local Government (DCLG) had issued the Local Authorities (Model Code of Conduct) Order 2007, prescribing a revised mandatory model Code of Conduct, which came into effect on 1 October 2007. The Council adopted the revised Reading Code of Conduct for Members, at its meeting on 16 October 2007 (Minute 33 refers), which was based on

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the New Model Code, following recommendations made by the Standards Committee at its meeting on 17 July 2007 (Minute 2 refers).

The local Code of Conduct was attached to the report at Appendix B. The main changes between the new Code of Conduct and its predecessor were concerning personal and prejudicial interests, which now gave opportunities for Councillors to make representations, answer questions and give evidence before leaving a meeting discussing a matter in which they had a personal and prejudicial interest.

In respect of complaints, during the Municipal Year 2007/08, there had been no findings of breaches of the Code of Conduct by Members of the authority. The Standards Board for England had received four complaints, none of which they had pursued to investigation. The Monitoring Officer had received six complaints about councillors, which compared favourably with the 12 received in 2006/07: of these, 2 came from members of the public, and 4 from officers of the Council. Details of how each of the complaints was resolved were set out in the report at paragraphs 7.2.1 to 7.2.5.

The Government had issued new Regulations which meant that, from 8 May 2008, all complaints about Members must now be made directly to and assessed by the local Standards Committee. The report had attached at Appendix C the recommended process for assessing such complaints: under the process, complaints will be assessed initially by an Assessment Sub-Committee of three Members, including (and chaired by) an independent Member, which could come to four findings on any complaint:

- Direct the Monitoring Officer to investigate the complaint
- Refer the complaint to the Standards Board for England for investigation
- Direct the Monitoring Officer to take other appropriate action short of a formal investigation
- No further action

The text of a promotional leaflet and application form was attached at Appendix D to the report, on how to make a complaint against a councillor who had allegedly breached the Code of Conduct.

The report also stated that the Council had agreed a revised Member:Officer protocol at its meeting on 24 June 2008 (Minute 20 refers). The Protocol had been updated to ensure that it reflected recent guidance issued by the Information Commission to ensure compliance with the Data Protection Act 1998, in particular in relation to the processing of personal information on individuals.

Finally, the report had attached, at Appendix E, the list of gifts and hospitality accepted by Councillors in the financial year 2007/08.

Resolved -

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- (1) That the Committee's terms of reference and constitutional role, as set out in Appendix A to the report, be noted;
- (2) That the Council be recommended to adopt the Local Assessment procedure into alleged breaches of the Members' Code of Conduct as set out in Appendix C to the report;
- (3) That the Complaints Procedure, entitled "Complaints Against Councillors" be adopted and published on the Council's website as well as being made available in leaflet form as set out in Appendix D;
- (4) That the list of gifts and hospitality registered by Members in the financial year 2007/08, as set out in Appendix E to the report, be received.

(The meeting commenced at 6.30pm and closed at 6.55pm).

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