

STANDARDS COMMITTEE MINUTES - 13 JULY 2010

Present: Mr J Hicks (Chair);
Councillors Rynn, Tickner and Watson;

Apologies: Councillors Beard and Skeats and Reverend Canon Brian Shenton.

RESOLVED ITEMS

1. MINUTES

The Minutes of the meeting held on 14 July 2009 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 2010/2011, updating the Committee on developments and complaints during the Municipal Year 2009/2010 and looking forward to the current Municipal Year. Arrangements for the local assessment of complaints had become operable from 8 May 2008, and the Committee had agreed a new local assessment procedure and Complaints Procedure for the Council at its meeting on 15 July 2008.

The report drew attention to the following relevant parts of the Council's constitution and other relevant documents, which were attached:

Appendix A - Article 9 - The Standards Committee (terms of reference)
Appendix B - Part 5 - Code of Conduct for Members
Appendix C - Complaints about Councillors Procedure
Appendix D - Local Investigation Procedure (Revised)
Appendix E - List of Gifts/Hospitality Registered by Councillors 2009/2010

The terms of reference and constitutional and operational arrangements for the Committee were set out in Appendix A to the report. The report gave details of the role of the Committee in investigating and determining complaints, and set out the relevant parts of the Council's Constitution for the Committee's procedures for considering cases referred to it by the Standards Committee or Standards Board for local determination. The report stated that, when considering a complaint, the test that must be applied was whether there had been a breach of the Members' Code of Conduct a copy of which was appended at Appendix B.

The Committee's procedure for undertaking the initial local assessment of complaints, which had been originally agreed at the Committee's meeting on 15 July 2008 (Minute 2 refers), had been revised to reflect the introduction of local assessment procedure. The revised version of the procedure was attached at Appendix D to the report for formal adoption. In addition, a promotional leaflet and application form to assist complainants to access the process was attached at Appendix C to the report.

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With regard to the Committee's membership, the report stated that for the past year the Committee's independent members had been John Hicks and Reverend Brian Shenton, who had been appointed in 2007, and Tina Barnes, who had been appointed in December 2008. The report noted that there was no limit to the number of independent members who could be on the Standards Committee, with a minimum of one quarter. The report also set out constraints that applied to independent members.

The report gave details of the revised Reading Code of Conduct for Members, which had been adopted by full Council on 16 October 2007 (Minute 33 refers) following the issue of the Local Authorities (Model Code of Conduct) Order 2007 on 4 April 2007. With regard to interests, the report stated that, under the Code of Conduct, there were two interests that Members were required to declare at meetings: personal and prejudicial interests. The report noted that the requirement for a member with both a personal and prejudicial interests to declare both and leave the meeting room at which the matter was being discussed had been modified in the new Code to allow the Member to make representations, answers questions and give evidence before leaving.

During the Municipal Year 2009/10, the Monitoring Officer had received four formal written complaints about Councillors, of which two had come from members of the public and two from Councillors. In each case the report had been referred to the Assessment Sub-Committee for initial consideration, and the outcomes of each of these were set out in the report: in two cases the Sub-Committee had agreed to take no further action; one had been dealt with by way of other action not requiring a formal investigation; and the remaining complaint had been referred to the Monitoring Officer for investigation but had not yet reached the Consideration of Hearing Sub-Committee stage. In one of the cases, where the Assessment Sub-Committee had decided to take no further action, the complainant had exercised his right to request a review of the decision. The Assessment Review Sub-Committee had therefore met and had also concluded that there was no breach of the Code of Conduct and no further action was warranted.

In three of the cases, the Assessment Sub-Committee had considered the complaint within 28 days of receipt. On the fourth occasion, the complaint had coincided with the summer holiday period, which had delayed the process. Nevertheless, the Assessment Sub-Committee had met within six weeks of the complaint being lodged. In each case a Decision Notice had been issued to the complainant and the Councillor complained about. A brief Minute had been taken and published on the Council's website.

The report also set out details of operational issues relevant to the Committee. These included a proposal to run a further training session in autumn 2010 on the Code of Conduct, Interests and Local Protocols. The report also gave details of training events that members of the Committee and the Monitoring Officer had attended.

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The Register of Gifts and Hospitality offered to Councillors in the financial year 2009/10 was attached to the report at Appendix E.

The Committee discussed the report and expressed their thanks for the clear and concise nature of the reports and advice given by the Monitoring Officer to the Assessment Sub-Committees held during the Municipal Year 2009/10. The Committee also recorded its appreciation of the support provided by Council Officers generally to the Standards agenda.

Resolved -

- (1) That the Committee's terms of reference and constitutional role be noted;
- (2) That the revised Local Investigation Procedure, as set out in Appendix D to the report, be adopted;
- (3) That the list of gifts and hospitality registered by Members in the financial year 2009/10, as set out in Appendix E to the report, be received;
- (4) That the Monitoring Officer present a report to the next full Council meeting on 19 October 2010 on behalf of the Chair, and use that meeting to present to all Councillors matters of concern to the Committee;
- (5) That the Chair meet separately with the Chief Executive and individual Group Leaders to highlight issues that had been considered by the Standards Committee and to encourage the ongoing generally good observance of the Members' Code of Conduct by Reading's Councillors.

(The meeting commenced at 6.30pm and closed at 6.52pm).

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