

Minutes of a meeting of the **STANDARDS PANEL** held in the Meeting Room 1, Council Offices, Priory Road, Spalding, on Wednesday, 27 September 2017 at 6.30 pm.

PRESENT

G R Aley (Chairman)

B Alcock

M G Chandler

Apologies for absence were received from or on behalf of Councillors R Clark, P C Foyster and J L King

In Attendance: Tony Wicks –Independent Person and Executive Manager – Governance.

6) **DECLARATIONS OF INTEREST**

There were no declarations of interest.

7) **MINUTES**

The Panel considered the minutes of the meeting held on 22<sup>nd</sup> March 2017.

**DECISION:**

That the minutes be agreed as a correct record and be signed by the Chairman.

8) **REVIEW OF LOCAL ARRANGEMENTS**

The Panel considered the report by the Executive Manager - Governance inviting the Panel to review the Standards Arrangements and Code of Conduct to ensure that they are proportionate and fit for purpose.

The Localism Act 2011 contained the current legislative arrangements for elected Member standards of conduct within local authorities. This superseded the previous arrangements contained in the local Government Act 2000. The Localism Act also abolished Standards for England (earlier known as the Standards Board) and the associated regulatory framework. The act also removed the need to adopt a model Code. The obligation to have a statutory Standards Committee and for Members to provide an undertaking to comply with a Code were also repealed, along with the sanctions of disqualification and suspension from office.

Nonetheless, there remained a duty on Councils under Sections 27 and 28 of the Localism Act 2011 to promote and maintain high standards of conduct by elected and co-opted members when acting in that capacity, to adopt a Code of Conduct which is consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership; to have arrangements in place for the

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investigation of allegations and for the making of decisions on allegations. How this is achieved in each Council now involved a much greater degree of local choice than was available under the previous regime.

The panel noted that the current arrangements had been in place for over four years and, whilst appropriate at the time, were now on occasions cumbersome and unnecessarily complicated. The current arrangements were largely based on a model set of arrangements that were adopted by a number of authorities at the time. A number of authorities had subsequently reviewed and simplified the arrangements to allow greater flexibility for the Monitoring Officer to deal with a complaint in a timely and efficient manner.

With this in mind, a fully revised set of arrangements was presented to the Standards Panel on 22 March 2017 and it was anticipated that the proposals would be presented to the Council in April 2017. The proposed arrangements were approved by the Panel, but were subject to further investigation by the Monitoring Officer particularly as regards to certain proposed sanctions. In particular, the Independent person had suggested including a sanction that would remove powers from a member in breach in respect of their Ward Member Budget.

In order to enable the further research required, the report was withdrawn from April Council for further work. Since that time, the Deputy Monitoring Officer had attended a Monitoring Officer conference and had been able to consider examples of best practice. This had resulted in some minor amendments to the proposals considered in March and included in the report.

The Panel considered the report and the following key points emerged:

- The Panel raised a question around sharing the arrangements with parishes. The Executive Manager – Governance stated that the Parishes could adopt the Council's Code should they wish and there were plans for more engagement with Parish Clerks to help them assist their members with compliance.
- The Executive Manager for Governance was asked to make a slight amendment to the new paragraph 2.3 in the Code of Conduct (which was Appendix A to the report) to make it clear that whilst the Monitoring Officer/Deputy Monitoring Officer would provide advice, it was for the relevant member to decide whether or not it was appropriate to participate in decision-making.

## **DECISION**

1. That paragraph 2.3 in the Code of Conduct be amended to make it clear that whilst the Monitoring Officer/Deputy Monitoring Officer would provide advice, it was for the relevant member to decide whether or not it was appropriate to participate in decision-making.
2. That subject to the above amendment it be recommended that Council adopts the revised set of Local Arrangements for dealing with Standards Complaints.

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9) **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES.**

There were no urgent items.

(The meeting ended at 7.15 pm)

(End of minutes)