

Mission Statement

To Improve the Quality of Life
For Those Who Live and Work in The District

28 September 2009

Dear Member

You are hereby summoned to a meeting of the Standards Committee to be held in Committee Room 2, Civic Centre, Portholme Road, Selby on **6 October 2009** commencing at **4.00pm**.

The agenda is set out below.

1. Apologies For Absence And Notice Of Substitution

To receive apologies for absence and notification of substitution.

2. Disclosure of Interest

To receive any disclosures of interest in matters to be considered at the meeting in accordance with the provisions of Section 117 of the Local Government Act 1972, and Sections 50, 52 and 81 of the Local Government Act 2000 and the Members' Code of Conduct adopted by the Council.

3. Minutes

To confirm as a correct record the minutes of the proceedings of the meeting of the Standards Committee held on 27 July 2009 (previously circulated and attached at pages 4 to 6).

4. Parish Council Representative – Election

Monitoring Officer to report that six nominations have been received for the third Parish Council representative on the Committee and therefore it will be necessary to hold an election.

5. Parish Council Training

Report of the Monitoring Officer (pages 7 to 12 attached).

6. Update / Monitoring Report

Report of the Monitoring Officer (pages 13 to 18 attached).

7. Annual Standards Board Conference Preview

Verbal report of the Monitoring Officer

8. Standards for England

Monitoring Officer to report that the Standards Board for England has been renamed Standards for England. The reason given by the Board for the change is that they have moved from being an organisation focused mainly on handling complaints to the strategic regulator of standards among local politicians.

Jonathan Lund
Monitoring Officer

Disclosure of Interest – Guidance Notes:

- (a) Members are reminded of the need to consider whether they have any personal or prejudicial interests to declare on any item on this agenda, and, if so, of the need to explain the reason(s) why they have any personal or prejudicial interests when making a declaration.
- (b) The Democratic Services Officer or relevant Committee Administrator will be pleased to advise you on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

Dates of Future Meetings of the Standards Committee

Date of Meeting	Deadline Date	Distribution Date
4 January 2010	14 December 2009	22 December 2009
29 March 2010	11 March 2010	19 March 2010

Membership of the Standards Committee

Cllr C Lunn	Selby District Council
Cllr Ms M Davis	Selby District Council
Cllr Mrs K McSherry	Selby District Council
Miss B Potts (Chair)	Independent Member
Ms H Putman (Vice Chair)	Independent Member
Mrs W Stables	Independent Member
Mr B Crossdale	Parish Council Member
Mr R Parker	Parish Council Member
Vacancy	Parish Council Member

Enquiries relating to this agenda, please contact Ken Robinson on:

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SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the STANDARDS COMMITTEE held on 27 July 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

166	Minutes
167	Local Hearings
168	Local Assessment Protocol
169	Update / Monitoring Officer report
170	Training for Hemingbrough Council
171	Date of Next Meeting

Present: Ms H Putman

Councillors: C Lunn, Mrs K McSherry

Mr B Crossdale (Parish Council representative), Mr R Parker (Parish Council representative)

Officials: Monitoring Officer, Senior Solicitor and Committee Administrator

Observers: Mrs W Stables and Mr T Clay

Public: 0

Press: 0

162 **Introduction of New Members**

The Monitoring Officer introduced Mrs W Stables and Mr T Clay who had been recommended to be the new independent member and reserve subject to final appointment at full Council on 28 July 2009.

163 **Appointment of Chair**

In the absence of Miss Potts, Ms H Putman took the Chair.

164 **Apologies for Absence**

Apologies were received from Councillor Ms M Davis

165 **Disclosure of Interest**

There were no disclosures of interests declared but the Monitoring Officer gave a brief overview as to why this was a standard item on the agenda.

166 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Standards Committee held on 30 March 2009 be confirmed as a correct record and be signed by the Chair.

167 **Local Hearings**

The Monitoring Officer gave background to the receipt of correspondence received from some members of the Standards Committee concerning some of the administrative procedures, which had been put in place.

Ms Putman, on behalf of the members confirmed that they were happy with his response.

The Monitoring Officer confirmed that responses were being received from Parish Councils in response to his request concerning the Declaration of Interests. He would make a full report back to the next scheduled committee meeting.

The Monitoring Officer also informed members that he had received good feedback from the Standard Board for England legal team regarding a recent Hearing meeting.

168 **Local Assessment Protocol**

The Senior Solicitor presented the Local Assessment Protocol seeking member's endorsement of the protocol, which would clarify and streamline processes for dealing with complaints and allow for the delegation to the Monitoring Officer to seek other action options where necessary without the need for the Local Assessment Sub group to formally request it.

Resolved:

That the Local Assessment Protocol be endorsed and adopted.

169 **Update Monitoring Report**

The Monitoring Officer presented the monitoring report. Whilst members were mindful that the report is a public paper, members requested further details be issued to them under separate cover to assist with the identification of cases.

170 **Training for Hemingbrough Parish Council**

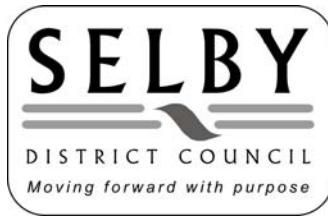
The Monitoring Officer updated members on the issues concerning Hemingbrough Parish Council.

Two sessions had been organised and will be jointly run by the Yorkshire Local Council's Association and Selby District Council. The sessions will be only open to the members of the Parish Council and the clerk.

171 **Date of Next Meeting**

Due to the attendance of the Vice Chair and Monitoring Officer at the Annual Standards Board Conference it was requested that the next meeting of the Standards Committee scheduled for 12 October 2009 be rescheduled.

The meeting closed at 5.00pm.



Title: Parish Council Training
To: Standards Committee
Date: 6 October 2009
Service Area: Standards
Author: Jonathan Lund, Monitoring Officer

1 Purpose of Report

- 1.1 To report back on the training delivered for Hemingbrough Parish Council and seek the Standards Committee's approval to close the matter.

2 Recommendation(s)

- 2.1 To receive and note this report
- 2.2 To conclude that the requirement for training in respect of one case heard by the Hearings and Considerations Sub-Committee (SDC 2008003) and two other cases referred for other action by the Local Assessment Sub-Committee (SDC2009004 and SDC2009005) has been satisfied and the matters can be closed.

3 Executive Summary

- 3.1 As a consequence of a number of complaints to the Standards Committee and a specific sanction arising from a Standards Hearing the Standards Committee instructed the Monitoring Officer to organise training for the Clerk and Councillors at Hemingbrough Parish Council.
- 3.1 This report identifies the success of that training and seeks the Committees approval to formally close the matter.

4

The Report

- 4.1 On 28 May 2009 the Hearings and Considerations Sub-committee considered a complaint against a Parish Councillor at Hemingbrough Parish Council. The Sub-committee found a breach of the code of conduct and resolved to require the subject member to participate in training.
- 4.2 In response to a number of unrelated complaints in respect of members of the same Parish Council the Local Assessment Sub-committee resolved that the issues raised in the complaints might be better addressed through training for the whole Parish Council.
- 4.3 Following discussions with the Yorkshire Local Council's Association (YLCA), and after consultation with Hemingbrough Parish Council two evenings of training and development were organised for Wednesday 2 and Thursday 3 September 2009.
- 4.4 On 2 September Sheena Spence, the Deputy Chief Officer at YLCA led a session covering local council administrative and procedural law and practice and gave a number of practical examples and exercises.
- 4.5 On 3 September Caroline Fleming, senior solicitor at Selby District Council led on the Code of Conduct, member conduct and the role of standards.
- 4.6 Both sessions were lively, engaging and attendance was 100%. Those present expressed themselves grateful for the training that had been provided and hopeful that it would lead to better relations and improved conduct at the Parish Council.
- 4.7 A survey, extracted from the Audit Commission self –assessment survey, was taken before the first session and after the second session and involved all eleven parish councillors and the clerk. The results of the survey are described in detail in Appendix A. In summary they point to greater understanding of the purpose and role of standards and the obligations on Parish Councillors, they also point to the foundations for better relations between parish councillors and greater level of trust and co-operative working.

5 Financial Implications

- 5.1 The cost of the training is likely to be around £300 in total which will be met from existing SDC budgets.

6 Conclusions

- 6.1 It is too early to conclude that the training has been entirely successful. However, the Standards Committee can be reassured that its objective of offering training and development in support of the parish council has been delivered and that the training has been taken up enthusiastically by all concerned.

7 Link to Corporate Plan

- 7.1 None

8 How Does This Report Link to the Council's Priorities?

- 8.1 Not Applicable

9 Impact on Corporate Policies

9.1	Service Improvement	No Impact
9.2	Equalities	No Impact
9.3	Community Safety and Crime	No Impact
9.4	Procurement	No Impact
9.5	Risk Management	No Impact
9.6	Sustainability	No Impact
9.7	Value for Money	No Impact

10 Background Papers

- 10.1 None

Hemingbrough Parish Council

The whole of Hemingbrough Parish Council and its Clerk participated in two evenings of training and development led by Selby District Council and the Yorkshire Local Council's Association on 2 and 3 September 2009. Ethical standards self assessment surveys (culled from the Audit Commission survey of the same name) were undertaken before and after the training under six headings

1. Code of Conduct Compliance
2. Standards Committee
3. Conflicts of Interest
4. Relationships
5. Accountability
6. Team Working and Co-operation

1. Code of Conduct Compliance

Whilst there was already a high level of knowledge about the Councillor Code of Conduct (83%) and Councillors undertaking to abide by the code (75%) this increased to 100% and 92% respectively after the training. Only 33% of Councillors were fairly clear about reporting a breach of the code initially, with 50% fairly unclear and 17% very unclear. After the training clarity rose to 100% with 33% being very clear and 67% being fairly clear. Clarity about responsibilities under the ethical framework also rose from 0% to 33% being very clear 50% rising to 67% being fairly clear, 42% falling to 0% being fairly unclear and 8% falling to 0% being very unclear. After training 83% of respondents indicated that they would contact the monitoring officer to report a potential breach compared with just 50% prior to the training.

2. Standards Committee

83% of Hemingbrough Parish Councillors knew about the Standards Committee, with just 17% not knowing. This rose to 100% after training. 67% agreed strongly that they understood the role of the standards committee after training compared with 0% prior to. The remaining 33% tended to agree that they understood the committee's role. When asked if the Standards Committee operated effectively 17% agreed strongly initially, this rose to 50%; 33% tended to agree initially, this rose to 50% after training. After training 100% of respondents felt that the Standards Committee was making a positive difference to the ethical environment of the Council (33% agreed strongly and 67% tended to agree compared to 8% who agreed strongly initially, 33% who tended to agree, 25% who tended to disagree and 33% who didn't know)

3. Conflicts of Interest

Clarity around conflicts of interest improved markedly as a result of the training. Initially 42% were fairly clear about the difference between personal and prejudicial interest but 33% were fairly unclear and 25% were very unclear. After training 25% were very clear about the difference and 75% thought themselves fairly clear.

After training all the participants reported that they knew to register an interest if they have an interest in a business or land with a value over £25,000 (compared to 50% who knew they should do this before training). They all knew to register if they were involved with a company with contracts with the Council (compared to 83% who new before) and they all knew to register beneficial interests in land within the Councils area (up from 67% before the training).

All participants knew that they should leave the meeting room if they had a prejudicial interest in an item of business compared to 58% who knew they should do this before the training.

4. Relationships

Perhaps the most promising improvement came in respect of relationships. Reliance that confidences would be kept by Parish Councillors rose from an initial 8% who felt that confidences would always or usually be kept to 67% who felt this way after the training. 33% of parish councillors felt they could always or usually trust each other after the training whereas none felt this before the training. 50% of councillors felt they could now trust each other sometimes, compared to 33% who felt this before. The figure for councillors who felt they could never trust each other fell from 25% to 0%.

Before the training 50% of parish councillors felt they could rarely or never carry out their roles without being harassed or bullied, this dropped to 0% after the training with 50% subsequently reporting that they were confident that they could always or usually act free of such intimidation (up from 8%).

5. Accountability

Only 17% of Hemingbrough Parish Councillors felt that the Council's culture allowed parish councillors to challenge parish council decisions without fear of reprisal, following the two nights of training this increased to 66%. Similarly whilst only 33% initially felt that the public could challenge parish council decisions without fear of reprisal confidence rose to 83% after training.

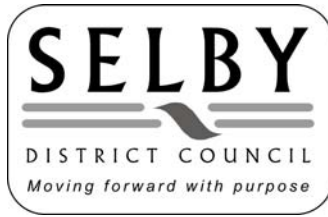
Views held firm on the question of the role of party politics in the parish council. 8% agreed strongly that party politics had a role, 25% tended to disagree and 42% disagreed strongly, 8% didn't know. These figures remained unchanged after the training.

6. Team Working and co-operation

Initially 42% felt that parish councillors sometimes worked well together, 50% felt that they rarely worked well together and 8% felt that they never worked well together. None felt that they always or usually worked well together. After training 25% felt that they always worked well together, 25% that they usually worked well together, 33% that they sometimes worked well together and the remaining 17% remained a little sceptical that they rarely worked well together.

Confidence that the Councillors worked well together with the clerk were also improved from always (up from 17% to 42%), usually (changed from 42% to 25%), sometimes up from 8% to 25% and rarely (down from 25% to 8%).

Jonathan Lund
15 September 2009



Agenda Item No: 6

Title: Standards Committee – Case Monitoring Report

To: Standards Committee

Date: 6 October 2009

Service Area: Standards

Author: Jonathan Lund, Monitoring Officer

1 Purpose of Report

1.1 To present the current case monitoring report up to the end of September 2009

2 Recommendation(s)

2.1 To receive and endorse the case monitoring report for the period ended September 2009

3 Executive Summary

3.1 The attached Appendix A sets out the cases current since before 8 May 2008 (when the complaints procedures changed) and those dealt with since 8 May.

4 The Report

4.1 The case monitoring report is set out at Appendix A.

5 Financial Implications

5.1 There are no financial implications.

6 Link to Corporate Plan

- 6.1 The promotion and protection of high ethical standards is a statutory responsibility and supports the Council in the proper delivery of all of its corporate objectives and priorities

7 How Does This Report Link to the Council's Priorities?

- 7.1 As above

8 Impact on Corporate Policies

8.1	Service Improvement	No Impact
8.2	Equalities	No Impact
8.3	Community Safety and Crime	Impact
	The development, promotion and maintenance of proper standards of conduct and behaviour will promote good governance and reduce the risk of fraud and other criminal or unethical behaviour.	
8.4	Procurement	No Impact
8.5	Risk Management	Impact
	As 8.3 above	
8.6	Sustainability	No Impact
8.7	Value for Money	No Impact

9 Background Papers

- 9.1 None

Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SBE17065.06	1/19/2007	Referred to MO for investigation by SBE	Investigation reported on 20/07/09	No breach of the Code of Conduct found.	7/20/2009	130	DISTRICT External investigator appointed by the MO. Investigator reported on 20 July 2009 and any outcome can be reported to the Committee.	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage
SBE21937.08	4/25/2008	Referred to MO for investigation by SBE	Investigation reported on 02/12/08	No breach of the Code of Conduct found.	12/2/2008	32	PARISH Last SBE complaint under the old system; Passed to SDC for local assessment on the 25th April 08.	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage;
SDC2008001	9/2/2008	Referred to MO for investigation on 22/09/08	Investigation ongoing			57	PARISH Investigated alongside complaint SDC200809 due to similarity.	Paragraph 3 - treating others with respect; 8, 9, 10 and 12 - interests; 5 - bringing the authority into disrepute; 6 - conferring an advantage or disadvantage;
SDC2008002	9/8/2008	Referred to SBE for investigation on 22/09/08	SBE Investigation concluded and Hearing held on 12 June 2009	Breach of the Code of Conduct found and subject member censured	6/12/2009	40	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute;

10/6/2009

Grey Shading = Cases reported before the May 2008 procedure changes

MO = Monitoring Officer

SBE = Standards Board for England

SDC2008003	9/22/2008	Referred to MO for investigation on 13/10/08	Investigation completed	Breach of the Code of Conduct found suspended censure pending training	5/28/2009	35	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage;
SDC2008004	9/22/2008	Referred to MO for investigation on 13/10/08	Investigation completed	No breach of the Code of Conduct found.	4/27/2009	31	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage;
SDC2008005	9/22/2008	Referred to MO for investigation on 13/10/08	Investigation completed	No breach of the Code of Conduct found.	4/27/2009	31	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage;
SDC2008006	9/23/2008	Referred to MO for investigation on 13/10/08	Investigation Completed	No breach of the Code of Conduct found.	3/9/2009	24	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage;
SDC2008007	9/23/2008	No further action 13/10/08		No potential breach found.	10/13/2008	3	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute;

Grey Shading = Cases reported before the May 2008 procedure changes

MO = Monitoring Officer

SBE = Standards Board for England

SDC2008008	9/23/2008	Referred to MO to arrange mediation 13/10/08		No potential breach found, but considered mediation may be useful	10/13/2008	3	PARISH Parties have not been willing to engage in mediation process.	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute;
SDC2008009	12/2/2008	Referred to MO for investigation on 05/01/09	Investigation ongoing			44	PARISH Investigated alongside complaint SDC200801 due to similarity.	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage;
SDC2009001	3/20/2009	Referred to MO for investigation on 13/04/09	Investigation ongoing			29	PARISH	Paragraph 3 - treating others with respect/bullying; 5 - bringing the authority/office into disrepute; 8, 9, 10 and 12 - interests;
SDC2009002	4/3/2009	Referred to MO for investigation on 18/05/09	Investigation ongoing			27	PARISH	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute; 8, 9, 10 and 12 - interests;
SDC2009003	4/22/2009	Referred to MO for investigation on 18/05/09	Investigation ongoing			24	PARISH	Paragraph 3 - treating others with respect; 4 - preventing access to information; 5 - bringing the authority into disrepute;

Grey Shading = Cases reported before the May 2008 procedure changes

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SBE = Standards Board for England

SDC009004	6/1/2009	Adjourned to look into possibility of other action 29/06/09	None - referred for other action	On 20/07/08 referred to MO for other action - parish training	7/20/2009	7	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraph 3 - treating others with respect/bullying; 5 - bringing the authority into disrepute;
SDC009005	6/23/2009	Assessment report considered on 20/07/09	None - referred for other action	On 20/07/09 referred to MO for other action - parish training	7/20/2009	4	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraph 5 - bringing the authority into disrepute;

Grey Shading = Cases reported before the May 2008 procedure changes

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