



Meeting: **STANDARDS COMMITTEE**
Date: **26 SEPTEMBER 2011**
Time: **5.00PM**
Venue: **COMMITTEE ROOM**
To: **Councillors Mrs M Davis, C Lunn, Mrs K McSherry, Roderic Parker, Brian Crossdale, Hilary Putman and Wanda Stables**

Agenda

1. Apologies for absence

2. Disclosures of Interest

Members of the Standards Committee should disclose personal or prejudicial interest(s) in any item on this agenda.

3. Minutes

To confirm as a correct record the minutes of the proceedings of the meeting of the Standards Committee held on 20 June 2011 (pages 3 to 4 attached).

4. Chair's Address to the Standards Committee

5. Dates of Future Standards Local Assessment Sub Committee Meetings

To approve the dates for future Local Assessment Sub Committee meetings (page 5 attached).

6. Case Monitoring Report

Report of the Monitoring Officer (pages 6 to 15 attached).

7. Private Session

To exclude the press and public from the meeting for the following items of business in accordance with Section 100(A)(4) of the Local Government Act 1972 because of the likely disclosure of confidential or exempt information as described in Part 1 of Schedule 12(A) of the Act.

8. Complaints SDC2011001/SDC2011002 and SDC2011003 – Report back on “Other Action”

Report ST/11/6 sets out details of the “other action” pursued in relation to reports (pages 16 to 19 attached).

Jonathan Lund
Deputy Chief Executive

Dates of next meetings
19 December 2011
19 March 2012

Enquiries relating to this agenda, please contact Karen Mann on:
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Minutes

Standards Committee

Venue: Committee Room 2

Date: 20 June 2011

Present: Councillor B Crossdale, Councillor C Lunn,
Councillor Mrs K McSherry, Miss H Putman (Chair)
and Mrs W Stables

Apologies for Absence: Councillor R Parker and Jonathan Lund

Officers Present: Caroline Fleming - Senior Solicitor and Karen Mann,
Democratic Services Officer

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

RESOLVED:

To receive and approve the minutes of the Standards Committee held on 31 January 2011 and they are signed by the Chair.

3. CHAIR'S ADDRESS TO THE STANDARDS COMMITTEE

The Chair welcomed the returning members. It was agreed that the meetings would commence at 5.00pm and continue to be held on a Monday evening and that members absent would be emailed the start time of future meetings.

4. CASE MONITORING REPORT

The Senior Solicitor presented the current case monitoring report up to the end of May 2011.

Case numbers 2011001/2/3 – mediation will take place in July 2011 once a date has been agreed.

RESOLVED:

That the report be noted.

5. LOCALISM BILL – UPDATE

The Bill recently had its second reading in the House of Lords and is now at Committee Stage. It is anticipated that the Bill will receive Royal Assent late this year.

The Monitoring Officer will keep the Standards Committee updated.

6. INDEPENDENT AND PARISH/TOWN COUNCIL REPRESENTATION

There are two vacancies currently, one Parish Council Representative post and one Independent post. The Monitoring Officer will give an update via email to the Standards Committee.

7. SELBY DISTRICT COUNCIL STANDARDS AND GOVERNANCE TRAINING – REPORT BACK

Training had been completed on the 11 May 2011 and 7 June 2011. It was felt that the training went well, the Councillors were engaged and the feedback positive. The Committee will consider whether to repeat training when more definite information is available on the provisions of the Localism Bill

8. PARISH AND TOWN COUNCIL STANDARDS TRAINING

Training had been completed in December 2010 and February 2011 which went very well and Councillors fed back they enjoyed the training sessions. 19 Parish/Town Councils took part. There were several Parish Clerks also in attendance.

The Committee will consider whether to repeat training when more definite information is available on the provisions of the Localism Bill. It was suggested that for any future training session two months notice is given to Parish Councils as some Parishes only have meetings every two months.

The Chair thanked all members for attending and the meeting closed at 4.40pm.



Report Reference Number ST/11/4

Agenda Item No:5

To: Standards Committee
Date: 26 September 2011
Author: Karen Mann, Democratic Service Officer

Title: Standards Local Assessment Sub Committee meeting dates

Summary:

Standards Committee – Local Assessment Sub Committee Meetings are scheduled in monthly however should there be no complaints received a meeting can be cancelled or rescheduled accordingly.

Recommendation:

To approve the suggested dates for Local Assessment Sub Committee meetings.

1. The Report

It is suggested that Standards Local Assessment Sub Committee meetings are scheduled monthly and can be cancelled or rescheduled as and when required.

The suggested dates for the meetings in 2011 – 12 are listed below:

24 October 2011
21 November 2011
19 December 2011
23 January 2012
20 February 2012
19 March 2012
23 April 2012
21 May 2012

Representatives will be asked to attend the meetings which will include a Parish Council representative, District Council representative and an Independent Member.

Contact Officer: Jonathan Lund (Monitoring Officer)
(jlund@selby.gov.uk)

Report Reference Number ST/11/5

Agenda Item No: 6

To: Standards Committee
Date: 26 September 2011
Author: Jonathan Lund, Monitoring Officer

Title: Case Monitoring Report

Summary:

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.

Recommendation:

To receive and endorse the case monitoring report for the period ended September 2011.

1. Introduction and background

To present the current case monitoring report up to the end of September 2011.

2. The Report

The case monitoring report is set out at Appendix A.

3. Legal/Financial Controls and other Policy matters

None.

4. Background Documents

Contact Officer: Jonathan Lund (Monitoring Officer)
(jlund@selby.gov.uk)

Appendices: A – Monitoring Report

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	19/01/2007	Referred to MO for investigation by SBE	Investigation reported on 20/07/09	No breach of the Code of Conduct found.	20/07/2009	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	25/04/2008	Referred to MO for investigation by SBE	Investigation reported on 02/12/08	No breach of the Code of Conduct found.	02/12/2008	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	02/09/2008	Referred to MO for investigation on 22/09/08	Investigation found a potential breach of the code in respect of failures to declare personal or prejudicial interest	Breach of the Code of Conduct found but no further action taken as subject member had already participated in relevant training.	04/06/2010	91	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	08/09/2008	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	12/06/2009	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;

Grey Shading = Cases reported before the May 2008 procedure changes
MO = Monitoring Officer
SBE = Standards Board for England

Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SDC2008003	22/09/2008	Referred to MO for investigation on 13/10/08	Investigation completed	Breach of the Code of Conduct found suspended censure pending training	28/05/2009	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	22/09/2008	Referred to MO for investigation on 13/10/08	Investigation completed	No breach of the Code of Conduct found.	27/04/2009	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	22/09/2008	Referred to MO for investigation on 13/10/08	Investigation completed	No breach of the Code of Conduct found.	27/04/2009	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	23/09/2008	Referred to MO for investigation on 13/10/08	Investigation Completed	No breach of the Code of Conduct found.	09/03/2009	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	23/09/2008	No further action 13/10/08		No further action	13/10/2008	3	PARISH Relevant parties have been notified of the outcome	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute;

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Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SDC2008008	23/09/2008	Referred to MO to arrange mediation 13/10/08		Subject Member refused to participate in mediation. No further action.	26/10/2009	57	PARISH Subject Member not been willing to engage in mediation process. Resolved to take no further action	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute;
SDC2008009	02/12/2008	Referred to MO for investigation on 05/01/09	Investigation found a potential breach of the code in respect of failures to declare personal or prejudicial interest	Breach of the Code of Conduct found but no further action taken as subject member had already participated in relevant training.	04/06/2010	78	PARISH Investigated alongside complaint SDC200801 due to similarity.	Paragraphs 8, 9, 10 and 12 - interests; Paragraph 6 - conferring an advantage or disadvantage;
SDC2009001	20/03/2009	Referred to MO for investigation on 13/04/09	MO referred matter back to LA Sub due to subject member leaving parish council	No further action	26/10/2009	31	PARISH	Paragraph 3 - treating others with respect/bullying; 5 - bringing the authority/office into disrepute; 8, 9, 10 and 12 - interests;

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Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SDC2009002	03/04/2009	Referred to MO for investigation on 18/05/09	Completed	Breach of code of conduct found (failure to declare a personal interest) but no further action taken as subject member had already participated in relevant training.	31/01/2011	95	PARISH	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute; 8, 9, 10 and 12 - interests;
SDC2009003	22/04/2009	Referred to MO for investigation on 18/05/09	Completed	No breach of the Code of Conduct found.	20/12/2010	87	PARISH	Paragraph 3 - treating others with respect; 4 - preventing access to information; 5 - bringing the authority into disrepute;

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Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SDC2009004	01/06/2009	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	20/07/2009	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;
SDC2009005	23/06/2009	Assessment report considered on 20/07/09	None - referred for other action	On 20/07/09 referred to MO for other action - parish training	20/07/2009	4	PARISH Notices have been posted and relevant authorities and parties have been notified of the outcome	Paragraph 5 - bringing the authority into disrepute;
SDC2009006	26/10/2009	Referred (in part) to MO for investigation on 26/10/09	Investigation Completed	No breach of the Code of Conduct found.	20/12/2010	60	PARISH Investigated alongside complaints SDC0009002 and SDC0009003	Paragraph 5 - bringing the authority into disrepute;
SDC2009007	26/10/2009	No further action 26/10/09 reviewed and confirmed 04/12/09		No further action	04/12/2009	6	PARISH Relevant authorities and parties have been notified of the outcome	Paragraph 5 - bringing the authority into disrepute;
SDC2010001	15/01/2010	No further action		No further action	26/04/2010	14	PARISH Relevant authorities and parties have been notified of the outcome	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2010002	22/01/2010	No further action		No further action	26/04/2010	13	PARISH Relevant authorities and parties have been notified of the outcome	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute; 6 - improper use of position

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Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SDC2010003	22/01/2010	No further action		No further action	21/06/2010	21	PARISH Relevant parties have been notified of the outcome	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2010004	07/04/2010	Referred to MO for Other Action (training)	None - referred for other action on 26/4/2010	Training undertaken and reported to committee on 22/11/10	26/04/2010	3	PARISH Relevant parties have been notified of the outcome	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2010005	04/06/2010	Referred to MO for investigation on 12/07/2010	Investigation ongoing			68	PARISH Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute; 8,9,10 &12 interests
SDC2010006	30/06/2010	Referred to MO for investigation on 12/07/2010	Investigation ongoing			65	PARISH Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute; 8,9,10 &12 interests
SDC2010007	06/08/2010	Referred to MO for investigation on 31/08/10	Investigation Completed	No breach of the Code of Conduct found.	31/01/2011	25	DISTRICT Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2010008	24/08/2010	Referred to MO for investigation	Investigation ongoing			57	PARISH Relevant parties have been notified	Paragraph 5 - bringing the authority into disrepute; 8,9,10 &12 interests

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Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SDC2010009	01/11/2010	No further action Decision reviewed		No further action	15/03/2011	19	PARISH Relevant parties have been notified	Paragraph 5 - bringing the authority into disrepute; 8,9,10 &12 interests
SDC2010010	08/11/2010	Referred to MO for investigation on 07/12/10	Investigation ongoing			46		Paragraph 5 - bringing the authority into disrepute; 8,9,10 &12 interests
SDC2010011	16/11/2010	No further action		No further action	07/12/2010	3	PARISH Relevant parties have been notified	Paragraph 5 - bringing the authority into disrepute; 6 - improper use of position
SDC2010012	25/11/2010	No further action		No further action	07/12/2010	2	PARISH Relevant parties have been notified	Paragraph 5 - bringing the authority into disrepute
SDC2010013	02/12/2010	No further action		No further action	20/12/2010	3	PARISH Relevant parties have been notified	Paragraph 5 - bringing the authority into disrepute; 10 &12 interests
SDC2010014	02/12/2010	No further action		No further action	20/12/2010	3	PARISH Relevant parties have been notified	Paragraph 4 - disclosing information given in confidence; 5 - bringing the authority into disrepute;
SDC2011001	07/03/2011	Referred to MO for Other Action (Mediation)		MO reporting to Standards Committee 26/9/11	28/04/2011	7	DISTRICT -Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute

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Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint
SDC2011002	09/03/2011	Referred to MO for Other Action (Mediation)		MO reporting to Standards Committee 26/9/12	28/04/2011	7	DISTRICT -Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2011003	25/03/2011	Referred to MO for Other Action (Mediation)		MO reporting to Standards Committee 26/9/13	28/04/2011	5	DISTRICT -Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2011004	18/04/2011	No further action		No further action	25/07/2011	14	PARISH - Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2011005	01/01/2011	Referred to Standards for England for investigation	With Standards for England		25/07/2011	29	DISTRICT -Relevant parties have been notified	Paragraph 5 - bringing the authority into disrepute; 8,9,10 &12 interests
SDC2011006	04/07/2011	No further action		No further action	25/07/2011	3	DISTRICT -Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2011007	22/06/2011	No further action - request for Review				14	PARISH - Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2011008	26/07/2011	No further action		No further action	12/09/2011	7	DISTRICT & PARISH -Relevant parties have been notified	Paragraph 4 - confidential information and 6 - conferring an advantage or disadvantage
Case Number	Date Received	Assessment	Investigation	Outcome	Date Concluded	Period Live (Weeks)	DISTRICT/PARISH COUNCIL & Notes	Aspects of the code involved in the complaint

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SDC2011009	18/07/2011	*				10	DISTRICT -Relevant parties have been notified	Paragraph 3 - treating others with respect; 5 - bringing the authority into disrepute
SDC2011010	12/08/2011	No further action re Para 3 - Other Action re Para 8/9		No further action re Para 3 - Other Action re Para 8/9	12/09/2011	4	PARISH - Relevant parties have been notified	Paragraph 3 - treating others with respect; 8,9 interests
Average number of weeks per complaint since May 2008						28		
Average number of weeks per complaint 2008						43		
Average number of weeks per complaint 2009						41		
Average number of weeks per complaint 2010						24		
Average number of weeks per complaint 2011						10		

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