

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

Minutes of the meeting held at County Hall, Northallerton on 13 September 2010.

PRESENT:-

Mr Henry Cronin (Chairman).

County Councillors Philip Barrett, Bill Houlton (as Substitute for County Councillor J W Marshall), David Jeffels, Peter Popple, Peter Sowray and Geoff Webber.

Independent Member: Hillary Bainbridge.

Also in attendance: County Councillor Paul Richardson.

Apologies were received from County Councillor J W Marshall and Independent Members Hillary Bainbridge and Dr Janet Houlton.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

59. MINUTES

RESOLVED –

That the minutes of the meeting held on 10 May 2010, having been printed and circulated, be taken as read and signed by the Chairman as a correct record, subject to the following:-

- An alteration to Minute Number 40 – Leader and Group Leaders discussion, page 3, bullet point 11 – replace the sentence with “advice from Group Leaders to Members to prevent minor “tit for tat” vexatious complaints”.
- Minute Number 55 – Complaints and Findings/Guidance from Standards for England – page 13, resolution (ii) – the annual assembly of Standards Committees would not now take place, therefore, no nominations would be required.

60. PUBLIC QUESTIONS OR STATEMENTS

County Councillor Paul Richardson made a statement to the Committee. He outlined a number of concerns he had in respect of both the Planning Committee and the Standards Committee. He considered that unless he was provided with reassurances that the issues he raised had been addressed he would bring a notice of no confidence in respect of the decision making process taking place at both Planning Committee and Standards Committee of the County Council, to the next County Council meeting.

The Committee agreed to accept the Statement at this stage and consider a way forward on this matter. County Councillor Richardson would be advised accordingly.

61. APPOINTMENT OF VICE-CHAIRMAN

Members noted that the appointment had to be an Independent Member of the Committee and that two of those Members were not present at this meeting. It was suggested, therefore, that the appointment of the Vice-Chairman be deferred to a subsequent meeting, allowing all eligible Members for the position to be present.

RESOLVED –

That the appointment of Vice-Chairman of the Committee be deferred to a subsequent meeting.

62. COMPLAINTS AND ETHICAL INDICATORS

CONSIDERED –

The joint report of the Monitoring Officer and the Chief Executive highlighting complaints and compliments received by the County Council for Quarter 4 in 2009/2010 and Quarter 1 in 2010/2011. Information in relation to agreed ethical indicators for the period 1 April 2009 to 31 March 2010, which could help give an indication of the health of the authority in relation to standards and ethics, were also provided. Details of matters which had been referred to the Local Government Ombudsman were also highlighted in the report.

It was noted that, previously, it being asked whether the information was being benchmarked. In response it was noted that attempts had been made in the past to benchmark the figures but ultimately was not possible to do as statistics were not available from all of the comparative authorities.

It was stated that an information reporting procedure was being developed in terms of disciplinary action taken, with a new recording system being developed, and this information would be provided when the system was in place.

Details of the complaints made against Members reported to the County Council's Standards Committee were outlined.

It was clarified with an Independent Member that Freedom of Information requests covered ERI. It was also noted that, as yet, there had been no failures to comply with Freedom of Information requests, however, it was not clear whether any issue had been referred to the Information Commission and it was stated that that information would be provided to the next meeting of the Committee. It was also asked that information in respect of Whistleblowing also be provided.

A Member noted that, nationally, SEN complaints were being referred to the Local Government Ombudsman and asked whether this happened automatically. In response it was noted that the Ombudsman was to be given more powers in terms of SEN complaints, with a pilot project in relation to this taking place which covered pupils and service delivery. It was expected that the pilot would commence in September 2011, although there were no details in relation to that at the present time. It was also expected that this would cover adults in care homes, as they were not covered by this at the moment.

In terms of the Whistleblowing process it was noted that, wherever possible, measures were in place to ensure that line managers were not handling the case, with internal audit involved from the outset to ensure there was no conflict being created.

A Member raised concerns about the cost of meeting Freedom of Information requests and asked how the frivolous and vexatious requests were sorted from the appropriate ones to prevent the escalating costs. It was emphasised that every effort was made to try and eliminate the vexatious and frivolous requests, however, it was difficult to prove that these were such. It was noted that provision was made within the legislation for requests that were time consuming to be refused or a charge be made for these.

A Member stated that he considered it inappropriate to talk about how not to meet Freedom of Information requests, as these were important in supporting people's democratic rights. The Chairman agreed with the Member, but also emphasised the need to consider possible mis-use of the system. Members agreed that some of the Freedom of Information requests put in were time consuming and expensive but the principles behind the legislation were appropriate.

RESOLVED –

That the report be noted.

63. GROUP LEADERS' DISCUSSION WITH STANDARDS COMMITTEE

CONSIDERED –

The report of the Monitoring Officer asking Members to consider the outcome of the discussion between the Standards Committee and Group Leaders regarding standards issues at their meeting held in May 2010.

The key issues arising from that discussion were as follows:-

- Disproportionate nature of current regime.
- Future of standards regime unknown.
- Engagement of Members.
- Dual-hated Members.
- Dispensations.
- Officer/Member relationships.
- Induction training.
- Humour.
- Complaint handling.

It was noted that since the Committee's previous meeting the Monitoring Officer had put in place arrangements for Members subject to complaints to have access to a nominated officer who would perform the role of subject Member support.

It was noted that the outcomes from the discussion with Group Leaders would be factored into the Standard Committee's Work Programme for 2011 and it was recommended to Members that part of the Committee's training session in November should be used as an opportunity for them to consider how they would like the Standards Committee to be conducted in the future.

A Member noted the discussion on vexatious, Member –v- Member, complaints that had taken place with Group Leaders. He noted that the current complaints regime was both bureaucratic and costly and that it had been suggested that some minor complaints could be left for Group Leaders to sort out. He considered that this did not have to be the case in all such matters, but if the majority could be sorted out in that way then it would save a lot of time and money. He noted that a possible problem with that solution would be Members having to approach group leaders to discuss these matters.

Members asked whether the training would be provided just for the Committee or would be extended to the wider Council. In response the Monitoring Officer stated that both training events were required, with a separate event for the Committee and for all Members of the Council. She suggested that training was required on the Code of Conduct, with that also being extended to incorporate Members of the Planning Committee. She emphasised, however, that extensive training would only be required as long as the Standards Regime remained in place.

The Committee generally considered that there was a need to ensure that Members attended training sessions wherever possible, however, it was noted that some Members were put off from attending because of the bureaucratic nature of some of the training provided. It was considered that a case study approach, with Member involvement was much more beneficial than simply sitting and being told of how to respond.

A Co-opted Member suggested that if the County Council was able to sort issues out, where there were problems between Members, in-house, this would be preferable, as long as Members were still aware that they could utilise the formal process if required. A Member of the Committee supported trying to solve such matters through the Group Leaders, however, he suggested that "tit for tat" Member against Member complaints were not a particular problem within the County Council. The Monitoring Officer verified that fact. The Chairman suggested that the role of Group Leaders was more a proactive one, ensuring that any potential problems were dealt with before they escalated. The Chairman asked how the intervention of Group Leaders could be supported by the Standards Committee. In response a Member suggested that if a Member against Member complaint came in the Chairman and Vice-Chairman of the Standards Committee could generate a discussion between Group Leaders in an attempt to resolve the matter without having to go through the formal process. If this could not be achieved, then the formal process could be used.

Members agreed that this matter should be discussed further at the training event taking place in November.

RESOLVED –

That the issues raised in the report, following the Committee's discussion with Group Leaders at the previous meeting be noted and the issues raised in relation to the report at this meeting be acted upon where appropriate.

64. USE MADE OF DISPENSATIONS GRANTED

CONSIDERED –

The report of the Monitoring Officer updating Members regarding the use made of dispensations granted by the Standards Committee.

The report highlighted the following dispensations that had been granted by the Committee:-

- Community Fund allocations – 1 October 2007 – Committee granted dispensation to 28 County Councillors sitting on Craven Area Committee, the County Committee for Hambleton, Richmondshire Area Committee and the Yorkshire Coast and Moors County Area Committee.

- Hambleton District Council's proposals for car parking charges – granted to eight County Councillors sitting on the County Committee for Hambleton at meeting held on 2 June 2008.
- Registration of Village Green at Helredale Playing Field, Whitby – granted to two County Councillors sitting on the Yorkshire Coast and Moors County Area Committee at the meeting held on 2 February 2009.
- Craven District Councils proposals for car parking charges – granted to five County Councillors sitting on Craven Area Committee at the meeting on 23 April 2009.

The report highlighted the dispensations currently in place as follows:-

- Craven District Council's proposals for the introduction of pay and display car parking charges – granted to five County Councillors sitting on Craven Area Committee at the meeting on 21 September 2009.
- The implementation or review of off-street car park charges by Hambleton District Council – granted to eight County Councillors sitting on the County Committee for Hambleton at the meeting on 1 February 2010.

Details of the use of the dispensations were provided and it was noted that the current dispensations were being used at appropriate meetings by the Members concerned.

RESOLVED –

That the report be noted.

65. STANDARDS COMMITTEE COMPLAINTS

CONSIDERED –

The report of the Monitoring Officer informing Members of arrangements which had been put in place to support Members who were the subject of a complaint to the Standards Committee.

The Monitoring Officer outlined how officers from the Democratic Services Team would offer increased support to subject Members during the complaints process, with subject Members being made aware that a nominated officer was available to guide and support them through the process.

A brief guide was being prepared for subject Members and would be brought to a future meeting of the Standards Committee for comment.

RESOLVED –

That the report be noted.

66. UPDATE RE MEMBERS' ATTENDANCE AT COMMITTEES

CONSIDERED –

The report of the Assistant Director (Legal and Democratic Services) updating Members regarding action taken following the reporting of Members' attendance at committee meetings to the previous meeting. It was noted that letters had been sent to Group Leaders and individual Independent Members in respect of those Councillors whose attendance at meetings had been 60% or less, together with details of the figures provided in respect of the attendance. The respected Members had provided information to the Committee in relation to that.

A Member, noting that the remuneration panel had suggested that payment to Councillors should be linked to attendance, stated his concerns with the interference of the Standards Committee in Members attendance at meetings. He suggested the role of Councillors was many fold, not just attending meetings, and felt that it was of no concern to the Scrutiny Committee how a Councillor conducted their business. He suggested that it was for the public to hold Councillors to account in respect of their attendance at meetings rather than the County Council.

The Member's view was echoed by other Members of the Committee.

The Chairman stated that the issue had been discussed previously and did not believe it was the role of the Standards Committee to hold Councillors to account in respect of attendance, but did feel that there was a role to ensure that Councillors were fulfilling their functions. He outlined that further discussions on this matter, particularly how the Standards Committee supports Members, could take place at the forthcoming training event in November.

An Independent Member suggested that the report was useful for the electorate in determining how their particular Councillor had been fulfilling their duties and in providing information that could be used when deciding on who to vote for. She did not, however, feel that it was the role of the Committee to obtain information as to why the Member had not been attending meetings. She considered there was a role in providing support where Councillors were having problems with attendance.

The Monitoring Officer noted that the remuneration panel were not suggesting that the attendance at meetings of Councillors be linked to their payment, but the information be used as guidance.

RESOLVED –

That the report and issues raised by Members be noted.

67. OFFICERS' CODE OF CONDUCT

CONSIDERED –

The report of the Monitoring Officer updating the Committee in respect of the outcome of her consideration of the Officers' Code of Conduct and providing, as requested, an update in relation to the extent that standards information was included in officers' employment documentation.

The Monitoring Officer outlined how she had reviewed the officers standards of conduct procedures and concluded that the document was sound and covered all key areas. She noted that certain legislative references would shortly be out of date when the Bribery Act 2010 came into force later in the year. Amendments would be made at the relevant time and included in the next refresh of the Standards of Conduct procedure. She recommended, therefore that a more substantial review take place in the future to take account of those legislative changes and possible introduction of a new model officers Code of Conduct.

The Monitoring Officer outlined Standards information that was incorporated into officer's recruitment and employment documentation. Members suggested that it would be helpful to include Standards details in the recruitment packs sent out to prospective employees.

RESOLVED –

That the Officers' Standards of Conduct Procedure be reviewed in the future, when the situation was clearer regarding the proposed changes to the standards regime and the introduction of a new model Officers' Code of Conduct.

68. COMPLAINT FEEDBACK QUESTIONNAIRE

CONSIDERED –

The report of the Monitoring Officer presenting a revised Complaint Feedback Questionnaire for approval, subject to any further comments that Members may have.

A revised draft of the questionnaire, incorporating Members suggested changes from previous meetings was appended to the report. This made it clearer for complainants and subject Members as to which parts of the form they should fill in, clarified that personal details included on the form would not be published and allowed those responding to raise specific issues to be fed back to the Standards Committee.

It was noted that of the Complaint Feedback Questionnaires that had been returned in response to determinations that had been carried out so far, the majority had indicated their satisfaction with the process, with just one dissatisfied return, which related to the over all result of the complaint. A comment in relation to that had suggested that the formal process undertaken had been a waste of officer's time due to the extent of the information that had to be provided.

An Independent Member of the Committee suggested that rather than asking how the subject Member felt about the decision made, it would probably produce a better feedback to ask whether they considered the decision had been well explained. She considered that requesting feedback on a decision that had gone against the subject Member was unlikely to provide a positive response.

The Monitoring Officer stated that amendments would be made to the Feedback Questionnaire in respect of the issue raised.

RESOLVED –

That, subject to the alteration indicated above, the revised draft Complaint Feedback Questionnaire be approved.

69. STANDARDS COMMITTEE ONGOING MATTERS

CONSIDERED –

The report of the Monitoring Officer updating Members on progress in relation to certain items listed in the Standards Committee's Work Programme.

The report provided an update on the following issues:-

- Citizens Panel Questionnaire – whether it was an appropriate time to repeat the survey.
- Joint Standards Committee’s – Further consideration of opportunities for Joint Standards working.
- Joint Standards working – Working with other Authorities in the promotion of ethical standards.
- Local Authorities Partners ethical obligations – ways in which the County Council could ensure partners had appropriate ethical principals in place.
- The report outlined that given the Government’s intention to “abolish the Standards Board regime” it was not recommended that Citizens Panel Questionnaire on the Ethical Framework be repeated at this time, nor that any joint standards working methods be explored, as such endeavours may prove abortive. It was recommended that the Committee awaited clarification of the changes to the regime to determine what would entail before considering such issues.

In respect of Local Authority Partners ethical obligations the Monitoring Officer was liaising with officers dealing with partnership governance work regarding ways in which the Council’s ethical statement and other standards documentation could be incorporated within such governance work.

RESOLVED –

That the report be noted.

70. REVIEW OF ONLINE STANDARDS INFORMATION

CONSIDERED –

The report of the Monitoring Officer updating Members as to the nature of the standards information currently published on the Council’s website.

The report provided details of Standards documentation published on the Council’s website, within the “Councillor Conduct” section, providing details on:-

- The adjudication panel.
- The Code of Conduct.
- The Principals of Conduct.
- Standards for England.
- The Standards Committee.
- The role of the Leader and the Chief Executive Officer within the Ethical Framework.
- The Monitoring Officer.
- The Ethical Framework.
- A series of frequently asked questions.

It was noted that the website now had a specific page dedicated to the Standards Committee, with various sections giving appropriate information as to the work of the Committee and information that it dealt with.

The website also had a dedicated page to Members Register of Interests.

It was noted that the intranet now had more information about Standards issues, with details provided.

In conclusion the Monitoring Officer stated that she was satisfied that all the relevant and required documentation was available for public inspection on the Council's website although some areas required updating and some hyperlinks did not currently work. Priority would be given to dealing with those issues over the coming weeks. She also noted that having considered other Local Authority's websites Standards content the Council appeared to publish more and wider Standards information.

An Independent Member of the Committee stated that she considered the information contained on the website to be good, considered that it could be tidied up and brought together a little more effectively, but over all it was appropriate.

RESOLVED –

- (i) That the report be noted;
- (ii) That the Monitoring Officer updates the Standards information currently published on the Council's website as necessary and reports back to a future meeting of the Committee.

71. UPDATE RE USE OF STANDARDS STATEMENTS

CONSIDERED –

The report of the Monitoring Officer updating Members regarding the use made of the various Council statements regarding Standards issues.

The report provided an update on the use of the following statements:-

- CEO and Leaders General Ethics Statement.
- Council Statement re Standards.
- Council's Ethical Statement for Stakeholders.
- Statement re role of senior managers in Ethical Framework.

The report concluded that further progress had been made in promoting the Standards Statements and further opportunities for their use were likely to arise following the expected abolition of the current Standards regime and future changes to the Ethical Framework.

The Monitoring Officer would continue to consider new ways in which the Standards Statements could be used and promoted and keep the Committee informed of those.

RESOLVED –

That the report be noted.

72. COMPLAINTS AND FINDINGS/GUIDANCE FROM STANDARDS FOR ENGLAND

CONSIDERED –

The report of the Monitoring Officer updating Members on the development of the ethical agenda and any complaints received about Members of the Authority.

The report provided updates in relation to the following issues:-

- Annual Assembly of Standards Committees.
- Decentralisation and Localism Bill.
- Standards for England protocol for partnership working.
- Outstanding parts of ethical framework – new Codes of Conduct for Members and Officers.
- Complaints received.
 - new complaints.
 - previous complaints.
 - recurring themes from complaint determination hearings.
- Other complaint matters.
 - Standards for England monitoring.

In terms of the decentralisation and localism bill the Monitoring Officer stated that further developments were awaited.

In relation to the Standards for England protocol for partnership working she stated that further consideration would be given to what appeared to be a helpful document which may be of assistance to the Authority and would provide a more detailed report back to a future meeting of the Committee to consider the possible application of the protocol within the Authority.

In relation to the new Codes of Conduct for Members and officers much was now dependent upon the Government's intentions for the Standards Regime.

Update was provided in respect of complaints received against Members of the Authority. The Monitoring Officer stated that there had been three new complaints since the last meeting of the Committee. The Complaints Assessment Sub-Committee had subsequently referred two of the complaints for investigation and determined that one was outside the jurisdiction of the Committee. During the period a complaint had also been determined. Sanctions had been imposed upon the subject Member, with a letter of apology to the complainant being sent and further training being required.

It was noted that the Complaints Determination Sub-Committee had now held two complaint hearings relating to emails sent by the subject members and it was considered that the Committee may wish to consider whether wider training should be issued to all Members in respect of this matter.

Standards for England monitoring had currently ceased, as more information was awaited on the Government's proposals for the Standards regime.

Members asked whether any further steps were required in relation to the possible adoption of the Standards for England Protocol For Partnership Working. In response the Monitoring Officer stated that this would be adopted if it was felt appropriate for the needs of North Yorkshire County Council. She stated further information on the protocol would be brought back to the Committee in due course.

In terms of the second recommendation in relation to the possible wider training for Members in the use of IT, Members stated that they would consider the matter further under a later Agenda item.

RESOLVED –

That the report be noted.

73. STANDARDS BULLETIN

CONSIDERED –

The report of the Monitoring Officer presenting, for consideration, a draft Standards Bulletin.

A draft of the Bulletin was provided with the report and among issues detailed were:-

- Details on the future of Standards for England, with assurance that this would be open for business until it ceased to function following the Government's review and a schedule of activities by that organisation were provided.
- Details of investigations and complaints.
- The re-appointment of Independent Members.
- On line guides provided by Standards for England.

RESOLVED –

That the Bulletin be circulated to Authority Members and senior officers.

74. **INDEPENDENT REMUNERATION PANEL – ISSUES FOR STANDARDS COMMITTEE**

CONSIDERED –

The report of the Monitoring Officer referring to Members, for consideration, issues raised by the Independent Panel on the remuneration of Members for the County Council, in relation to guidance on attendance at meetings, participation in training and guidance on the use of ICT.

The Independent Panel on remuneration considered the issues outlined above and asked the Standards Committee to consider reviewing guidance and frameworks on the following:-

- (i) The need for regular attendance at meetings and monitoring attendance levels at meetings;
- (ii) The appropriate level of engagement with training and other opportunities to understand issues relating to Council services and monitoring attendance levels at training events; and
- (iii) The use of ICT to support communication between the Councillor, the Council and constituents.

The Committee were asked to consider whether, in view of the Panel recommendations, guidance and frameworks on the above issues should be further developed.

A Member noted that, currently, the Standards Committee set a level of 60% attendance for Members attending meetings, under which an advisory note would be sent by the Committee, whereas the Independent Panel were suggesting that level should be 75%.

A Member suggested that it was not the business of the remuneration panel to be involved in the attendance of Members at meetings. He also considered there was

no provision to say that Members should be paid less if they did not attend within the guidelines stated. In respect of references to the use of IT he had concerns that allowances may be cut should Members not be signed up to certain levels of IT proficiency. He noted that, years previously, Members received a separate allowance in terms of IT provision but this had subsequently been consolidated within the overall allowance. He considered that it was inappropriate to suggest that Councillors should be paid less, if they were less proficient in IT. He noted that, currently, Members who wished to benefit from IT services got a computer, hardware and assistance, which was an additional benefit to those who did not. He considered that should Councillors be only supplied appropriate information through IT media, then that would break the human rights of those who did not wish to use it. He emphasised that the 60% attendance target set by the Standards Committee, whilst still excessive, was still more appropriate than the suggested 75%. He noted that in his local area the local newspaper set out Members attendance at meetings, special responsibility allowance payments made to Members, etc and considered that that information was appropriate for use by the public and it was up to them as to how they responded to that. He did not consider there was any need to impose any further sanctions so long as the information was available.

The Monitoring Officer sought to re-assure Members that the Independent Remuneration Panel were not suggesting a reduction in allowances, in terms of the issues set out, but were seeking an opinion from the Standards Committee to determine whether it was considered appropriate that more guidance should be provided to Councillors on these issues.

A Member raised concerns that the Committee was being asked to find solutions to a problem that was not there. A Member re-emphasised the issues raised that in terms of use of IT by Councillors the issue should be addressed by the County Council rather than the remuneration panel. It was noted that there were only a very small minority of Members who currently did not use IT methods for their receipt of information and their duties as Councillors.

In terms of the recent problems relating to the use of email by County Councillors, resulting in sanctions having been imposed following investigation, it was suggested that the Monitoring Officer write to Members advising them to take care when using email, as an approach to this matter. The Chairman wondered whether it would be appropriate to provide guidance on the use of email in a protocol and it may be more appropriate for this to be placed within the communications policy rather than the IT policy.

Members debated the matter and considered that this was a separate issue, as it had more to do with Members communicating with other people rather than their use of IT. The Monitoring Officer indicated that she was happy to issue additional guidance to Members on this matter.

Members considered that it would be appropriate for any advise from the Monitoring Officer on this matter to concentrate on communication through email, highlighting the issues raised in the investigation and determination processes, to generally advise Members on their use of email.

Members of the Committee then debated the issue of attendance. They suggested that it was appropriate to remain with the 60% level of attendance in terms of the monitoring of Members attendance at meetings, set by the Standards Committee, rather the recommendation of 75% from the Independent Remuneration Panel. He considered that the figures on attendance were for the electorate to decide upon, with publication through the local media, rather than the authority to act on.

The Monitoring Officer acknowledged that Members had to work in their local communities, however, there was also a responsibility to be involved in the decision making process and it was the responsibility of the authority to set out the importance of that role both to Members and the local electorate.

A Member emphasised that Councillors attended meetings where they could and that the percentage rates given did not fully reflect their attendance at meetings as some were on a great number of Committees whereas others were on only a few, therefore the figures did not give a true reflection of how many meetings they had attended. He also considered there was a need to take on board the personal circumstances of Members. It was again suggested that 60% was an appropriate level of attendance.

Other Members emphasised the community role played by Councillors was just as important as attending meetings and that there had been a move away from the culture of the importance placed on attending meetings to the Community role played by Members.

The Monitoring Officer stated that in view of the issues outlined by Members she would put together a short informative to provide to Members in respect of this, also outlining the expected 60% attendance benchmark, and would bring this back to the Standards Committee, before it was sent out to all Members of the Authority.

Members of the Committee went on to discuss the issue raised by the remuneration panel in relation to the attendance by Councillors at training events and in particular induction training. A Member stated that he did not feel that this was a particular problem for Councillors within the Authority as a lot of the information was provided through the various groups, although there may be issues that could be addressed through information provided by individual Members.

Members considered that training was essential for quasi-judicial meetings and that all those participating in those type of meetings should have received the appropriate training before they participated.

It was acknowledged that there was some information that would be useful for groups to have to disseminate among Members and also for Independent Members to have that information. The Monitoring Officer asked whether the Standards Committee could periodically pick up the issue of attendance at training and appropriate information that may be required by groups and individual Members. In response it was suggested that it was for the Monitoring Officer to discuss that matter directly with Group Leaders and appropriate Members rather than the Standards Committee being involved.

The Chairman asked how the Committee ensured that ethical behaviour within the Council was being monitored and maintained if they did not receive reports on affective training being delivered.

An Independent Member emphasised that attendance at training was not an issue, as individual Members may have more training requirements than others. She suggested that it was the role of the Standards Committee to ensure that the training was in place, and not particularly to know who, or how many, were attending that. She stated that it could be assumed that the training was appropriate if the system was working, but if it was not seemed to be then the matter could be further investigated.

A Member suggested that the role of the Standards system was to ensure that systems and practices were not being abused, however, he considered that this was on a broad basis rather than controlling every issue.

The Chairman emphasised that the Standards Committee had a role in checking sets of indicators to ensure that the organisation was working efficiently and effectively. He considered that training was one of these issues.

It was suggested that monitoring could be undertaken on an annual basis with an anonymised report being brought to the Committee giving information in respect of whether training had been effective. It was considered that this was an appropriate way forward on this matter. The Monitoring Officer suggested that the response to the Independent Remuneration Panel should also indicate that the Standards regime was currently facing an uncertain future and that the issues raised would be given further consideration when more detail on that future had been outlined by the Government.

RESOLVED –

That the Committee respond to the recommendations of the Independent Panel on the remuneration of Members, in line with the issues set out above in respect of Members attendance at meetings, levels of engagement with training and the use of ICT to support communications.

75. WORK PROGRAMME 2010/11

CONSIDERED –

The report of the Monitoring Officer outlining the Committee's future Work Programme.

The current Work Programme of the Committee was attached as a Appendix to the report and incorporated action points from the Authority's ethical Audit Action Plan. A number of amendments made to the Work Programme since the Committee's last meeting were highlighted within the report.

It was noted that the time tabled meeting of the Standards Committee in November would be used as a training opportunity for Standards Committee Members and would be utilised to discuss some of the issues outlined at today's meeting.

The Chairman stated how he had recently attended a meeting of the County Council's Planning and Regulatory Functions Committee, as part of his role as an Independent Member seeking more information on the process of the Authority and he stated that he intended to visit other meetings in the future. In respect of the issue raised by County Councillor Richardson at the beginning of the meeting the Chairman stated that he would be discussing the matter with the Monitoring Officer and take that forward accordingly.

A Member noted that, in the past, the Local Government Ombudsman used to circulate judgements against the Council, but noted that that was not now done. In response an Independent Member stated that, previously, the Local Government Ombudsman would make public their judgements, however, in recent years they had moved away from public reports, with informal settlements taking their place, therefore there were fewer public documents because of the informal discussions involved. It was considered that these were now an internal matter for the Council and not for public circulation. It was emphasised that the information was available to Members of the Council and, even if this had been the subject of an exempt report should still be available to Members of the appropriate Committee. The Monitoring Officer stated that she agreed with the principal of sharing information with Members and the issues would be picked up in the quarterly monitoring report brought to the Committee. The Member who raised the matter considered that it was important that

Members knew of issues being taken through the Local Government Ombudsman so that they could pick up issues where required.

An Independent Member suggested that should further information on the future of the Standards regime be made available prior to the proposed training event in November, then that could be utilised to provide information to Members of the Committee, by reverting back to a formal meeting.

RESOLVED –

That the issues raised, and the report, be noted.

SL/ALJ