

Standards Committee

Tuesday, 17th February, 2009

PRESENT:

Independent Members

Mike Wilkinson (Chair) (Independent Member)
Rosemary Greaves (Independent Member)
Philip Turnpenny (Independent Member)

Councillors

J L Carter J Elliott

Parish Members

Councillor Mrs P Walker Pool in Wharfedale Parish Council
Councillor John C East Keswick Parish Council
Priestley

APOLOGIES:

Councillors D Blackburn and E Nash

51 Appeals against refusal of inspection of documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

52 Exempt Information - Possible Exclusion of the Press and Public

The Standards Committee identified Item 7 of the agenda (Minute 57 refers) as containing an appendix which officers had identified as containing exempt information, and where officers considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, for the reasons outlined in the report. The Standards Committee decided to accept the officers recommendation in respect of the above information.

RESOLVED - That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-

The final report of the investigating officer in relation to a local investigation into a complaint against a Member classified as exempt under Access to

Information Procedure Rule 10.4 (1, 2 and 7c) as the report contains the opinion of the investigating officer, which, if the report were made public, would be disclosed prior to the Committee having had the opportunity to discuss that opinion and forming their own view of it.

53 Late items

There were no late items submitted to the agenda by the Chair for consideration.

54 Declaration of interests

There were no declarations of personal/prejudicial interests for the purpose of section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.

55 Minutes of the Previous Meeting

The minutes of the Standards Committee meeting held on 16th December 2008 were approved as a correct record.

Further to Minute 40, the Committee was informed that, as the Council had been shortlisted in the 'Standards and Ethics' category of the Local Government Chronicle Awards 2009, the Chair had been invited to take part in filming for the Standards Board for England's website.

Further to Minute 43, Members were informed that General Purposes Committee had considered the Standards Committee membership at its meeting on 20th January 2009, and resolved to recommend to full Council that the membership be amended as per the Standards Committee's resolution. Full Council will consider this recommendation on 25th February 2009.

Further to Minute 48, Members were informed that the Standards Committee's response had been amended according to Members' comments, and was sent to the Department for Communities and Local Government on 23rd December 2008.

56 Minutes of the Corporate Governance and Audit Committee

The minutes of the Corporate Governance and Audit Committee meeting held on 21st January 2009 were received and noted.

57 Code of Conduct Investigation into a Complaint Against a Member

The Assistant Chief Executive (Corporate Governance) submitted a report setting out the findings of the Investigating Officer in a Code of Conduct investigation into a complaint against a Member. The investigation followed the submission of a complaint to the Standards Board for England which was subsequently referred back to the authority.

Appendix 1 to the report was designated as exempt under Access to Information Procedure Rule 10.4 (1, 2 and 7c).

The Investigating Officer was present at the meeting to present his findings and to respond to any questions from Members.

Members agreed that the former Councillor had only been acting in his official capacity from the point at which he identified himself as a Councillor, and that his conduct from then on would not have brought his office or authority into disrepute. Members therefore agreed to accept the Investigating Officer's finding that there had been no failure to comply with the code of conduct.

Members then considered whether they wished to make any recommendations to the relevant authority as a result of the complaint and investigation. The Monitoring Officer explained the reasons for the delays in processing the complaint, which had been unacceptable. However, the Committee was assured that the new local assessment procedures would safeguard against any delays in processing future complaints.

RESOLVED – Members of the Standards Committee resolved to accept the Investigating Officer's finding of no failure.

58 Administrative Processes underpinning the Local Assessment Arrangements

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) updating Members of the Standards Committee on the implementation of those changes agreed at the Standards Committee meeting on 16th December 2008, and also providing some further options for the Committee to consider.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the amendments agreed at their meeting on 16th December 2008;
- (b) Produce formal minutes of the Assessment and Review Sub-Committee meetings to be published on the Council's website and referred to full Standards Committee and Council meetings; and
- (c) Agree to conduct another review of the local assessment process in September 2009.

59 Code of Recommended Practice on Local Authority Publicity – A Consultation

The Principal Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) advising the Standards Committee of the current consultation being conducted by the Department for Communities and Local Government in relation to the Code of Recommended Practice on Local Authority Publicity.

Members were informed that if Government considers that revisions to the Publicity Code are required, then the comments received in response to the consultation would form the basis for a revised Publicity Code, the content of which would be consulted upon in 2009. Members raised concerns regarding the difficulties sometimes caused by the Publicity Code.

RESOLVED – Members of the Standards Committee resolved to:

- (a) Note the contents of the report; and

- (b) Provide a response to the consultation on the content of the revised Publicity Code (if and when this is released).

60 Standards Committee Training Plan

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive seeking Members' comments on the amended Standards Committee training plan, and the Committee's approval of the updated plan.

Members welcomed the proposal to encourage external members of the Committee to attend City Councillors' ward surgeries (provided that the City Councillor and constituents attending are willing).

RESOLVED – Members of the Standards Committee resolved to approve the amended training plan attached at Appendix 1 to the report.

61 Standards Committee Annual Report 2008/09

The Senior Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) seeking the Committee's comments on the first draft of the Standards Committee Annual Report 2008/09.

Members were requested to contact the Senior Corporate Governance Officer should they wish to make any amendments to their biography or comments on the content of the draft Annual Report.

RESOLVED - Members of the Standards Committee resolved to:

- (a) Note the contents of the report; and
- (b) Contact the Senior Corporate Governance Officer should they wish to make any amendments to their biography or comments on the content of the draft Annual Report.

62 Standards Committee Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the Committee of the work programme for the remainder of the municipal year, and seeking comments from the Committee regarding any additional items.

RESOLVED – Members of the Standards Committee resolved to note the work programme.