



Report of the Assistant Chief Executive (Corporate Governance)

Member Management Committee

Date: 16th December 2009

Subject: Compulsory Training for Members of Standards Committee

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. At its meeting on 13th October 2009 Member Management Committee received a report recommending compulsory training for members of the Council's Standards Committee prior to their participation in the committee's functions in relation to the assessment, review, consideration and hearing of complaints made against Members under the Members' Code of Conduct.
2. The meeting made a number of observations in relation to the proposed training plan and requested that it be revised.
3. This report contains the revised training plan and seeks Member Management Committee's views in relation to whether the proposed training should be imposed as compulsory upon members of Standards Committee.
4. This report also provides details of the training undertaken to date by the current members of the Standards Committee.

1.0 Purpose Of This Report

- 1.1 This report proposes an amended training plan which details the training which should be undertaken by Members of the Standards Committee.
- 1.2 The report seeks the views of Member Management Committee as to whether Members of the Standards Committee should sit as Members of the Assessment, Review or Hearings Sub-Committees unless and until they have completed the training relevant to the Sub-Committee in question.

2.0 Background Information

- 2.1 The Local Government Act 2000 requires that the Council appoints a Standards Committee, sets out the general and specific functions to be carried out by the Standards Committee and empowers the authority to arrange for the Standards Committee to exercise such other functions the authority considers appropriate.
- 2.2 The report to member Management Committee of 13th October 2009 detailed the number and membership of the Sub-Committees appointed by the Standards Committee to fulfil these functions, with particular reference to the functions of the Standards Committee in relation to the assessment, review, consideration and hearing of complaints against Members under the members' Code of Conduct. .
- 2.3 At its meeting of 30th June 2009, the Corporate Governance and Audit Committee considered the annual report of the Standards Committee. As a result of that discussion, particularly with reference to the local assessment function of the Standards Committee, the Corporate Governance and Audit Committee resolved:-
 - 8 (b) That General Purposes Committee, having consulted with the Standards Committee and Member Management Committee, be recommended to make Local Assessment training compulsory for members of the Standards Committee.
- 2.4 The Terms of Reference for Member Management Committee, as set out in Part 3 of the Council's Constitution provide at point 4 that the Committee is authorised to discharge the following function:-
 4. to consider matters in relation to the Training and Development of Elected Members

3.0 Main Issues

The Training Plan

- 3.1 Members will recall that the Standards Committee has a training plan for its members which is updated on an annual basis. This plan seeks to meet the training and development needs of the Standards Committee Members, both when they are new to the Committee and throughout their time as members of the Committee.
- 3.2 The training plan identifies a number of separate learning targets which are relevant to the needs of the Committee's members as they undertake the various functions of the Standards Committee. These targets split into the two key areas of knowledge and skills.

- 3.3 The training plan attached at Appendix 1 to this schedule has been revised following the comments of Member Management Committee at its meeting of 13th October 2009. Particularly Members will note that:-
- 3.3.1 The elements within the plan which are recommended to be compulsory have been brought together and to the front of the plan;
- 3.3.2 The section of training which seeks to ensure that members of the Standards Committee have a full understanding of the role of and pressures on Elected Members has been expanded and brought into the compulsory section of the plan; and
- 3.3.3 A further requirement has been added with the intention that members of the Standards Committee should gain a similar understanding of the role of Town and Parish Council Members who may also be subject of complaints brought before the Standards Committee.
- 3.4 Members will note that, of the compulsory elements of the training plan, three elements are subject to a recommendation that they should be completed prior to undertaking the relevant activity.

Training Record

- 3.5 A record is kept of the training undertaken by each member of the Standards Committee.
- 3.6 Members are advised that most of the Members of Standards Committee have completed the sessions which are recommended to be completed prior to undertaking the relevant activity.
- 3.6.1 All of the Independent Members have completed training on chairing meetings,
- 3.6.2 All but one Member of the Standards Committee has completed the local assessment training, and
- 3.6.3 Although currently ten Members of the Standards Committee have yet to complete hearings training, a session is planned for the morning of Friday 4th December. All but four Members of Standards Committee are hoping to attend this session. Of those four, one has received the training in the past and one is a reserve Independent Member (who is therefore not eligible for appointment to the sub-committees in any event). This will leave only two Elected Members of the Committee who have not received any hearings training. Consideration is being given to repeating the training session in January in an effort to find a date suitable to the diaries of those four Standards Committee Members.

Changes to the Constitution

- 3.7 If Members are of the view that training should be compulsory for Standards Committee Members, it is proposed that amendment should be made to paragraph 9.3.7 of Article 9 of the Constitution¹ to state as follows:

Members of the Sub-Committees of the Standards Committee must complete all compulsory training in accordance with the Standards Committee Training Programme.

¹ This would require a further report to the General Purposes Committee.

- 3.8 This wording, taken together with the wording contained within the training plan itself, will place a requirement on all the members of the Committee to complete the relevant training prior to undertaking the functions of the Standards Committee (or its sub-committees).
- 3.9 The Monitoring Officer will ensure that any gaps in an Elected Member's training are brought to the attention of the Member concerned and where necessary that Member's Leader and Whip. Further, for Parish Members and Independent Members of the Standards Committee, the Monitoring Officer will bring any training gaps to the attention of the relevant Executive Member².

4.0 Implications For Council Policy And Governance

- 4.1 The training of Members of the Standards Committee will promote consistency of decision making through the assessment and review, consideration and hearing processes. This will in turn improve public confidence in the complaints process and reassure Members that complaints in relation to them will be dealt with fairly.

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to this report.
- 5.2 The requirements for the provision of the recommended training can be met from within existing resources.

6.0 Conclusions

- 6.1 The Sub-Committees of the Standards Committee are responsible for a number of general functions in relation to ethical governance within the Council. It is also responsible for more specific functions relating to the assessment, review, consideration and hearing of complaints made against Members under the Members' Code of Conduct.
- 6.2 A number of learning targets have been identified for members of the Standards Committee. It is recommended that members of the Standards Committee should complete certain elements marked 'compulsory' on the training plan, attached as appendix 1 to this document, prior to taking up positions on the sub-committees of the Standards Committee.
- 6.3 Completion of this 'compulsory' element of training would enable and promote consistency of decision making through the assessment and review, consideration and hearing processes, and minimise the risk of successful challenge to the Standards Committee through the relevant appeals process.
- 6.4 Any proposals to amend Article 9 will require consideration by GPC and a recommendation from that Committee to Full Council.

7.0 Recommendations

- 7.1 Members are requested to
- 7.1.1 Endorse the proposal that specified elements of the Standards Committee Training Plan be compulsory; and

² Currently the Executive Member for Central and Corporate

7.1.2 Recommend the proposed amendment to Article 9 of the Constitution to the General Purposes Committee for consideration and recommendation to Full Council.

Background Documents

- Minutes of Corporate Governance and Audit Committee, 30th June 2009
- Report to Member Management Committee, 13th October 2009
- Minutes of Member Management Committee, 13th October 2009
- Local Government Act 2000
- Standards Committee (England) Regulations 2008
- Article 9 of the Constitution