
REPORT OF STANDARDS COMMITTEE

MEETING HELD ON 17 MARCH 2009

Chairman: * The Right Revd Peter Broadbent

Councillors: * Husain Akhtar * Jean Lammiman
 * Mrs Lurline Champagne * Joyce Nickolay
 * B E Gate * Asad Omar

Independent Persons: * Ms Sheila Darr * Dr J Kirkland
 † Mr Mohammad Rizvi

* Denotes Member present
 † Denotes apologies received

[Note: Councillor Jeremy Zeid also attended this meeting to speak on the items indicated at Minutes 109 and 111 below].

PART I - RECOMMENDATIONS

RECOMMENDATION I - Monitoring Officer - Annual Report 2008/09

The Committee received the Monitoring Officer's annual report for the period May 2008 to March 2009. The report set out the number of complaints against Members considered under the local assessment framework, provided an update on the registering of interests and gifts and hospitality, and outlined a proposed work programme for the Committee for 2009/10.

With regard to the complaints received against Members of Council, Members queried the source of the complaints, in terms of whether they had been received from other Members, officers or the public. It was advised that this information could be provided. It was also advised, in response to Members' queries, that the report had only been submitted to this Committee. Members were of the view that the report merited wider consideration and that it should therefore be referred to full Council, having been amended to include further information on the source of complaints.

It was noted that, while the report referred to training on the Code of Conduct, there was a full Member development programme which included training on other statutory duties, as set out in Harrow's "The Modern Councillor" Professional Development Programme for Elected Members and overseen by the Member Development Panel. The work of the Panel, which was a subsidiary body of this Committee, was not reported elsewhere. It was therefore agreed that reference to the Member Development programme also be inserted into the report, prior to its submission to Council.

The Committee considered its draft work programme for 2009/10. It was noted that it was proposed to draw up a number of new protocols, and officers advised that these related to issues that had been the subject of Member queries. Members also recalled that the Committee had previously considered a draft protocol for Councillors writing and/or publishing material on the internet, including blogs; it was agreed to request an update on this in 2009/10. There was some discussion of the duties on Members with regard to the Data Protection Act and it was agreed that this should also be included in the Committee's work programme, as should the Member Development Programme for 2009/10.

The Committee, having agreed the work programme as now amended,

Resolved to RECOMMEND: (to Council)

That the annual report of the Monitoring Officer for 2008/09, as amended, be noted.

(See also Minute 109).

PART II - MINUTES103. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

104. **Declarations of Interest:**

Councillor Jean Lammiman declared a personal interest in agenda item 9, "Standards Board for England – Case Report Summary". Accordingly, she would participate in the discussion and any decision on this item.

RESOLVED: That the above declaration of interest be noted.

105. **Minutes:**

RESOLVED: That the minutes of the meeting held on 4 December 2008 be taken as read and signed as a correct record.

106. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.

107. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 16.

108. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

109. **Monitoring Officer - Annual Report 2008/09:**

Further to Recommendation I above, it was

RESOLVED: That (1) the report be noted;

(2) the proposed work programme for 2009/10, as now amended, be agreed.

110. **Exclusion of the Press and Public:**

RESOLVED: That the press and public be excluded from the meeting for the following item for the reasons set out below:

<u>Item</u>	<u>Title</u>	<u>Reason</u>
9.	Standards Board for England – Case Report Summary	The report contained exempt information under paragraphs 1 and 2 of Part I of Schedule 12A to the Local Government Act 1972, in that it contained information relating to any individual and which was likely to reveal the identity of an individual.

111. **Standards Board for England - Case Report Summary:**

The Committee considered a confidential report of the Director of Legal and Governance Services, regarding referrals from the Assessment Sub-Committee to the Standards Board for England (SBE).

Ms Belinda Shaw, an SBE Investigator, was in attendance at the meeting. She detailed the circumstances in which it was appropriate for cases to be referred to the SBE, and the process the SBE went through in undertaking an investigation. Issues determining whether a case should be referred included the number and status of Members involved, the seriousness of the complaint such as a matter under police investigation, a substantial governance dysfunction, and unresolved legal issues where a national ruling would be helpful. The vast majority of cases referred to the SBE were being referred appropriately. The SBE considered that the local assessment regime was working extremely well and had found the standard of assessment to be high.

Members asked a number of detailed questions relating to the local assessment of complaints. There was concern that Members were not informed that they were the subject of a complaint until after it had been assessed, and there was also a related issue with respect to Assessment Sub-Committee members not being able to disclose any information about cases. It was noted that the Committee could review the procedures for the assessment of complaints, if required.

Members also expressed concern that, with the turnover of Councillors arising from the elections in 2010, there would be a loss of knowledge and experience in relation to the assessment of complaints. It was noted that there was a need to ensure that the local assessment framework was adequately covered as part of new Members' induction.

On behalf of the Committee, the Chairman thanked Ms Shaw for her attendance, and stated that he considered that the discussion had been very useful.

RESOLVED: That the report be noted.

(See also Minute 104).

(Note: The meeting, having commenced at 7.33 pm, closed at 9.12 pm).

(Signed) THE RIGHT REVD PETER BROADBENT
Chairman