

Meeting:	Standards Committee
Date:	11 September 2007
Subject:	Establishment of Panels
Key Decision: (Executive-side only)	No
Responsible Officer:	Hugh Peart, Director of Legal & Governance Services
Portfolio Holder:	Leader, Councillor Chris Mote
Exempt:	No
Enclosures:	Appendix 1 - Terms of Reference - Standards Committee Appendix 2 - Terms of Reference Hearing Panel and Member Development Panel Appendix 3 – Proposed Memberships of the Member Development Panel and the Hearing Panel

## **SECTION 1 – SUMMARY AND RECOMMENDATIONS**

This report sets out the requirement to establish and appointment members to the Member Development Panel and Hearing Panel.

### **RECOMMENDATIONS:**

Members are asked to:

- (1) Establish a Member Development Panel and a Hearing Panel and to appoint members to those Panels for the Municipal Year 2007/08.
- (2) Note the Terms of Reference of the Committee and its Panels;
- (3) Confirm the councillor membership of its Panels;

- (4) Confirm the nomination for chairman of the Member Development Panel;
- (5) Agree the independent membership and reserve to the Hearing Panel;
- (6) Note that one of the Independent Members will be the Chairman of the Hearing Panel.

## **SECTION 2 - REPORT**

- 2.1 Council at its meeting on 10 May 2007 re-established the Standards Committee and approved its Terms of Reference. A copy of the Terms of Reference of the Committee is attached at Appendix 1.
- 2.2 The Terms of Reference of the two Panels of this Committee, the Member Development Panel and Hearing Panels are also attached at Appendix 2.
- 2.4 The proposed councillor memberships of the Panels of this Committee and the nominee proposed as chairman of the Member Development Panel are set out at Appendix 3.
- 2.5 Members are asked to note that the Hearing Panel is a 5-member panel made up of (3 Independent Members and 1 member from each group). This is in accordance with the membership rules as follows:

### **Membership Rules**

- (1) The membership of The Standards Committee Hearing Panel, to hear local determinations will be 5 persons (comprising three Independent Persons and one Elected Member from each of the main political parties, within the Standards Committee Membership);
- (2) The quorum for the Panel hearing a local determination is 3, including at least one of the Independent Persons;
- (3) The Panel hearing a local determination must be chaired by one of the Independent Persons;
- (4) The Independent Person to fulfil the function in (3) be appointed by the Standards Committee;
- (5) Members attending a Panel be required to vote on a local determination and not be permitted to abstain.

### Legal Implications

Section 113(1) of the Local Government Act 2003 inserted into the Local Government Act 2000 (Section 54A) the provision to appoint sub-committees from time to time. With respect to any Hearing Panel this must act in accordance with the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 (SI 2003/1483).

### Financial Implications

There are no direct financial implications arising from the proposals.

### Equalities Impact

None, although the Code of Conduct requires members to promote equality, not to discriminate unlawfully against any person and to treat others with respect.

## **SECTION 3 - STATUTORY OFFICER CLEARANCE**

Name: Barry Evans	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 31 August 2007		
Name: Hugh Peart	<input checked="" type="checkbox"/>	Monitoring Officer
Date: 31 August 2007		

## **SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS**

**Contact:** Elaine McEachron, Assistant Lawyer, Governance Services,  
Telephone: 0208 8420 9414

**Background Papers:** List only non-exempt  
**None**

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	YES/ NO
2.	Corporate Priorities	YES-/ NO
3.	Manifesto Pledge Reference Number	N/A

**STANDARDS COMMITTEE**

The Standards Committee will have the following powers and duties:

- (a) promoting and maintaining high standards of conduct by Councillors, co-opted members and “church” and parent governor representatives;
- (b) assisting Councillors, co-opted members and “church” and parent governor representatives to observe the Members’ Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members’ Code of Conduct;
- (d) monitoring the operation of the Members’ Code of Conduct;
- (e) developing and recommending local protocols to the Council to supplement the Members’ Code of Conduct;
- (f) enforcing local protocols and applying sanctions in respect of breaches as appropriate;
- (g) advising, training or arranging to train Councillors, co-opted members and “church” and parent governor representatives on matters relating to the Members’ Code of Conduct;
- (h) granting dispensations to Councillors, co-opted members and “church” and parent governor representatives from requirements relating to interests set out in the Members’ Code of Conduct;
- (i) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer;
- (j) to keep under review and amend, as appropriate, the Protocol on Councillor/Officer Relations;
- (k) to keep under review the Officer Code of Conduct and, after consultation with unions representing staff, make recommendations to Council for amendment or addition;
- (l) to receive reports and keep a general overview of probity matters arising from ombudsman investigations, Monitoring Officer reports, reports of the Chief Financial Officer and Audit Commission;
- (m) to have oversight of the Council’s whistleblowing policy;
- (n) to agree the policy for decisions on payments to those adversely affected by Council maladministration (under section 92 Local Government Act 2000)

## **APPENDIX 2**

### **HEARING PANEL**

The Hearing Panel has the following powers and duties

To hear local determinations

### **MEMBER DEVELOPMENT PANEL**

The Member Development Panel will have the following powers and duties:

- (a) to have oversight of the annual programme of member development;
- (b) to prepare and assist in the delivery of the induction of new Councillors following the Borough elections or any by-election;
- (c) to have oversight of the resources allocated for member development and make recommendations to Council for the appropriate resources for the member development function;
- (d) to liaise with external agencies providing development opportunities for members and procure their services as appropriate.

**STANDARDS PANELS**

**MEMBER DEVELOPMENT PANEL (4)**

*(Non-Proportional)*

	<b><u>Conservative</u></b>	<b><u>Labour</u></b>
<b><u>I.</u></b>	(2)	(2)
<b><u>Members</u></b>	Jean Lammiman CH) Osborn	O'Dell Gate
<b><u>II.</u></b>	1. Myra Michael 2. Vina Mithani	1. Thammaiah 2. D Perry
<b><u>Reserve</u></b>		
<b><u>Members</u></b>		

**HEARING PANEL (5)**

*(Non-Proportional)*

	<b><u>Independent</u></b>	<b><u>Conservative</u></b>	<b><u>Labour</u></b>
	<b><u>Persons</u></b>		
	(3)	(1)	(1)
<b><u>I.</u></b>		<b>Janet Cowan</b>	Phil O'Dell
<b><u>Members</u></b>			
<b><u>II.</u></b>		1. Joyce Nickolay	Brian Gate
<b><u>Reserve</u></b>			
<b><u>Members</u></b>			

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