
REPORT OF STANDARDS COMMITTEE (SPECIAL)

MEETING HELD ON 1 MARCH 2007

Chairman: * The Right Revd Peter Broadbent

Councillors: * B E Gate * Joyce Nickolay
 * Mrs Kinnear * Phillip O'Dell
 * Jean Lammiman * Jeremy Zeid (3)

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

* Denotes Member present
 (3) Denotes category of Reserve Member
 † Denotes apologies received

[Note: Councillors Thaya Idaikkadar and Mrs Sasi Suresh also attended this meeting to speak on the item indicated at Minute 43 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
39. Attendance by Reserve Members:

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mrs Janet Cowan	Councillor Jeremy Zeid

40. Declarations of Interest:

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

41. Arrangement of Agenda:

RESOLVED: That (1) the order of the agenda be amended to consider agenda item 6, Register of Interest, before item 5, Consultation on the Draft Code of Conduct; and

(2) all items be considered with the press and public present.

42. Minutes:

RESOLVED: That the minutes of the meetings held on 19 September and 5 December 2006 be deferred until the next ordinary meeting due to be held on 26 March 2007.

43. Register of Interest:

The Chairman provided an oral report setting out the background to this item. He explained that the former Director of Corporate Governance had indicated concerns with two Councillors who may not have understood the completion of the Members' Register of Interests form. It had been suggested that they be invited to a meeting of the Standards Committee to obtain assistance from the Committee in the completion and understanding of the Register, and identify any training needs required.

The Committee felt that it was unfair to have singled the two Members out as other Members had also allegedly failed to comply with the Regulations relating to the completion of the Register and they had not been invited to the meeting. The Committee did not want the two Members to feel that they had been invited to the meeting to be questioned or given a warning. In addition, the Committee and the two Members concerned felt that an indication as to why they had been invited should have been made clear before the meeting.

Responding, the Chairman explained that the two Members had been invited to the meeting as they had omitted an item from their Register of Interests form and the purpose of the invitation was to identify any training needs or assistance they might need in completing the form. He also indicated that the matter was further complicated by the fact that if the whole Committee was asked to consider an alleged breach of the code it might prejudice the Standards Committee when acting as a Hearing Panel. He sought suggestions on how such allegations ought to be dealt with.

Following debate, it was:

RESOLVED: That (1) a six monthly reminder to Members concerning the need to keep their entry in the Register of Interests up to date be sent via the Legal and Governance Services Department;

(2) a training session on the Members' Register of Interests be arranged following approval of the revised Code of Conduct;

(3) the following procedure be followed when a breach of the Code in relation to the Members' Register of Interests is reported:

The relevant officer should notify the Member concerned in the first instance. If the breach has not been rectified within 28 days, it should be reported to the Chairman of the Standards Committee. If the Member continues to be in breach the matter should then be reported to the Standards Committee and also be referred to the Member Development Panel in order to address the Member's training needs.

44. **Consultation on the Draft Code of Conduct:**

The Director of Legal and Governance Services introduced the report which detailed the Government's proposed changes to the Code of Conduct, together with the Authority's response to questions raised by them.

The consultation document had been circulated to all Members and Co-opted Members for their views, which were referred back to the Committee for discussion. The closing date to submit any views was 9 March 2007, following which it was anticipated that a clearer and simpler Code would be introduced by legislation in early April and come into force some time in May 2007.

Further to the submissions already made, Members raised the following points:

- Bullying ought to be clearly defined.
- There was a need to clarify the behaviour outside official duties that would be considered bringing one's office or the Authority into disrepute.
- Councillors were never off duty and could be approached at any time by a member of the public, which made it difficult to distinguish between being on duty or not.
- Clearer guidance was required in relation to Members with a prejudicial interest, making a representation and knowing when they should speak, answer questions, whether they could remain for the debate and when they should leave the room.

Following discussion, it was

RESOLVED: That (1) the Director of Legal and Governance Services include the additional comments of the Committee in the formal response to the consultation;

(2) a further Special meeting of this Committee to consider the new Model Code of Conduct be arranged for some time in April 2007 on a date to be agreed.

(Note: The meeting, having commenced at 7.00 pm, closed at 8.40 pm).

(Signed) THE RIGHT REVD PETER BROADBENT
Chairman