

SOUTH DERBYSHIRE DISTRICT COUNCIL

Standards Committee Annual Report 2005/06

July 2006

STANDARDS COMMITTEE – ANNUAL REPORT – 2005/06

INTRODUCTION

This is the second Annual Report of South Derbyshire District Council's Standards Committee and reviews the Council year 2005/06.

FORM AND COMPOSITION

MEMBERSHIP

The Standards Committee has, since 2001, been composed of eight Members. However, the Council has approved a recommendation of the Committee to appoint a further two Independent Members to the Committee and the recruitment exercise is to be undertaken shortly.

District Council Members

Three Councillors, including the Chair of the Council, being two Members from the majority party and one Member from the minority party.

In 2005/06, the District Council Members were:-

- Councillor Raymond Jones (Chair of the Council)
- Councillor Jean Mead
- Councillor Michael Bale

Independent Members

Three individuals (to be increased to five), who are not Councillors or Officers of the Council or any other body having a Standards Committee, were appointed in June 2005 for a term of office of four years.

The Independent Members are:-

- Mr. Dudley Williams (Chair of the Standards Committee 2005/06)
- Mr. Peter Dawn (Vice-Chair of the Standards Committee 2005/06)
- Mr. Tom Thompson

Parish Members

Two Members of Parish Councils wholly or mainly in the Council's District.

The Derbyshire Association of Local Councils has nominated two Parish Councillors to serve on the Council's Standards Committee:-

- Parish Councillor Ron Buxton (Hatton Parish Council)
- Parish Councillor Christine Barker (Barrow upon Trent Parish Council)

Quorum

The quorum of a meeting will be three Members (including at least two District Council Members and an Independent Member) except when the Standards Committee is considering a matter relating to Parish Councils or an issue that involves Parish Councillors, when the quorum shall be four (which in addition to the above must include at least one Parish Member).

ROLE AND FUNCTION

Article 8 of the Council's Constitution sets out the requirements for and composition of the Standards Committee. The Standards Committee will discharge the general and specific functions as specified in Section 54 of the Local Government Act 2000 (and elsewhere in Part III of the Act), including the following roles and functions:-

- (a) to promote and maintain high standards of conduct for Councillors and Co-opted Members;
- (b) to assist the Councillors and Co-opted Members to observe the Members' Code of Conduct set out in Part 5 of the Constitution;
- (c) to advise Full Council on the adoption or revision of the Members' Code of Conduct;
- (d) to monitor the operation of the Members' Code of Conduct;
- (e) to advise, and to provide or arrange for training for Councillors and Co-opted Members on matters relating to the Members' Code of Conduct;
- (f) to grant dispensations to Councillors and Co-opted Members from requirements relating to interests set out in the Members' Code of Conduct;
- (g) to deal 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 of the Standards Board for England to the Monitoring Officer;
- (h) to monitor the operation of the Council's Whistleblowing Procedure;
- (i) to deal with any reports from the Monitoring Officer or the Director of Corporate Services on matters relating to probity issues;
- (j) to exercise (a) to (g) above in relation to the Parish Councils wholly or mainly in its District and the members of those Parish Councils.
- (k) to discharge such other functions, either general or specific, as Full Council may from time to time allocate to the Committee.

Part 5 of the Constitution contains various codes and protocols relevant to the functions of the Committee, as follows:-

- Members' Code of Conduct
- Members' Planning Code of Good Practice
- Protocol for the Use of Information Technology by Members of the Council
- Employees' Code of Conduct
- Protocol on Member/Employee Relationships
- Licensing Protocol and Procedure
- Code of Conduct for Representatives on Outside Bodies

OFFICER SUPPORT TO THE COMMITTEE

The Standards Committee has been supported by the Monitoring Officer who is also the Head of Legal & Democratic Services, who was appointed in November 2002. One of the roles of the Monitoring Officer is to contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

The Committee has also been supported by the Principal Democratic Services Officer, who services the Committee and makes arrangements for the distribution of the Agenda and Minutes of the Standards Committee.

REVIEW OF CODE OF CONDUCT FOR MEMBERS

At the request of the Minister of State for Local and Regional Government, the Standards Board for England conducted a review of the Model Code of Conduct for Members. Following consultation, the Standards Board for England would formulate recommendations for consideration by the Office of the Deputy Prime Minister. In view of the length of the consultation paper and the various questions posed which required consideration, a Special Meeting was held in June 2005 and the Committee's recommendations on a response to the Standards Board for England were subsequently approved by Full Council. The outcome of the review is still awaited, which may impact on the Committee's activities.

LOCAL INVESTIGATION OF REFERRED COMPLAINTS FROM THE STANDARDS BOARD FOR ENGLAND

The Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004 enabled the Standards Board for England to refer complaints of Councillor misconduct to the Monitoring Officer for local investigation. The Committee agreed a procedure for Local Investigations together with an amended procedure for Local Hearings to reflect certain changes made by the Regulations.

LOCAL CODE OF CORPORATE GOVERNANCE

The Committee recommended the adoption of a Local Code of Corporate Governance to Full Council, which was subsequently accepted together with a request for the Committee to review and report to the Council on progress in achieving the action points set out in the Code. This will help to ensure that the Committee has a pivotal role in promoting and maintaining high standards of conduct throughout the authority. Three principles underpin Corporate Governance, being openness and inclusivity, integrity, and accountability. To comply with the principles of Corporate Governance, it is important that these are reflected in every dimension of the Council's business. For the purposes of Corporate Governance, five dimensions have been identified, being community focus, service delivery, structures and processes, risk management and internal control, and standards of conduct. Guidance has recommended that a local authority's performance against these five dimensions should be reported both internally and externally as part of its published accounts and its Best Value Performance Plan.

TRAINING

Training sessions have been held for District Councillors on the annual Planning Update and on the Liquor Licensing function, which has now been transferred to the responsibility of the local authority. Meetings have been held with a nominated Member from each of the two political groups to progress Members' individual training needs.

Six Members of the Committee together with the Monitoring Officer and Principal Democratic Services Officer attended a training session in December 2005 facilitated by Nottinghamshire County Council on "Conduct of Local Standards Hearings".

The Chair of the Committee has attended meetings of a newly-established Derbyshire Forum for Independent Members on Standards Committees to share experiences and ideas.

Following individual requests, the Monitoring Officer has provided sessions for two Parish Councils.

WEBSITE

A section on the Ethical Framework has been included within the District Council's website to promote standards and raise the profile of the Committee. This includes information on the Constitution, various Codes and Protocols, the role, function and composition of the Committee and details of the Standards Board for England.

DISPENSATIONS

There have been no requests from Councillors in 2005/06 for the grant of dispensations relating to interests in accordance with the Members' Code of Conduct.

UPDATE ON COMPLAINTS TO THE STANDARDS BOARD FOR ENGLAND

There have been no cases referred to the Standards Committee from Ethical Standards Officers during 2005/06.

ANNUAL CONFERENCE

The SBE has introduced Annual Assemblies of Standards Committees which are two day conferences held at the ICC in Birmingham. The purpose of these conferences is to gain the latest information from the Government and learn from best practice from other authorities across the country. It is seen as an opportunity to develop strong partnerships with all stakeholders through opening up channels of communication and sharing information and experience.

In September 2005, the Standards Committee was again represented by Dudley Williams (Chair and Independent Member) along with Andrea McCaskie (Monitoring Officer) and Neil Betteridge (Principal Democratic Services Officer).

Attendance at these conferences and associated events is felt to be extremely important, giving the opportunity to network with other authorities and to assimilate and implement best practice.

STANDARDS BOARD FOR ENGLAND GUIDANCE AND BULLETINS

The regular bulletins and newsletters produced by the Standards Board for England are circulated to South Derbyshire District Council Members and Co-opted Members and are also circulated to the Clerks to the Parish Councils, in order that all Members are fully aware of the latest news and advice.

Members can find additional information at www.standardsboard.co.uk

REGISTERS OF INTERESTS

The Standards Committee receives annual updates in relation to Members' Registers of Interests. All District Councillors in 2005/06 have been requested to review their existing entries in the Register of Members' Interests and either confirm that there were no amendments and the information was correct or complete a new form, as appropriate. During the course of last year, several Members had made ongoing amendments to their entries, as appropriate.

With regard to Parish Councillors, a similar letter was sent to all Parish Clerks, advising them to undertake the same action outlined above in respect of their Councillors.

CONCLUSIONS

The year under review has been one in which there has seen some consolidation of activity and this report is commended to Council for acceptance.

The Committee's thanks are due to all Councillors, Officers and others who have contributed to its work. It recognises that South Derbyshire has a sound record in ensuring good standards of conduct and it is the Committee's intention to build on that to ensure that standards are maintained and enhanced.

