

MINUTES of the meeting of the **STANDARDS COMMITTEE** held at 10am on Monday 12 April 2010 at County Hall, Kingston upon Thames.

These minutes will be confirmed by the Standards Committee at its next meeting on 14 June 2010.

Members:

- +* Mr Simon Edge (Chairman)
- +* Ms Karen Heenan (Vice-Chairman)

- +* Mr Nicolas Davies LVO JP DL
- * Mrs Angela Fraser DL
- * Eber Kington
- * Mr Geoff Marlow
- Mr David Munro
- +* Mr SFI Rutter
- * Mrs Lavinia Sealy
- Mr Colin Taylor

In Attendance:

- * Mrs Zully Grant-Duff

- + = Independent Representatives
- * = Present
- x = Present for part of the meeting

PART 1
IN PUBLIC

11/10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Mr David Munro and Mr Colin Taylor.

12/10 MINUTES OF THE LAST MEETING: 15 FEBRUARY 2010 [Item 2]

The minutes were agreed as an accurate reflection of the meeting.

13/10 DECLARATIONS OF INTEREST [Item 3]

There were no declarations of interest.

14/10 QUESTIONS AND PETITIONS [Item 4]

There were no questions or petitions.

15/10 CHAIRMAN'S REPORT [Item 5]

The Chairman reported that he had attended the Council meeting on 23 March 2010 to present the Committee's Report.

Arising from his meetings with the Group Leaders and other Members, he reported that the following three themes had emerged: training and guidance; further explanation/transparency of why we do what we do; and reviewing documentation to make it as understandable and as non-threatening as possible.

It was felt that the following matters might usefully be addressed by the Committee:

- Guidance on use of social networking sites – how to avoid slipping into code compliance in cyber space;
- Member development opportunities including top-up training; and how to behave in meetings (how to say what you want without falling foul of the Code of Conduct);
- Further open reporting – the transparency agenda, newsletter on common complaints and what to do to avoid them;
- Guidance on what support is available to members from officers and what the limits were;
- Explanations of the legal position on contentious issues such as the insurance scheme for members;
- Review the language in letters and guidance – make it plain English and as non-threatening as possible; and
- Explain why we have to do what we have to do – to counter the accusation that we look at trivial issues.

He also reported on the latest position with regard to the responses received to the Audit Commission Survey as at Friday 19 March:

124 out of 194 Senior Officers;
6 out of 10 Cabinet Members;
33 out of 70 Other Members;
2 out of 10 Co-opted.

It was noted that the technical difficulties with regard to logging onto the web site, as noted at the Council meeting, seemed to have been resolved.

16/10 STANDARDS COMMITTEE DRAFT ANNUAL REPORT 2009/2010 [Item 6]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)
 Rachel Crossley (Deputy Monitoring Officer)
 Elaine Bayfield (Democratic Services Officer)

Key Points Raised During the Discussion:

- The Chairman was congratulated on the style and content of the report.
- It was noted that the narrative index page was intended to be informative and give a flavour of the report.
- It was proposed that a copy of the report be sent to the Department of Communities and Local Government for information.
- The Chairman proposed that next year's focus should be: promoting the work of the Committee/outreach; reviewing the Member/Officer Protocol; and reviewing documentation to make it as understandable and as non-threatening as possible. He reiterated the items for consideration that had emerged from his meetings with the Group Leaders and other Members. In respect of the Member/Officer Protocol it was acknowledged that there was not always an easy relationship between Members and officers and that it was sometimes difficult for Members to challenge and question officers without crossing the line of what might be considered acceptable.
- There was a discussion about the need to introduce an email protocol for Members. One Member felt that there should be compulsory training introduced.
- The following amendments/additions were made to the report:

Page 2	Contents, fifth bullet point	Change to read: 'We have granted exemptions.....'.
Page 3	Foreword, last paragraph	Change 'Chair' to read ' Chairman ' Change 'Nicholas' to read ' Nicolas ' Insert sign off name and date.
Page 5	Elected Members	Review spacing between lines.
Page 6	Paragraph 3, line 6	Delete comma after the word 'investigation'.

Page 7	Paragraph 3, line 1	Amend to read: 'The Chairman of the Standards Committee meets with the Council Leadership.....'.
Page 9	Paragraph 4, lines 3 and 4	Replace 'in the' with ' <i>in its</i> ' Delete 'maintained by it'.
Page 11	Meeting Statistics	A table showing Member attendance at Standards Committee meetings be included.
Page 11	Complaints Statistics	Format to be reviewed to make clearer.
Page 12	Contacts	Spacing to be inserted in between contacts.

Generally, the Committee should be referred to as 'The Standards Committee' throughout the document and officers names should be used together with their titles.

Actions/Further Information to be Provided:

The report would be up-dated in the light of the Committee's comments before submission to the Council on 11 May 2010.

Resolved:

- (a) Subject to the Committee's comments being included, the Annual Report be approved.
- (b) That the Annual Report form the basis of the Committee's annual return to Standards for England.
- (c) That Surrey Matters be asked to include reference to the publication of this document in a future edition.

Next Steps:

Report to be published as widely as possible.

17/10 REVIEW OF MEMBER OFFICER PROTOCOL REGARDING MEMBER/OFFICER BEHAVIOUR AND RELATIONS [Item 7]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)
Allan Wells (Corporate Group Manager, Legal Services)

Key Points Raised During the Discussion:

Item No 2

- The Committee had been asked by the Council to review specifically paragraphs 16 and 17 of the Member/Officer Protocol. Paragraph 18 was also included in this report as it went on to clarify the position with regard to officers.
- Approximately 20 other Authorities' Protocols had been researched. The Committee noted that these varied in style between bullet point and narrative; and the level of content. The Committee's opinions varied as to which style and content was preferred and it was agreed that they were unlikely to reach a consensus of opinion at this meeting. The protocols identified as having some merits were Epsom and Ewell, Merton, Staffordshire and Thurrock.
- It was, therefore, proposed that a working group should be constituted to review the Protocol and prepare a draft for consideration by the Committee.
- The Chairman reported that Mr Colin Taylor had indicated to him that if a working group was established he would be happy to be included, having been involved in the up-date of the protocol for Epsom and Ewell.
- It was agreed that a working group should be appointed to include Allan Wells, Corporate Group Manager, Legal Services, Ms Karen Heenan (Vice-Chairman) and Mr Colin Taylor.
- Of the issues identified at the meeting, it was felt appropriate to include specific reference to the protection of junior officers (Epsom and Ewell) but it was agreed that senior officers still needed support. It was also felt that there needed to be some elucidation of what information officers were allowed to give at meetings to avoid conflict with Members. The Committee expressed their view that it was important that officers' views as to the contents of these paragraphs were given sufficient weight in dealing with this matter.

Actions/Further Information to be Provided:

None.

Resolved:

That a working group, overseen by Mr Allan Wells, Corporate Group Manager, Legal Services, and comprising: Ms Karen Heenan (Vice-Chairman) and Mr Colin Taylor be constituted to draft a revised Member/Officer Protocol.

Next Steps:

A meeting of the working group be arranged to draft a revised Protocol with a view to reporting back to the Standards Committee at a future meeting.

18/10 RECOMMENDATIONS OF THE GOVERNANCE TASK GROUP AND PROMOTING THE WORK OF THE STANDARDS COMMITTEE [Item 7]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)

Rachel Crossley (Deputy Monitoring Officer)

Elaine Bayfield (Democratic Services Officer)

Key Points Raised During the Discussion:

- The recommendation regarding the Member/Officer Protocol had been considered under Item 6. The Committee felt that the Council should review the 'Roles and Responsibilities' as set out in Appendix A of the report to ensure that they were working effectively.
- In respect of promoting the work of the Standards Committee, the Chairman expressed his particular interest in engaging leadership, increasing confidence in democracy and working with other authorities. In respect of increasing confidence in local democracy a number of the Committee felt that this would need to start with changes at Parliamentary level.
- The Committee, having noted it was a requirement to promote its work, felt that the work that the Chairman had undertaken in attending the Council meeting (which was Web-cast) and presenting the Committee's Report, meeting with the Group Leaders and other Members and producing the draft Annual Report was sufficient at this time. It was felt that the proposed Annual Report would provide an excellent opportunity to promote further the work of the Committee. Subject to its approval by the Council, it should be published as widely and as economically as possible. The Council's Communications Team should be asked to re-craft the final document and target appropriate audiences. An item should also be included in Surrey Matters with an electronic link to the document on the Web.
- It was noted the Surrey Matters Editorial Board had previously declined a request to include information about the Standards Committee as it was not a high priority compared to other items being considered.
- On the subject of Working with Other Authorities, it was noted that District Council's had agreed a protocol for loaning Independent Members to other authorities where a need was identified. It was advantageous to those councils because of their size but would have little benefit to this Council. This could be reviewed at a later, if appropriate.

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- Mr Davies reported that there was a South East England Independent Representatives' Forum; he had not attended himself but thought that it may be of interest to other members of the Committee.
- The Committee considered the merits of attending the Standards Committee Conference. The Vice-Chairman had attended last year but felt that it was not useful for the same representative to attend every year. It was suggested that it may be appropriate for one of the new independent members to attend for one day and to seek a council member representative for the other day. Two one day places would be booked on this basis.

Actions/Further Information to be Provided:

None.

Resolved:

- (a) That the report and recommendations of the Governance Task Group be noted.**
- (b) The publication of the Committee's first Annual Report be used as a vehicle to promote the work of the Standards Committee.**
- (c) That two one day places be booked at A Place for Standards – 2010 Annual Assembly of Standards Committees, 18 and 19 October 2010 with a view to one new independent member and one council member of the Committee attending.**

Next Steps: That two one day Conference places be booked.

19/10 WORK PROGRAMME AND ACTION TRACKER [Item 8]

Declarations of Interest:

There were no declarations of interest.

Officers present:

Ann Charlton (Monitoring Officer)

Rachel Crossley (Deputy Monitoring Officer)

Elaine Bayfield (Democratic Services Officer)

Key Points Raised During the Discussion:

- After a brief discussion about the Action Tracker item 'Chairman to liaise with MO on how to address partnership related complaints', it

was agreed that this should be deleted on the basis that each Member was likely to be covered by their appointing bodies' Code of Conduct.

- The Work Programme for the June meeting included an item on the nomination of Chairman and Vice-Chairman. The Committee agreed that it was unlikely that they would appoint either of the new independent members to this post and it was proposed by Mr Kington that they make their nominations for Chairman and Vice-Chairman at this meeting.

Actions/Further Information to be Provided:

Resolved:

The Actions Tracker and Work Programme were noted.

Recommendation to Council:

The Council approve the nomination of Mr Simon Edge and Ms Karen Heenan as Chairman and Vice-Chairman respectively.

Next Steps:

None.

20/10 DATES OF FUTURE MEETINGS [Item 10]

The next meeting of the Committee will be on 14 June 2010 at 10am.

Future meetings will be on: Friday, 23 July 2010 and Friday, 3 September 2010.

21/10 MR NICOLAS DAVIES AND MR SIMON RUTTER – LAST MEETING

The Chairman expressed his thanks to Nicolas Davies and Simon Rutter for their contribution to the work of the Committee over the last nine years. Personally he was grateful for their advice, guidance and support.

[Meeting ended: 11.45am]

Chairman