

**MINUTES** of the meeting of the **STANDARDS COMMITTEE** held at 10am on Friday 18 February 2011 at County Hall, Kingston upon Thames.

These minutes will be confirmed by the Standards Committee at its next meeting.

**Members:**

- +\* Mr Simon Edge (Chairman)
- + Ms Karen Heenan (Vice-Chairman)  
Eber Kington
- + Mrs Sally De la Bedoyere
- \* Mr Geoff Marlow
- \* Mr David Munro
- +\* Mrs Marion Roberts
- \* Mrs Dorothy Ross-Tomlin  
Mrs Lavinia Sealy
- \* Mr Colin Taylor

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

**PART 1**  
**IN PUBLIC**

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

Apologies for absence were received from Mrs Karen Heenan, Mrs Sally de la Bedoyere, Mr Eber Kington and Mrs Lavinia Sealy.

**2/11 MINUTES OF THE LAST MEETING: 13 DECEMBER 2010 [Item 2]**

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

**3/11 DECLARATIONS OF INTEREST [Item 3]**

There were no declarations of interest.

**4/11 QUESTIONS AND PETITIONS [Item 4]**

There were no questions or petitions.

**5/11 WORK PROGRAMME AND ACTION TRACKER [Item 5]**

**Declarations of Interest:**

There were no declarations of interest.

**Officers present:**

Rachel Crossley (Deputy Monitoring Officer)  
Allan Wells (Corporate Group Manager Legal Services)  
Elaine Bayfield (Democratic Services Officer)

**Key Points Raised During the Discussion:**

- The Committee noted that the Decentralisation and Localism Bill was unlikely to be agreed until the end of 2011 at the earliest. The Work Programme would be amended to reflect this.
- The timing of a report on the future of the Standards Committee and its role would be kept under review.

**Actions/Further Information to be Provided:**

None.

**Resolved:**

The Actions Tracker and Work Programme, as amended, be noted.

**6/11 GUIDE TO SUB-COMMITTEE MEETINGS AND HEARINGS DEALING WITH ALLEGATIONS OF BREACHES OF THE MEMBERS' CODE OF CONDUCT [Item 6]**

**Declarations of Interest:**

There were no declarations of interest.

**Officer present:**

Rachel Crossley (Deputy Monitoring Officer)  
Allan Wells (Corporate Group Manager Legal Services)  
Elaine Bayfield (Democratic Services Officer)

**Key Points Raised During the Discussion:**

- It be made clear that the Guidance reflected National regulations.
- The Standards regime only operated when a complaint had been made to the Monitoring Officer in accordance with the established procedures.

## ITEM 2

- Paragraph 4 'Assessment' – It be made clear that Members had been requested to express a preference about being notified about complaints. If no preference had been specified they would be told automatically.
- It was noted that there was nothing in the regulations that enables redress from a complainant who is suspected to be or is later found to be malicious or vexatious; each complaint had to be considered individually. However, the assessment criteria does refer to the fact the Standards Committee may choose to take no action in relation to a malicious complaint.
- Members were reminded that the first stage of the complaint was to assess if the complaint, if proven, would be a breach of the Code of Conduct. At this stage there was no investigation as to whether the alleged incident had actually happened.
- Surrey County Council had made no referrals to Standards for England since the Regulations were changed to enable local determination of complaints.
- It was agreed that paragraph 7(c) of the Guidance should be re-numbered 7(a). Paragraph 12 should then be re-numbered as paragraph 8 and the following paragraphs re-numbered accordingly.
- Paragraph 11 delete the words 'will usually'.
- Paragraph 26 (a) – Change 'sorting out' to 'agreeing'.
- A simple flow chart be added to the document to help clarify for Members and the public the processes to be followed.

### **Actions/Further Information to be Provided:**

None.

### **Resolved:**

- (1) That subject to the inclusion of the comments detailed above, authority be delegated to the Monitoring Officer to finalise the Standards Committee's Guide to Sub-Committee meetings and hearings dealing with allegations of breaches of the Code of Conduct and that the Guide be made available to all Members of the Council to assist them in their understanding of the process. When sending it to them it be made clear that this is not a description of a new process but to provide clarification of the existing one.
- (2) Copies be sent to Districts for information.
- (3) An adapted version of the Guide be published on the Council's Website.
- (4) Clarification be sought as to whether the requirement to hold, for public inspection, copies of decision notices and other papers for six years would cease on the abolition of the Standards regime.

**Next Steps:**

The Guide to be published to Members of the Council once edited and included on the website.

**7/11 POLITICALLY RESTRICTED POSTS - UPDATE [Item 7]**

**Declarations of Interest:**

There were no declarations of interest.

**Officer present:**

Rachel Crossley (Deputy Monitoring Officer)  
Allan Wells (Corporate Group Manager Legal Services)  
Elaine Bayfield (Democratic Services Officer)

**Key Points Raised During the Discussion:**

- The Corporate Group Manager Legal Services reported that the Committee received two papers last year setting out the legislative changes affecting the identification of posts within the Council to be regarded as politically restricted.
- Letters to post holders were still being issued but, so far, no requests for appeals from post holders who did not agree with the designation of their post as politically restricted had been received.
- On the abolition of the Standards Regime, appeals would be considered by the Head of the Paid Service.

**Actions/Further Information to be Provided:**

None.

**Next Steps:**

None.

**8/11 DATES OF FUTURE MEETINGS [Item 8]**

The next meeting of the Committee is provisionally scheduled for 28 March 2011 at 10am, but will only meet if sufficient business is available.

Future meetings will be on: Monday, 9 May and Monday, 4 July 2011.

[Meeting ended:10.35am]

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**Chairman**