

SOUTH DERBYSHIRE DISTRICT COUNCIL

**Standards Committee
Annual Report 2006/07**

March 2007

STANDARDS COMMITTEE – ANNUAL REPORT – 2006/07

INTRODUCTION

This is the Third Annual Report of South Derbyshire District Council's Standards Committee and reviews the Council year 2006/07.

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 currently ongoing.

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 2006/07, the District Council Members were:-

- Councillor Michael Lauro (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 2006/07)
- Mr. Peter Dawn (Vice-Chair of the Standards Committee 2006/07)
- 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, 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 Democratic Services Manager and a Democratic Services Officer, who services the Committee and makes arrangements for the distribution of the Agenda and Minutes of the Standards Committee.

AMENDMENTS TO THE MODEL CODE OF CONDUCT FOR LOCAL AUTHORITY 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 (ODPM). 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.

In January 2007, the Department of Communities and Local Government (DCLG) (the successor to the ODPM) published a lengthy consultation paper seeking views on the draft of a proposed new model code of conduct for local authority members. Again, various questions were posed which required consideration and a Meeting for this purpose was held in February 2007. The Committee's recommendations on a response to the DCLG were subsequently approved by Full Council. Further information on the adoption of a final amended code is now awaited.

WEBSITE

A section on the Ethical Framework has been developed 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 2006/07 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 2006/07.

ANNUAL CONFERENCE

The Standards Board for England 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 October 2006, the Standards Committee was again represented by Dudley Williams (Chair and Independent Member) along with Andrea McCaskie (Monitoring Officer) and Neil Betteridge (Democratic Services Manager).

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 2006/07 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 again seen some further consolidation, despite the constraining influences of the impending legislative changes.

This report is commended to the Council for acceptance and 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.