

STANDARDS COMMITTEE

19th October 2009

PRESENT:-

District Council Members

Conservative Group

Councillors Harrison and Murray.

Labour Group

Councillor Mrs. Mead.

Parish Members

Mr. R. Buxton (Hatton), Mr. K. Fairbrother (Castle Gresley) and Mr. K. Overton (Willington).

Independent Members

Mr. D.R. Williams (Chairman), Mr. P. Dawn (Vice-Chairman) and Mrs. K. St. Clair.

APOLOGIES

Apologies for absence from the Meeting were received from Mr. R. Pearson and Mr. P.B. Purnell (Independent Members).

SC/24. **MINUTES**

The Open Minutes of the Meeting held on 21st July 2009 were taken as read, approved as a true record and signed by the Chairman.

With regard to Minute No. SC/10(2), details of appropriate extracts from the Council's Corporate Equalities and Fairness Scheme in relation to equalities monitoring were circulated to Members. It was noted that any monitoring information would not be circulated with the complaint form to the Members of any Initial Assessment or Review Sub-Committee.

SC/25. **DECLARATIONS OF INTEREST**

Mr. P. Dawn, Mr. K. Overton and Councillor Harrison declared interests in the item on procedural aspects into an alleged breach of the Members Code of Conduct (Minute No. SC/31), due to apparent pre-determination of the matter as Members of the Standards Sub-Committee (Consideration) on 10th June 2009.

MATTERS DELEGATED TO COMMITTEE

SC/26. **MEMBER TRAINING AND DEVELOPMENT**

The Committee received a report on Member training and development during the past year, which included details of training sessions arranged for Members. It was reported that the Council had now adopted Role Profiles and Personal Development Plans for Members in line with advice issued by the

Audit Commission. The completion of the Personal Development Plans for all Members was currently ongoing in conjunction with the training representatives of the two political groups.

The new Code of Conduct for Members was anticipated shortly for implementation during Spring 2010 and it was intended that the Committee would be involved in appropriate training for District and Parish Councillors.

RESOLVED:-

That the report be noted.

SC/27. **SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES**

Members were reminded that that the Local Assessment regime introduced by The Standards Committee (England) Regulations 2008 relating to the assessment of complaints had been operative since 8th May 2008. A summary of outstanding complaints was attached to the report without naming the complainants and the subject Members.

Regulation 8(5) required a Sub-Committee to produce a summary in writing of its consideration of an allegation or a review of a decision. The written summary must record the main points considered, the conclusions as regards the allegation or review of the decision and the reasons for that conclusion; be prepared having regard to any relevant guidance issued by Standards for England; be available for inspection by members of the public at the offices of the authority for a period of six years beginning with the date of the Meeting; and be given to any parish council of which any Member who was the subject of an allegation referred to in the written summary was a Member.

The financial implications were outlined, indicating that at its Meeting held on 19th March 2009, the Finance and Management Committee had agreed to carry forward £25,000 into 2009/10 for use in relation to the Local Assessment regime.

As reported at the last Meeting of the Committee, these ongoing reports would now only refer to any outstanding cases.

RESOLVED:-

That the summary of complaints considered by the Standards Sub-Committees be noted.

SC/28. **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100 (A) of the Local Government Act 1972, the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be

disclosed exempt information as defined in paragraphs 1, 2, 5 and 7C of Part 1 of Schedule 12A of the Act and that, in all the circumstances of the cases, openness which is in itself regarded as something which is in the public interest in disclosing the information is outweighed by maintaining the exemption due to individuals being named, potential legal proceedings which may be brought against the authority, if the identity of complainants are disclosed then this may discourage people from submitting complaints in the future and the information may involve unfounded and potentially damaging alleged complaints about Members, which it would not be appropriate to make public.

MINUTES

The Exempt Minutes of the Meeting held on 21st July 2009 were duly received.

COMPLAINTS TO STANDARDS SUB-COMMITTEES (Paragraphs Nos. 1 and 2)

The Committee noted the Decision Notices relating to Meetings of the Standards Sub-Committee (Initial Assessment) and the Standards Sub-Committee (Consideration) since the last Meeting.

CONSIDERATION OF PROCEDURAL ASPECTS INTO AN ALLEGED BREACH OF THE MEMBERS' CODE OF CONDUCT (Paragraphs Nos. 1, 2, 5 and 7C)

The Committee agreed that the Exempt report be withdrawn and the Monitoring Officer be requested to consider the possibility of formulating an appropriate report for consideration in the Open section at a Special Meeting to be convened shortly for this purpose.

D.R. WILLIAMS

CHAIRMAN