

STANDARDS COMMITTEE

AGENDA

7.30pm

Tuesday
25 September 2007

Havering Town Hall
Main Road, Romford

Members 8: Quorum 3 (including at least one of the Independent Members)

Councillors:

**Conservative
Group
(3)**

Wendy Brice-
Thompson
(Chairman)
Pam Light
Geoff Starns

**Residents'
Group
(1)**

Andrew Mann

**Rainham &
Wennington
Independent
Residents'
Group
(1)**

Jeffery Tucker

**Labour Group
(1)**

Keith Darvill

**Independent
Members:
(2)**
(with voting
rights)

Tracey Moran
**(Vice-
Chairman)**
Jack Knowles

For information about the meeting please contact:
Ian Buckmaster (01708) 432431
[e-mail ian.buckmaster@haverinq.gov.uk](mailto:ian.buckmaster@haverinq.gov.uk)



NOTES ABOUT THE MEETING

1. HEALTH AND SAFETY

The Council is committed to protecting the health and safety of everyone who attends meetings of its Committees.

At the beginning of the meeting, there will be an announcement about what you should do if there is an emergency during its course. **For your own safety and that of others at the meeting, please comply with any instructions given to you about evacuation of the building, or any other safety related matters.**

2. MOBILE COMMUNICATIONS DEVICES

Although mobile phones, pagers and other such devices are an essential part of many people's lives, their use during a meeting can be disruptive and a nuisance. Everyone attending is asked therefore to ensure that any device is switched to silent operation or switched off completely.

3. CONDUCT AT THE MEETING

Although members of the public are welcome to attend meetings of the Committee, they have no right to speak at them. Seating for the public is, however, limited and the Council cannot guarantee that everyone who wants to be present in the meeting room can be accommodated. When it is known in advance that there is likely to be particular public interest in an item the Council will endeavour to provide an overspill room in which, by use of television links, members of the public will be able to see and hear most of the proceedings.

The Chairman of the meeting has discretion, however, to invite members of the public to ask questions or to respond to points raised by Members. Those who wish to do that may find it helpful to advise the Committee Officer before the meeting so that the Chairman is aware that someone wishes to ask a question.

PLEASE REMEMBER THAT THE CHAIRMAN MAY REQUIRE ANYONE WHO ACTS IN A DISRUPTIVE MANNER TO LEAVE THE MEETING AND THAT THE MEETING MAY BE ADJOURNED IF NECESSARY WHILE THAT IS ARRANGED.

If you need to leave the meeting before its end, please remember that others present have the right to listen to the proceedings without disruption. Please leave quietly and do not engage others in conversation until you have left the meeting room.

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS (if any) - receive.

3 DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 MINUTES

To approve as a correct record the minutes of the meeting of the Committee held on 6 June 2007 and to authorise the Chairman to sign them.

5 NEW CODE OF CONDUCT FOR ELECTED MEMBERS

In July, two training sessions were provided for Members on the scope and content of the new Code, prior to its adoption by the Council at the meeting on 18 July.

Unfortunately, not all Members (or co-opted/Independent Members) were able to attend either of the sessions. Accordingly, the Monitoring Officer will give a shortened version of the training from July at this point in the meeting.

The Members who were unable to attend in July have been invited to attend this part of the meeting. Any who cannot attend on this occasion will be offered a further opportunity in due course.

During the course of this item, a DVD presentation from the Standards Board will be shown and there will be discussion of any outstanding training issues.

6 MONITORING OF THE CODE OF CONDUCT AND LOCAL CODES AND PROTOCOLS

7 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

Cheryl Coppel
Chief Executive

**MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE
Havering Town Hall
6 June 2007 (7.30pm-8.45pm)**

Present:

COUNCILLORS:

Conservative Group Wendy Brice-Thompson (in the Chair),
Pam Light and +Melvin Wallace

Residents' Group + Pat Mylod

**Rainham & Wennington -
Independent Residents'
Group**

Labour Group -

Independent Member Tracey Moran

+ Substitute Member: Councillors Pat Mylod (for Andrew Mann) and
Melvin Wallace (for Geoff Starns)

Apologies were received for the absence of Councillors Keith Darvill,
Andrew Mann and Geoff Starns, and Independent Member Jack
Knowles

The Chairman reminded Members of the action to be taken in the event
of an emergency

1 MINUTES

The Minutes of the meeting of the Committee held on 8 March 2007
were agreed as a correct record.

The Committee noted that the Governance Committee had accepted
its recommendations about the use of unparliamentary language at
Council meetings, and that the Council would be considering
appropriate adjustments to the Council Procedure Rules.

2 REVIEW OF STANDARDS COMMITTEE

The Committee was advised that the Governance Committee had
undertaken a review of the size and composition of this Committee and

had recommended to the Council that a number of changes be made. Council, at its annual meeting in May, had accepted all of the recommendations, with the result that:

- The Committee had been reduced in size to six Members (with a political balance seat distribution of 3:1:1:1) and two Independent Members
- The terms of office of the Independent Members had been reduced by a year, with the result that the two whose terms were to have expired in 2008 had ceased to be members, while the terms of the remainder would now expire in 2009
- The chair of the Committee was to be taken by a Member rather than an independent member (but the appointment would not attract a special responsibility allowance)
- Mrs Tracey Moran had been appointed Vice-Chairman of the Committee

In addition, the Council had recommended that the Standards Committee be recommended that the appointment of a Hearings Sub-Committee be dispensed with.

Concern was expressed that imminent changes in legislation were likely to result in increased case referrals to the Committee, requiring more frequent meetings of the Committee and an increased workload both for the Committee collectively and for Members individually.

The Independent Member drew attention to the fact that the outcome of the Governance Committee's review had altered the basis for her appointment and asked that her concern at that be recorded.

RESOLVED:

That, as recommended by the Council, the appointment of a Hearings Sub-Committee be dispensed with (but that the need for it to be reinstated be kept under review as the effects of imminent legislation become clearer).

3 NEW CODE OF CONDUCT FOR ELECTED MEMBERS

The new Code of Conduct for Elected Members had been made on 2 April and had come into force on 3 May, and would need to be adopted by full Council by 1 October 2007.

The Committee now received and noted the text of the Code (which differed in some significant respects from the previous Code). Although there was scope to alter the text in minor respects to reflect local issues, the Committee agreed that no such alteration was needed and agreed to recommend that it should be adopted by the Council without

alteration.

Details were submitted of arrangements that had been made to enable all Members to receive training on the Code,

Members were disappointed to note that the Secretary of State had chosen not to accept the Committee's suggestion that the threshold for declaring gifts, £25, was too low.

RESOLVED:

That the Committee **RECOMMEND to the COUNCIL** that the new Code of Conduct for Elected Members be adopted without alteration.

4 LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH BILL

The Committee received and noted a report on the Local Government and Public Involvement in Health Bill presently before Parliament and expected to become law by late autumn 2007, although detailed implementation would await regulations that would need to be made subsequently.

The Bill contained a number of provisions relating to the maintenance of ethical standards in local authorities. The key provisions were that :

- (a) Written allegations could in future be made to the Standards Committee (rather than the Standards Board), that a member may have failed to comply with the Code of Conduct
- (b) The Committee would have to:
 - (i) Refer the allegation to the Monitoring Officer; or
 - (ii) Refer the allegation to the Standards Board; or
 - (iii) Decide that no further action should be taken
- (c) If deciding that no further action should be taken, the Committee would need to take reasonable steps to notify the person who made the allegation of the reason for the decision.
- (d) The Standards Board for England would be able to issue Guidance and to give Directions to Standards Committees in respect of the exercise of these functions.

Standards Committee, 6 June 2007

- (e) A person would be able to request a review of a decision of no action in respect of an allegation, to be made in writing within 30 days of the decision.
- (f) Where an allegation is referred to the Standards Board it would be able to:
 - (i) Refer the case to one of its Ethical Standards Officers for investigation; or
 - (ii) Decide that no action should be taken; or
 - (iii) Refer the allegation back to the Standards Committee
- (g) The Council would be obliged to send relevant returns to the Standards Board.
- (h) The Chairman of the Standards Committee would have to be an Independent Member.



MEETING	DATE	ITEM
STANDARDS COMMITTEE	September 2007	6

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: Monitoring of the Code of Conduct and Local Codes and Protocols

SUMMARY

This is the fourth monitoring report in relation to the Code of Conduct and Protocols, Monitoring Officer complaints and whistle blowing to be received by this committee.

RECOMMENDATION

That the monitoring report be noted and the committee consider whether any further action is required.

REPORT DETAIL

Members agreed to receive regular reports which:

- (i) developed and adopted formal codes of conduct for detailing the personal behaviour of members.
- (ii) ensured there are appropriate systems and processes in place to ensure compliance
- (iii) Monitored compliance

Since November 2006 until September 2007 the following complaints have been received:

There were 3 complaints referred to the Standards Board the outcome of which is as follows:

No	Details	Outcome
1	SBE17081.06 – Complaint about a Councillor sending a letter to residents which was considered defamatory against another resident	Not referred for investigation
2	SBE18803.07 – Complaint about a Councillor abusing his powers in relation the sale of council houses.	Standards Board has no jurisdiction in these matters
3	SBE19279.07 – Councillor failed to contact a constituent	Not referred for investigation

There were 7 allegations/complaints referred to the Monitoring Officer against Members the outcomes of which were as follows:

No	Details	Outcome
1	Complaint against 2 Councillors re: allegation of lack of response to an enquiry.	Notified by Complaints Officer. MO has no direct involvement
2	Complaint against Councillor re: allegation of being involved in a demonstration	Information sought and obtained by MO and complainant responded to
3	Complaint against a Councillor allegedly not getting back to a resident about the price of a dropped kerb	Information sought and obtained by MO and complainant responded to
4	Complaint about the attitude of an unnamed Councillor in a car park towards a constituent	Notified by Complaints Officer. MO had no direct involvement
5	Councillor's behaviour at a Council meeting	Advised Councillor concerned. No further action taken
6	Councillors did not declare an interest at an Area Committee	No evidence that the Councillors should have done.
7	Councillors allegedly sent out unsuitable Election material	Letter sent

There were no whistleblowing complaints under the Public Interest Disclosure Act 1998 to the Monitoring Officer however any matters concerning fraud and corruption often go direct to Internal Audit via Group Directors and are reported through Audit Committee. Whistleblowing would tend to be used as a last resort with complaint, grievances and audit investigations being instigated and exhausted first.

The August 2007 Audit Monthly Report showed 19 Fraud hotline reports have been received by internal audit and 39 investigations completed since October 2006.

Financial Implications and risk:

None relevant to this report

Equalities Implications and risk:

The Codes in place apply equally to all members of the Council and investigations are carried out fairly and in accordance with Regulations and/or agreed procedures.

Legal Implications and risk:

Regulations are now in place for the Standards Board to refer matters back to the Monitoring Officer for investigation and this may result in the more minor cases being determined by the Standards Committee.

Staff Contact Christine Dooley
Designation: Assistant Chief Executive Legal & Democratic Services
Telephone No: 01708 432442

CHERYL COPPELL
Chief Executive

Background Papers List

Complaints and correspondence which are exempt.

