

PRESENT: GROUP CAPTAIN P J RODGERS MBE (CHAIRMAN)

Councillors D R Dickinson, H R Johnson, Mrs M J Overton and R Sellars.

Mr R A Daff, Mr J Krawiec and Mrs C A Lloyd.

Councillor C E H Marfleet, Executive Support Councillor, attended in place of Councillor B G Singleton, Standards Champion.

Also in attendance: Steven Ratcliffe, Head of Corporate Standards.

Secretary: Neil Wright, Democratic Services Officer.

Apologies for absence were received from Mr J A Hanna and Councillor N I Jackson.

35. DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

36. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 19 October 2009 be agreed and signed by the Chairman as a correct record.

37. MATTERS ARISING FROM THE MINUTES – MINUTE 30, WORK PLAN - UPDATE

It was noted that the Work Plan would be prepared annually and need not be included on the agenda of other meetings. The "Action Plan" agenda item was progress to be reported.

RESOLVED

That "Work Plan" be included on the agenda once a year only.

38. QUESTIONS/STATEMENTS FROM THE PUBLIC

No members of the public were present at the meeting.

39. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported that the County Council's appointment of Mr J A Hanna as an Independent Member of this Committee was incorrectly recorded as "to May 2010".

The appointment should actually be until May 2012. The correction could be made through an announcement by the Chairman of the County Council on 12 February 2010 and its approval by the Council.

RESOLVED

That the report be noted.

40. JOINT STANDARDS COMMITTEE (Minute 22(b), Standards Committee, 19 October 2009)

The Regulations allowing Joint Standards Committees had been referred to at the previous meeting. There seemed little support in Lincolnshire for such a Joint Standards Committee.

What was needed was an arrangement whereby the Independent Members of each Standards Committee in Lincolnshire should in effect be a pool from which each Standards Committee could draw members when necessary to serve on Sub-Committees dealing with complaints. Each Council in Lincolnshire would need to approve such an arrangement. The issue was being discussed by the Lincolnshire Monitoring Officers Group and would be reported to the Network of Chairman meeting on 16 March 2010. To ensure consistent standards there would need to be joint training.

RESOLVED

That the report be noted.

41. STATEMENTS/ANNOUNCEMENTS BY THE STANDARDS CHAMPION AND THE MONITORING OFFICER

The Standards Champion and the Monitoring Officer were not present at this meeting. It was suggested that they only needed to attend when they had something specific that they wished to discuss with the Committee. The separate agenda items, including the one referring to the Head of Corporate Standards, should in future be subsumed in one item relating to "Standards Announcements".

There was no job description for the role of "Standards Champion" but its remit perhaps related to all governance aspects of the Council. It was reported that no other Councils had Standards Champions.

RESOLVED

That for future agenda the separate items for statements and announcements by the Standards Champion, the Monitoring Officer and the Head of Corporate Standards be subsumed in one item titled "Standards Announcements".

42. REVISED MEMBER CODE OF CONDUCT

The Head of Corporate Standards reported that the revised Code of Conduct for Members had still not been issued. It was expected that it would be in force by May 2010 when District Council elections would be held.

It was understood that the Code and the Preamble to it, containing the General Principles of Conduct in Public Life, were being changed and that would need resolutions of both Houses of Parliament. When the new Code was published there would be a need for new training and Guidance Notes would have to be changed.

RESOLVED

That the report be noted.

43. STATEMENTS/ANNOUNCEMENTS BY THE HEAD OF CORPORATE STANDARDS

The Head of Corporate Standards referred to items in Bulletin 46 issued by Standards for England, the new name for the Standards Board for England. Matters referred to in the Bulletin included Bias and Pre-determination and the Assessment element of the Complaints Procedure.

It was also noted that the Adjudication Panel for England would become part of the new "General Regulatory Chamber" that had replaced a number of separate tribunals. Other articles on "Freemasons and the Code of Conduct" and on research into effective Standards Committee work were also tabled.

One article on the Standards for England website stated that Independent Members of Standards Committees could not be automatically reappointed for a second term and must go through a recruitment process. Clarification was being sought as this was not the practice followed by the County Council. The Head of Corporate Standards would discuss this with the Monitoring Officers Group at their next meeting.

The County Council Diary included a training session on 15 February 2010. If the Code of Conduct had been published in time the session could be to train all Councillors on the new Code. Otherwise the sessions could be for members of this Committee and relate to the issue of Bias.

RESOLVED

That the Processes and Procedures Working Group look into the issues around the terms of appointment of Independent Members of the Committee.

44. THREE WAY PROTOCOL – AUDIT, OVERVIEW AND SCRUTINY MANAGEMENT AND STANDARDS COMMITTEES

The Head of Corporate Standards reported that the Chairmen and Vice-Chairmen of this Committee and the Audit Committee, and the Chairman of the Overview and Scrutiny Management Committee, had met on 10 December 2009. The matter of a three-way protocol had been discussed in the wider context of the three Committees working together. Also present at that meeting were the Head of Corporate Standards and the Scrutiny Team Leader.

All present at that meeting had recognised the need for flexibility in the way the relationship between the three Committees should develop. Following a useful and wide ranging discussion, which centred on issues such as mutual consultation on

work programmes, joint training where appropriate and the sharing of information, the following actions had been agreed:

1. Further such three-way meetings would be beneficial, possibly twice a year.
2. A clear and concise document should be produced setting out the main principles and processes for closer co-operation and working between the three Committees.
3. The report to this meeting should be discussed by each of the three Committees represented at the meeting.
4. The three Committees would progress their involvement in the partnership governance area.

Appended to the report to this meeting of the Standards Committee was a document called "Working Together" which set out the key principles and processes agreed at the meeting on 10 December 2009.

There would be a standing invitation for the Chairmen and Vice-Chairmen to attend each of the Committees as non-voting observers, and they would be on the distribution lists to receive agendas and papers for the meetings of all three Committees.

RESOLVED

That the "Working Together" document be agreed.

45. REPORT OF MEETING OF NETWORK OF CHAIRMEN OF STANDARDS COMMITTEES IN LINCOLNSHIRE AND MONITORING OFFICERS

The Chairman reported that matters discussed at the Network meeting had included the issue of a Joint Standards Committee and also the issue of remuneration. It was noted that West Lindsey District Council paid the expenses of the Parish Council members of its Standards Committee. The matter of remuneration would also be discussed at the March meeting.

RESOLVED

That the report be noted.

46. ACTION PLAN - UPDATE

The Chairman tabled the latest Action Plan for 2009/10, showing actions completed so far and those to be done in the remainder of the year to 29 May 2010. The next Network meeting of Standards Committee Chairmen would be on 19 March 2010 and that was added to the Action Plan.

RESOLVED

That the Action Plan be noted.

47. URGENT ITEMS

No urgent items were reported.

48. TO RECEIVE REPORTS FROM SUB-COMMITTEES, WORKING GROUPS AND SUB-GROUPS

The Committee considered a report by the Head of Corporate Standards on discussions and outcomes arising from meetings of the Committee's two Working Groups held on 8 December 2009.

(a) Working Group 1 – Training and Development

The main topic for discussion at the meeting of this Group was the development of a training manual dealing with standards related matters. It would complement the general Induction Manual for Members and the Ethical Handbook produced about a year ago.

In the course of discussion reference was made to the production of a DVD about the work of this Committee, perhaps with a different logo, and the importance of core standards training for all Councillors.

RESOLVED

- (1) That the need for a training manual covering standards matters be agreed.
- (2) That the Training and Development Working Group look further into the production of a DVD on the work of this Committee re standards in the County Council.
- (3) That the next meeting of the Training and Development Working Group be held on Monday, 15 February 2010, at 10:30 am.

(b) Working Group 2 – Processes and Procedures

The meeting of this Group had considered a number of matters:

- (1) Media protocol in relation to standards-related matters.
- (2) Protocol on Added and Appointed Members.
- (3) Audit, Scrutiny and Standards (Three-Way) Protocol.
- (4) Standing Sub-Committees for Local Assessment.

Appended to the report were protocols produced by Leeds City Council and Newcastle City Council on procedures for dealing with the media in respect of complaints against members. Lincolnshire County Council already had general media guidance for Councillors and it was suggested that some clear and concise guidelines in relation to standards matters could complement the existing general media guidance.

In relation to the proposed protocol on added and appointed members it was suggested that it would be difficult to produce one that suited all the Committees that had such members. This matter could be considered by a joint meeting of the Chairmen and Vice-Chairmen of the Audit, Standards, and Overview and Scrutiny Management Committees. In due course it would need to be considered by the full Council and probably added to the Council's Constitution.

With regard to Sub-Committees for Local Assessment, the Head of Corporate Standards reported that he had received further guidance from Standards for England. Some authorities had appointed Sub-Committees with defined membership and others had appointed Sub-Committees with a membership to be decided from a pool of available members. Some authorities had regular meetings in the diary and others called meetings as and when required. If there was a pool of members then the Monitoring Officer or other officers could let the members know by e-mail when they were required.

RESOLVED

- (1) That the need for guidelines when dealing with the media on standards matters be agreed.
- (2) That membership of Local Assessment Sub-Committees be drawn from a pool comprising all members of the Standards Committee.
- (3) That the next meeting of the Processes and Procedures Working Group be held after the next meeting of the Chairmen of Audit, Overview and Scrutiny Management and Standards Committees, on a date to be agreed.

(c) Inspection of the Register of Members' Interests

Both Working Groups had also carried out an inspection of the Register of Members' Interests at their meetings on 8 December. As with the previous inspection in February 2009 a number of common omissions and errors had been noted. These included the omission of home addresses from box 1(f) and membership of political parties from box 2(d). Other issues related to leaving boxes empty rather than writing "none" or "Not applicable" and the use of initials which could be confusing to anyone inspecting the Register. These matters could be covered in the training for members that will be carried out when the revised Member Code of Conduct is published in the next few weeks.

RESOLVED

That Members of the Council whose entries in the Register of Interests need correction be informed individually by e-mail or other means.

49. ARRANGEMENTS FOR NEXT MEETING

The next meeting of the Committee would be on Monday 19 April 2010 at 2:00 pm. Before this there would be a Member Development Session on 15 February 2010 at 2:00 pm.

The meeting finished at 4.15pm.