

PRESENT: MR J KRAWIEC (CHAIRMAN)

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

Mr J A Hanna and Mrs C A Lloyd.

Also in attendance: Councillors C E H Marfleet and Mrs C A Talbot, David O'Connor, Executive Director for Performance and Governance and Rachel Wilson, Democratic Services Officer.

Apologies for absence were received from Mr R A Daff.

21. DECLARATIONS OF INTEREST

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

22. MINUTES OF THE MEETING HELD ON 25 OCTOBER 2010

It was noted that in relation to minute 17, paragraph 4, Mr J Hanna had also attended the Lincolnshire Standards Forum which had taken place on 22 September 2010.

It was clarified that regarding minute 17, paragraph 5, at the time of that meeting, that it had been proposed to dis-establish the post of Head of Corporate Standards. It was noted that following the consultation period of the Senior Management Review, the post of Head of Corporate Standards had now been dis-established.

RESOLVED

That the minutes of the meeting held on 25 October 2010 be signed by the Chairman as a correct record.

23. CHANGES TO THE STANDARDS REGIME

The Members of the Standards Committee received a verbal update from the Executive Director for Performance and Governance, relating to the proposed changes to the Standards Board. The government's proposals were as follows:

- To abolish Standards for England
- To remove the First-tier Tribunal's (Local Government Standards in England) jurisdiction over member conduct
- To remove the national Code of Conduct for councillors and the requirement to have a standards committee
- To allow councils to choose whether or not they wish to have a standards committee
- To create a criminal offence relating to failure to register or declare interests

The Executive Director for Performance and Governance reported that it was important that the Members of the Standards Committee were given the opportunity

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to discuss the proposals for the Standards Board. The Committee was advised that the projected date for the completion of the Localism Bill was November 2011, but it still needed to go through Parliament.

It was suggested that the debate should centre on the following issues:

- Whether Lincolnshire County Council should have a local code of conduct and Standards regime
- Whether there was a need for independent members
- Reactions to the proposals for non-declaration or registering of interests to become a criminal offence

During discussion of these issues the following comments were made:

- It was vital for there to be a local code of conduct – not only did it engender good standards throughout the council, but it was also good for the public to be able to see that this was in place
- Cross party and independent member involvement was important
- The possibility of having a smaller Standards Committee, if the authority wanted to streamline it
- A local code would be worthwhile, and the National Code gave a starting point
- The danger with creating a criminal offence for failing to declare an interest would be that members would start to declare anything and everything whether it was relevant to the debate or not
- One of the biggest problems at the moment was over declaration, as there were a lot of declarations in meetings where no decisions were being made.
- There was definitely a need for a local code, but there was uncertainty about whether a committee was needed
- Should standards become part of the remit for the Audit Committee and have a smaller number of independent members on standby
- There would need to be a way of monitoring a local code or re-drafting it when necessary as it was part of ethical governance
- Independent members brought in experiences from other walks of life, as many worked in other public sector organisations which had their own codes of conduct and behaviour
- There were a lot of people who had accumulated a lot of knowledge over the last few years, should a list be kept of these names so they could be drawn together in an ad-hoc committee as and when needed
- Should there be a joint local code of conduct for the county and the districts
- Members would welcome a definition of what was classed as an interest and what was not
- There was not a need for a standards committee in its present form but there was a need to retain independent members if a case was to come forward
- There was a very strong requirement to ensure that standards were maintained
- It made sense for there to be the same local code across the whole of Lincolnshire
- Serious failures to declare or register interests should be classed as a criminal offence, but minor ones should not.
- If the current Code was acceptable, then it could be readopted and amended to reflect any changes and the work on this should not take too long.

- If there was not a standards board, who would investigate if a complaint was received by a councillor or a member of the public
- Some degree of external overview was beneficial
- Having a standards committee provided the public with comfort as they had a forum in which to raise issues
- One of the frustrations had been that this Committee did not have enough to do. However, this was also positive as it showed that the work which was done informally was effective
- There should be an induction course which covers standards as well as equality and diversity
- The government were more concerned about the declaration of personal interests
- It was very important that members were seen to be driving their own standards

It was summarised that the main points which had come out of the discussion were that members were of the view that they did not want to re-invent a code of conduct, but there was a need for one. There was also a need for a review of the number of independent members, and that the existing criminal sanctions would remain for serious breaches of declarations of interest.

It was thought there would be a role for members to discuss these issues further in a sub group with a member of the Executive and then seek to move this forward. Any changes to the standards regime for Lincolnshire County Council would require a change in the constitution so it would need to go to full Council.

It would be recommended to the Executive that there should be a local of conduct, possibly which covered all authorities within Lincolnshire

It was commented that Members of this Council took standards seriously and most issues had been managed informally and this should be seen as a success.

RESOLVED

That the Executive Director for Performance and Governance would make the necessary arrangements for a sub group to be set up to hold discussions with a member of the Executive regarding future arrangements for a standards regime for Lincolnshire.

24. QUESTIONS/STATEMENTS FROM THE PUBLIC

No members of the public were present at the meeting.

25. CHAIRMAN'S ANNOUNCEMENTS

There were no further Chairman's announcements.

26. OTHER ANNOUNCEMENTS/STATEMENTS/UPDATES

There were no further other announcements/statements/updates.

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27. WORK PROGRAMME 2010-2011

The main focus of the work for the Standards Committee would be the transitional arrangements for moving from a national code of conduct and standards regime, to the possible establishment of a more localised one for Lincolnshire.

It was also commented that it was likely that there would be an increase in the number of requests to view the register of member interests in the following months. The register was inspected the previous week and it was suggested that there may a role for officers to provide a service to members to help them keep their declarations up to date. It was noted that the register of interests was not that easy to follow and the guidance for members could also be made easier to understand.

28. URGENT ITEMS

The Chairman noted that he would like to formally thank Steven Ratcliffe, the Head of Corporate Standards for all the work he had done for Lincolnshire County Council in relation to the Standards regime.

The Executive Director for Performance and Governance would write a letter on behalf of the members of the Standards Committee to Steven Ratcliffe expressing their thanks.

29. ARRANGEMENTS FOR NEXT MEETING

It was agreed that the meeting scheduled to be held on 14 February 2011, should be cancelled as it did not provide sufficient time for the officers to carry out the work discussed previously.

Therefore the next meeting of the Standards Committee would be held on Monday, 18 April 2011 at 2.00pm.

The meeting finished at 2.55pm