

STANDARDS COMMITTEE WORKING GROUP
Thursday, 19th November, 2015

Present:- Councillor Beck (in the Chair); Mr. P. Beavers, Mr. P. Edler and Parish Councillor Rowley.

Apologies for absence were received from Councillors Finnie and Hughes.

20. MINUTES OF THE PREVIOUS MEETING HELD ON 22ND OCTOBER, 2015

Consideration was given to the minutes of the previous meeting held on 22nd October, 2015.

Agreed:- That the minutes be approved as a correct record.

21. STANDARDS COMMITTEE WORKING GROUP ACTIVITY UPDATE

Consideration was given to the report and appendices, which were circulated at the meeting, presented by Stuart Fletcher, Deputy Monitoring Officer, and outlined the work undertaken by the Standards Working Group between 16th July and 19th November, 2015.

The draft report of the Standards Committee was considered in detail and also made several recommendations to update and introduce new procedures as well as increasing the profile of the Standards Committee and it was hoped that these innovations would contribute to the development of healthier ethical standards as well as contributing to the corporate governance and improvement plan of the Council.

The Group looked in detail at each of the numbered areas of the report appendices as part of the draft report, which had been circulated, in turn.

1. The Group considered Appendix 1 (Standards Committee – Terms of Reference) and were in agreement with the wording subject to:-
 - No. 1 - in order for the high standards to be maintained the word to “commit” also be incorporated.
 - No. 14 - to make this more explicit that this related purely to complaints against Elected and Parish Members and not corporate complaints of the Council.
 - No. 18 - be re-written to now read “To consider reports arising from Ombudsman investigations and legal challenges and other sources which cast doubt on the honesty or integrity of the Council, its members or officers, and to recommend action to the full Council or Cabinet as appropriate.

- The incorporation of an additional item about the work plan and the annual report to Council.
2. Appendix 2 related to the ongoing development of the Standards Committee Work Plan. The Group were in agreement with the contents subject to the Annual Report moving for consideration into March, 2016 from December and for the wording in September to now read "Review reports arising from Ombudsman investigations, legal challenges and other sources".
 3. The Group were comfortable and agreed with the Model Code of Conduct (Appendix 3), but suggested the supplement from Commissioner Sir Derek Myers "A Healthy System of Democratic Leadership and Accountability" should clearly be identified as a voluntary supplement as the contents were not deemed enforceable.
 4. The Group agreed to a strapline statement of purpose rather than the adoption of a mission statement, which needed to be included at the top of the Terms of Reference.
 5. The Group confirmed the recommended name change to be "Standards and Ethics Committee".
 6. The Group welcomed the mock up pages for the new website and suggested there be views from the Independent Persons in order to raise the profile.
 7. The Group suggested the membership remained as it was currently, but wished to ensure the hearing panels established to consider complaints comprised of:-

One majority party elected member of the Borough Council
One minority party elected member of the Borough Council
One Parish Councillor
Two Independent Members.

Of which the Chair of the hearing panel should be an Independent Member.

8. In terms of Appendix 4 the Group welcomed the streamlined procedure for hearing panels.

The Group also suggested it would be best practice for all dialogue/communication between the Monitoring Officer and the Independent Person(s) to be kept on record for audit purposes.

The Group also asked that the procedure be personalised to Rotherham.

9. The Group were confident that the Whistleblowing and Serious

Misconduct Policy 2015 was more transparent and had been added to the contents of the Annual Report, but should not be accessed by members of the public.

10. The Group welcomed the Annual Report as this would seek to raise the profile of the work of the Standards Committee and any further additions could be considered.

In conclusion Stuart Fletcher, Deputy Monitoring Officer, made reference to the Member/Officer Protocol that had been developed by the Lead Commissioner which would sit alongside the Member related procedures.

The Chairman wished to thank all involved with the work of the Group and the comprehensive review which had been undertaken.

Agreed:- That the Standards Committee receive the report and agree:-

1. The revised terms of reference for the Standards Committee.
2. The mission statement for the Standards Committee.
3. The name of the Standards Committee.
4. The membership of the Committee.
5. The procedure for investigation of, and decisions on, complaints.
6. A supplement to the model code of conduct.
7. To remain responsible for overseeing Ombudsman complaints, legal challenges and other sources.
8. That an annual work-plan for the Committee be produced.
9. That an annual report by the Committee be produced and publicised.
10. The review of, and suggested revisions to, the Council whistleblowing procedure.
11. That the work of the Committee be publicised more extensively.
12. That the website for the Committee be refreshed.