

STANDARDS COMMITTEE
13th March, 2014

Present:- Councillor Gosling (in the Chair); Councillors Beck, Gilding, Middleton, Pitchley, P. A. Russell, Sims, Tweed, along with Parish Councillors Bates, Rowley and Swann and also Mrs. J. Porter.

Apologies for absence were received from Messrs. Daines and P. Edler.

B19 MINUTES OF THE PREVIOUS MEETING

Resolved:- That the minutes of the previous meeting of the Standards Committee held on 12th December, 2013 be approved as a correct record.

B20 UPDATE BY THE MONITORING OFFICER REGARDING HANDLING OF COMPLAINTS

Consideration was given to the update presented by Jacqueline Collins, Monitoring Officer, which referred to the handling of complaints of breaches of the Code of Conduct and provided details on:-

- An update on progress following the twenty-eight complaints of breaches of the Code of Conduct that have been made at one Parish Council, the vast majority of which were being resolved by way of informal resolution. An update by the Monitoring Officer and the Independent Person was provided which outlined the ongoing involvement and the progress made to date.

It was noted that the Independent Person was to attend the next meeting of the Parish Council on Monday, 17th March, 2014 with a view to addressing the Parish Council and the public about informally resolving the previous issues. The Independent Person agreed to report his findings back to the Standards Committee in due course.

It was also noted that a letter had been received by both the Chair of the Standards Committee and the Leader of the Opposition regarding long standing issues of conduct at the Parish Council which, it was hoped, would be resolved as part of the ongoing involvement.

- A complaint was made that two members of the Planning Board had made comments in relation to a planning application that were not fair, reasonable or responsible. Following consideration by the Monitoring Officer and the Independent Person the comments made were not considered to constitute pre-determination or bias. The Independent Person recommended that the content of the complaint be brought to the attention of the relevant Members, which had now been done.

- A complaint regarding the manner of registration of a Member's interests (and those of the Members spouse) in a company, and the registration of the appointment of the Member's spouse to an office. The Monitoring Officer considered all aspects of the query against the requirements of the Register of Interests form and was satisfied that there had been no error in the disclosures by the Member.
- Complaints regarding the dating of the Register of Interests forms of two Members. Upon investigation by the Monitoring Officer the discrepancies were clarified.
- There was a complaint regarding disclosure of interests that was currently being considered, with further details being requested.

Resolved:- That the report, the steps taken and its contents be noted.

(Councillor Beck left the meeting and did not take part in the debate relating to the first item and returned to the meeting once this had been discussed)

B21 RECRUITMENT OF INDEPENDENT MEMBERS, UPDATE FROM THE PARISH COUNCIL JOINT WORKING GROUP AND SUMMARY NOTES ON THE ROLE OF THE INDEPENDENT PERSON

Consideration was given to a report presented by Jacqueline Collins, Monitoring Officer, which provided an update with regards to the recruitment of Independent Members, conclusions following the Parish Council Joint Working Group and the summary notes on the role of the Independent Person.

In terms of the recruitment process, action was taken following the request to re-advertise the vacancies and four applications had now been received. Consideration needed to be given to the selection process and any appointment would require approval by Council.

The Monitoring Officer also attended a meeting of the Parish Council Joint Working Group on 9th January, 2014, where discussion on a number of issues on the following issues took place:-

- Charging the Parish Councils for the cost of undertaking investigations or informal resolution of their matters.
- That Parish Council should be informed of the costs of investigation/informal resolution of their issues.
- Where matters did not reach the level to warrant formal investigation, those matters may be referred back to the Parish Council for consideration.

It was suggested that the Standards Committee should be fully aware of the potential costs it may seek to charge the Parish Councils and should

give consideration to potential costs and should this kind of approach to matters be taken forward, then a further report for consideration should be submitted by the Monitoring Officer.

The Committee also heard that David Roper-Newman, Independent Person, attended a course in October 2013 run by Hoey Ainscough Associates Ltd, a well-known, national trainer in the field of ethical standards of Elected Members. A note summarising their findings from the courses they conducted was provided which indicated that Rotherham was broadly in line with the national picture.

The Committee suggested that, in terms of the recruitment process, the Panel consist of three Elected Members, one Parish Council Member and an Independent Member.

It was also suggested that in light on the ongoing support at one Parish Council, consideration of potential costs and how this information should be shared with Parish Councils should be placed on hold until the work and informal resolution had concluded.

Resolved:- (1) That the position with regard to recruiting two new independent members be noted and the appointment process of interview by Councillors Beck, Middleton and Tweed, Parish Councillor Swann and Mrs. J. Porter be approved.

(2) That the comments made at the Parish Council Joint Working Group be noted and the position placed on hold until the conclusion of the work of the Independent Person at one particular Parish Council.

(3) That the content of the summary notes on the Role of the Independent Person be noted.

B22 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act (as amended March, 2006) (information relates to an individual).

B23 UPDATE BY THE MONITORING OFFICER

Consideration was given to a report presented by Jacqueline Collins, Monitoring Officer, which provided an update and further information with regards to the handling of complaints of breaches of the Code of Conduct in three instances, which included:-

- A complaint that three Parish Councillors acted improperly in an appointment process.

This was investigated by the Monitoring Officer and a view sought from the Independent Person and the view formed that the allegation did not constitute a breach of the Code of Conduct.

- A complaint that as a Borough Councillor had, in 2011, accepted an informal caution from the Police regarding the content of an election leaflet, he should stand down.

This matter had previously been investigated and following consultation by the Monitoring Officer with the Independent Person found not to warrant any further action.

- An incident at a meeting of Electors at a Parish Council.

This matter remained ongoing and the Deputy Monitoring Officer was currently interviewing the Parish Councillor involved.

Once the outcome of the discussions was known consideration would be given to the convening of a Sub-Committee consisting of Parish Councillors Bates and Rowley and Councillor Sims.

Resolved:- That the steps taken be noted.

(Councillor Beck left the meeting prior to consideration of this item and did not participate in any debate regarding the content)

B24 DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards Committee take place on Thursday, 12th June, 2013 at 2.00 p.m.