

**Minutes of a meeting of the Standards Committee held at the Bourges/Viersen Room -
Town Hall on 14 March 2012**

MEMBERS PRESENT:

S Boast (Chairman), A Smith (Vice-Chairman), D Whiles, O Menendez and R Nesbitt
Councillor M Todd
Parish Councillors P Froggitt and D Batty

OFFICERS PRESENT:

Kim Sawyer Deputy Monitoring Officer
Alex Daynes Senior Governance Officer

1. Apologies

Apologies were received from Councillors Shearman, Khan, Miners and Swift.

2. Declaration of Interests (if any)

No declarations of interest were given.

3. Monitoring Officer's Report – Localism Act 2011

The Deputy Monitoring Officer introduced the Localism Act 2011 report and updated the committee on the potential impact on the Standards regime of the forthcoming Act requesting recommendations on procedure for full Council to adopt. Highlights included:

- Removal of current Standards committee;
- New Code of Conduct including pecuniary interests;
- Need to arrange process for assessing and determining complaints;
- Monitoring Officer could filter trivial complaints first;
- Current independent members not to be appointed as Independent Member for Peterborough for five years;
- Five new independent members across Cambridgeshire – role not yet determined;

Comments and responses to questions included:

- Currently obliged to refer complaints to sub-committee even if trivial or politically motivated;
- New Independent Member should be used for reviewing cases;
- New Independent Member from the Authority area to attend any hearings;
- No guidance yet on any changes to Police or Fire Authority standards and complaints regimes;
- Member of public need right of review if Monitoring Officer determines political or trivial complaint;

- Subject should have right of appeal to the independent member in the new regime;
- Initial assessment by Monitoring Officer should save time and resources;
- Final Code of Conduct to be in place in July, based on Nolan Principles;
- Parish Councils to determine own Code of Conduct;

Following debate on the issues raised, Members AGREED the following for consideration by Council:

1. Appeal process through Independent Member to be established;
2. Role of new Independent Members to be published on public website;
3. Include paragraphs 3-7 of the current Code in any new Code of Conduct; and
4. Include Nolan Principles in place of current paragraph 5 of the Code of Conduct.

4. Monitoring Officers' Report – Complaints to the Standards Committee

Members of the committee agreed that press and public would be excluded from the meeting where exempt information was to be discussed about individual cases.

The Deputy Monitoring Officer introduced the report on complaint cases submitted to the Authority in the current year and suggested that changes could be made to the procedure for considering complaints as many complaints in the current year had appeared to be trivial or politically motivated including:

- Monitoring Officer could filter out political or trivial complaints before assessment by a sub-committee;
- Could discuss complaint with its subject first for explanation and an initial right of response;
- Could advise the assessment sub-committee of any previous related complaints;
- Could allow subject of complaint a right of reply if finding of 'no further action'.

Comments and responses to questions included:

- Mediation outside of complaints procedure could resolve many issues;
- Formal and informal procedure needed;
- Need to ensure political group discipline is effective and Group Leaders have a role in conduct issues;

Following debate on the issues raised which included discussion during exempt session, Members AGREED the following for implementation:

1. Informal mediation from Monitoring Officer as part of the complaints process;
2. Repeat complaints for political purposes should be penalised;
3. The subject of the complaint should be able to see the complaint in advance;
4. Monitoring Officer to be proactive in mediation when behaviour is seen that could be a potential breach of the Code;
5. History of complaints to be maintained and be available to the sub-committee; and
6. Standards of conduct wording to be included in the rules of procedure for meetings in the constitution.

Meeting closed 8.40 p.m.