

## STANDARDS COMMITTEE

### MINUTES OF MEETING HELD AT THE TOWN HALL, PETERBOROUGH 3 SEPTEMBER 2008

#### Members Present:

Mr S Boast (Chair), Ms. B Fearon, Mr O Menendez, Ms. A Smith, Mr D Whiles  
Councillors Miners, Todd and Trueman  
Parish Councillors Batty and Evans

#### Officers Present:

Helen Edwards, Solicitor to the Council and Monitoring Officer  
Carol Tilley, Senior Cabinet Officer

#### 1. Apologies for Absence

1.1 Apologies for absence were received from Councillor Murphy.

#### 2. Declarations of Interest

2.2 Councillor Todd declared an interest in agenda item 4.4 as Chairman of the Council's Planning and Environmental Protection Committee.

#### 3. Minutes of Meeting held 5 June 2008

3.1 The minutes of the meeting held 5 June 2008 were approved as an accurate record, subject to the addition of CRB checks to the Work Programme referred to at paragraph 5.5.

#### • Additional and urgent item:

*At this point in the meeting the Chairman announced that he wished to raise an additional item. He drew Members' attention to an article which currently appeared on the Peterborough Liberal Democrat's website in respect of the Council's approach to Criminal Records Bureau (CRB) checks for elected Members. The article made the presumption that the Standards Committee would not support the proposal to introduce CRB checks for elected Members and that it was factually inaccurate regarding Councillor Trueman's conduct at the previous meeting when the matter had been debated. It was the Chairman's view that this article had not been helpful and this opinion was supported by the Committee.*

*Councillor Trueman agreed to pass on the view of the Standards Committee in this regard to Peterborough Liberal Democrats group members.*

#### **4. Monitoring Officer's Report**

The Committee received a report from the Solicitor to the Council and Monitoring Officer for consideration. Members noted the report and discussion was held as follows:

##### **4.1 Actions since last meeting:**

Members were asked to note that a date had been set for the training session which would focus on the process for the local assessment of complaints against elected Members. This event was specifically for Members of the Standards Committee and would be held on Monday 20 October 2008 from 6.00 p.m. to 9.00 p.m. Further details would be circulated in due course.

The Chairman requested that elected Members of the Standards Committee ensure that their respective substitutes attended this session if possible.

The Monitoring Officer confirmed that a separate training session, which would be open to all elected Members, had been scheduled for Tuesday 30 September at 6.00 p.m. This event would focus on the new regime for assessing complaints against elected Members and would include a refresher session on ethics and probity. Invitations would be sent to all Members as soon as possible.

The Committee noted that details of the new regime in respect of complaints against elected Members would be submitted to the Parish Council Liaison Committee at its meeting of 1 October 2008. The presentation would focus particularly on how the new arrangements relate to Parish Councillors.

##### **4.2 Referrals / Complaints**

Members were advised that no complaints had been received in respect of the first quarter period up to 30 June. The next quarterly report was due to be submitted early in October and this would record that two complaints had been received. Both complaints had been heard by the Assessment Sub Committee – one had been passed to the Fraud and Investigation Manager for investigation on behalf of the Monitoring Officer and the other complaint would not be pursued.

The Chairman invited feedback from those members of the Committee who had, to date, been involved in the Assessment Sub Committee. It was considered that the process had structure and had worked well, and was felt to have been fair. Members noted the need for confidentiality in all matters related to the complaints and referrals procedure and were mindful that the process was in its infancy and would become clearer with experience.

##### **4.3 Work Programme**

###### CRB Checks for Elected Members -

Members were advised that the policy in respect of CRB checks for officers was currently under review, and that clarification had been received from the HR department advising that the introduction of a 'blanket' policy for checks with regard to elected Members would not be recommended. Instead, a risk assessment should be undertaken to determine whether a check was required and if so, at what level (standard or enhanced).

It was noted that the first draft of the policy in respect of officers was due to be considered by Employment Committee at its meeting of 18 September 2008, prior to seeking final endorsement from Employment Committee at its meeting of 20 November. It was therefore suggested that the final draft version be considered in detail by the Standards Committee at its next meeting on 5 November in order to agree the Committee's formal response on the policy, prior to its submission to Employment Committee.

Members **AGREED** this approach, which would enable the Committee's comments to be incorporated into the policy, prior to its approval by Employment Committee and subsequent adoption at full Council.

The following points were considered:

- The draft policy proposed that officers were subject to CRB re-checks at three yearly intervals. It would be necessary to assess whether this would be a practical approach in respect of elected Members, who were normally elected for a four year term of office;
- The responsibility for verification of documents;
- The responsibility for carrying out risk assessments in order to determine which Members would require a CRB check and responsibility for issuing the results;
- The course of action which would be taken in the case of a positive CRB result and where documents detailing records and results should be held;

Following discussion, it was **RESOLVED**:

- (i) To recommend that the frequency of re-checks should align with Members' appointments to specific Committees/Panels. Membership of such bodies was subject to change each year following Annual Council re-checks and therefore rechecks should be role orientated;
- (ii) To recommend that a member of staff within the Council's Members' Services Unit receive relevant training in order to enable them to formally verify documents;
- (iii) To recommend that the responsibility for undertaking risk assessments to determine which elected Members (by virtue of their position) should be subject to a CRB check lie with the Monitoring Officer and the Principal Democratic Services Officer, in conjunction with a senior professional officer from the relevant service area;
- (iv) That the right of appeal should be built in to the procedure;
- (v) That the Council's Monitoring Officer (or the relevant lead HR officer) should be responsible for issuing the results of the check;
- (vi) That responsibility for advising an elected Member that his/her check had received a positive result rest with the Monitoring Officer and that the relevant Group Leader be advised;
- (vii) Records and results of all CRB checks should be held by the HR department.

#### 4.4. **Planning Committee Voting Analysis**

The Committee noted the Voting Analysis in respect of meetings of the Planning and Environmental Protection Committee held 3 June 2008, 17 June 2008, 16 July 2008 and 29 July 2008 respectively.

## 5. Agenda Planning

- 5.1 Members noted that the next meeting (scheduled for 5 November) would focus on finalising the Committee's response to the draft CRB policy. Committee members were asked to give specific thought to how the Standards Committee might properly support Council in promoting ethical standards and local democracy.
- 5.2 It was **AGREED** to cancel the interim meeting scheduled for 15 October 2008, however Members would retain this date in their diaries – this date could then be utilised to hold a meeting of the Assessment Sub Committee, should the need arise.

Meeting closed at 8.25 p.m.