

STANDARDS COMMITTEE	AGENDA ITEM 4
18 March 2009	PUBLIC REPORT

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R E C O M M E N D A T I O N S
FROM : SOLICITOR TO THE COUNCIL & MONITORING OFFICER
<p>That the Standards Committee:</p> <ol style="list-style-type: none"> 1. notes the contents of this report 2. agrees to consider at its next meeting an analysis of complaints against members received for the year to 31st March 2009 as set out at para 2 below. 3. agrees to refer the issue of CRB checks to Cabinet as set out at para 3.1.3 below 4. agrees the content of the Annual Report to Council as set out at para 3.2 below 5. discusses it's future work programme and agrees items to be brought forward for the first meeting of the new municipal year 6. considers the planning voting analysis at para 4 below.

1. ACTIONS SINCE LAST MEETING

As agreed at the last meeting, the Committee's response to the government consultation in respect of the Code of Conduct for Members and Employees in respect of Local Authority Publicity was submitted by the deadline of 12th March 2009.

2. REFERRALS / COMPLAINTS

The fourth quarterly return, for the period ending 31st March 2009, is due to be submitted to the Standards Committee in early April. The first Annual Return is also due at the same time. It is proposed that the Standards Committee receives a report analysing complaints for the first year of the new regime, for consideration and discussion at its next meeting, following submission of these reports.

3. WORK PROGRAMME

3.1 CRB checks for elected members.

3.1.1

At the last meeting members agreed to recommend that CRB checks should be carried out for elected members on the basis of a risk assessment. The proposed risk assessment format was agreed.

3.1.2

There was a slight complication which was discussed, in that OFSTED had recommended, in a Joint Area Review of Haringey Children's Services Authority Area, that it would be good practice for a local authority to ensure that all elected members have CRB checks. The Monitoring Officer has since clarified the position with OFSTED, who have given the following response:

"Thank you for your email dated 12 January about Haringey joint area review's specific recommendation that elected members should have CRB checks.

We do concur with you that the local authority should do a risk assessment of each elected member in order to consider whether the individual falls within one of the prescribed categories, for which a CRB check can be requested where appropriate.

Inspectors have tried to qualify their judgement in this particular recommendation by stating that CRB checks (or indeed safeguarding training) for elected members is not a mandatory requirement. However, we acknowledge that the wording does not completely reflect the requirements. Nonetheless, I must stress that inspectors' final recommendations, were arrived at on the balance of issues emerging from all available evidence at the time of the inspection, before forming a professional judgement; it is for the Haringey in partnership with the Secretary of State to agree the appropriate steps to be taken to effect remedial action.

Please note that the position has now been clarified with Haringey."

3.1.3

It is recommended that the Standards Committee now refers the matter to Cabinet seeing their agreement to proceed on the basis of a risk assessed approach to CRB checks for members.

3.2 Annual Report to Council

It was agreed at the last meeting of Standards Committee that the Committee should produce an Annual Report to be tabled during the Council meeting in April 2009. It is recommended that the report should contain the following items:

- (i) a summary of the training undertaken by the Standards Committee during 2008/9
- (ii) role of the Standards Committee in promoting high ethical standards
- (iii) a summary of the proposals for training for all members during the municipal year 2009/10

- (iv) a summary of the complaints received, and the handling of them by the Standards Committee, in the first year of the new Standards regime
- (v) Chairman's summary of the year, and proposals for the coming year, including plans/ ideas for local democracy week.

3.3 Future work items.

3.3.1

There are no remaining meetings in this municipal year, unless the Committee chooses to hold the meeting provisionally set for 22nd April. Dates of meetings have not yet been confirmed for the next municipal year, but are likely to be held in June, September, November, January and March, with provisional meetings set for the other months, in case they should be required.

3.3.2

Members should note that since Local Democracy Week is in June 2009, they may need another meeting before the meeting planned for June if they wish to actively promote Local Democracy week, and invite Councillor Dalton to a meeting to determine how the Committee might provide support.

3.3.3

Draft proposals at present for the following municipal year are as follows:

June 2009	<ul style="list-style-type: none"> (1) Consider Standards Committee experience of first year of new standards regime, discuss complaints received and handling of them, consider procedural changes to system of handling complaints. (2) Consider role of Committee in further promoting high standards of ethical behaviour within the Council
September 2009	(1) Training event for Standards Committee – case study of a Standards Complaint / more in depth understanding / updating of knowledge
November 2009	
January 2010	
March 2010	<ul style="list-style-type: none"> (1) Consider Annual Report to Council (2) Make preparations for Local Democracy week 2010

4. PLANNING COMMITTEE VOTING ANALYSIS

The Planning Committee voting analysis is attached at Appendix A.

5. FINANCIAL IMPLICATIONS

There are no specific financial implications to this report.

6. LEGAL IMPLICATIONS

These are dealt with in the body of the report.

7. WARD COUNCILLORS

The contents of this report are not ward specific.

Background Papers

In accordance with the Local Government (Access to Information) Act 1985, background papers used in the preparation of this report were:-

None.