

MINUTES OF: THE MEETING OF THE STANDARDS COMMITTEE

Date of Meeting: 1st October 2009

**PRESENT: Mr A Neville, Independent Member (Chairman)
Councillors Aldred, A Barnes, Cheetham, J Pilling, Sandiford,
H Steen and P Steen
Councillor D Barnes, Whitworth Town Council**

**IN ATTENDANCE: Stuart Sugarman, Director of Business
Andrew Buckle, Head of Customer Services and ICT
Jenni Cook, Committee Officer
1 member of the public**

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Mr B Divine, Councillor J Grogan and Mr A Nixon.

2. DECLARATIONS OF INTEREST

No declarations were made.

3. URGENT ITEMS

The Chairman reported that there were no urgent items of business.

4. MINUTES OF PREVIOUS MEETINGS

Resolved:

That the Minutes of the Standards Committee held on 2nd July 2009 be agreed as a correct record.

5. CHAIRMAN'S UPDATE

The Chair welcomed the Director of Business and Monitoring Officer, Mr Stuart Sugarman to his first meeting of the Standards Committee.

The Chair informed members of his visit to Lincolnshire Council to give a talk to both County and District members about the Standards Award. It was noted that this was a successful visit.

The Standards Conference would be attended by the Chair, the Director of Business and the Communications Manager. The Communications Manager had been asked to give a talk to the Conference on the media in respect to suspension of Councillors. It was noted that speakers costs are met by the Conference and the Council would only be charged for 1 place.

It was noted that 3 items from the Work Programme would be moved to January's meeting:-

- Compliance with Member Development Working Strategy
- Community Impact Assessment of Local Assessments
- Visit by Standards for England (a representative from Standards for England would attend the next meeting).

6. PUBLIC QUESTION TIME

A member of the public requested more time to consider the reports and was advised that any queries could be put in writing to the relevant officers.

7. LOCAL GOVERNMENT OMBUDSMAN ANNUAL LETTER FOR THE YEAR ENDED 31ST MARCH 2009 AND ANNUAL COMPLAINTS REVIEW (INCLUDING COMPLAINTS MADE AGAINST THE PLANNING UNIT)

The Head of Customer Services and ICT presented a report which highlighted the improvements contained within with Local Government Ombudsman's Annual Letter for the year ended 31st March 2009 and the annual update on activities within the Complaints and Feedback Process.

In considering the report, Members discussed the following:-

- Decline in response times to Ombudsman complaints.
- Acknowledgement of the complexity of responses the Ombudsman can require.
- Disappointing comments about the Planning Department in the Ombudsman's annual letter.
- Importance of first contact that customers have with the Council.

The Director of Business informed members of significant improvements taking place within the Planning Department. In addition, the Planning Unit Manager and/or the Business Unit Manager would be attending training on complaint handling.

The Head of Customer Services and ICT informed Members that work was being carried out to ensure the Customer Services Standards were being complied with.

Resolved:

1. Members noted the content of the Local Government Ombudsman's Annual Letter for the Period 1st April 2008 to 31st March 2009.
2. The Planning Unit Manager would be asked to provide a report to the Performance Scrutiny Committee and the Standards Committee on the process for responses to Ombudsman complaints.

8. USE OF WHISTLEBLOWING POLICY

The Director of Business outlined a report which updated Members on the usage and take-up of the Council's Whistleblowing Policy by employees, partners and contractors. It was noted

that, to date, Legal Services were not aware of any reports or investigations under the Policy.

In considering the report, Members discussed the following:-

- Usage levels of the Policy
- Staff confidence in the Policy
- Media portrayal of whistle-blowers
- Confirmation of inclusion of the Policy in the staff induction process and regular updates given to staff
- Confirmation that Partners and Contractors were required to sign up to the Policy

Resolved:

That the report be noted.

9. RECRUITMENT OF NON-ELECTED INDEPENDENT MEMBERS

The Director of Business outlined a report which set out the proposed process for the recruitment and appointment of Non-Elected Independent Members to the Standards Committee.

In considering the report Members discussed the following:-

- Concerns regarding possible exclusion of good candidates.
- Importance of member involvement in the recruitment process for Non-Elected Independent Members.
- Need to review the protocols for Non-Elected Independent Members in the near future.

Resolved:

1. That the procedure for the appointment on Non-Elected Independent Members be approved.
2. That review of the protocols for Non-Elected Independent Members would be added to the Standards Committee Work Programme for January 2010.

10. REVIEW OF THE COUNCIL CONSTITUTION

The Director of Business took Members through the report and the proposed changes to the Constitution, in order to comply with the Local Government Act 2000, which requires all Councils to keep an up-to-date Constitution. The proposals had been considered by the Governance Working Group and their input had been incorporated into the Constitution tabled at this meeting. It was noted that many of the changes were typographical and to take into account new legislation.

In considering the report Members discussed the following:

- Membership of the Licensing Committee.
- Concerns regarding PLACE and decisions being made outside of Rossendale

Borough Council.

- Omission of Member Questions on the Cabinet Agenda.
- Standards Committee Sub-Assessment Panels and the requirements to inform Members and the complainant of outcomes.

The following amendments would be incorporated into the Constitution that Council would be asked to approve:-

- Page 267 4.(iii) – Management Board should be Management Committee.
- Page 267 4 (v) – line 2, Overview and Scrutiny Committees should read Overview and Scrutiny Committee.
- Page 267 5 – Overview and Scrutiny Committees should read Overview and Scrutiny Committee
- Page 271 under ‘What will happen to my Councillor Call for Action?’ – take out ‘Sub’ and it should read ‘Committee’. Ensure revised Constitution states that Councillor Call for Action goes to Overview and Scrutiny Management Sub-Committee and that the Crime and Disorder Reduction Partnership is carried out by the Overview and Scrutiny Management Committee.

Resolved:

1. That, subject to consideration of the comments made by the Standards Committee, the changes highlighted in the attached Constitution be adopted with effect from 1st November 2009.
2. That a copy of the new Constitution is issued to all Councillors, Non-Elected Independent Members, senior officers and relevant partner organisations.
3. That an annual review is undertaken by the Monitoring Officer to be reported to Annual Council.
4. That all Councillors, Non-Elected Independent Members and senior officers be required to attend a training session on the updated Constitution before the end of the civic year 2009/10.

11. JOINT WORKING WITH OTHER AUTHORITIES

A discussion took place on Joint Working with other local authorities. It was noted that a meeting would be arranged with Burnley Borough Council and interest had been shown from Hyndburn.

Resolved:

1. That a report would be brought back to the next meeting to update members on discussions with Burnley and Hyndburn.

(The meeting commenced at 6.30pm and concluded at 8pm)

