

NORTHAMPTON BOROUGH COUNCIL

STANDARDS COMMITTEE

Thursday, 17 December 2009

PRESENT: I. Harley (Chair); Mrs Moss (Deputy Chair); M. Edwards, T. Morris and Councillors Capstick, Hollis and Matthews

1. APOLOGIES

Apologies were received from Councillor Flavell and D. Hughes.

The Chair welcomed Councillor Hollis as a new member of the Standards Committee and was a replacement for Councillor Hawkins. He expressed his gratitude to Councillor Hawkins for all her support and wished her well for the future.

The Chair also welcomed D Denton, Communications Manager for Northampton Borough Council who was there to observe.

2. MINUTES

The minutes of the last meeting were agreed.

3. DEPUTATIONS / PUBLIC ADDRESSES

There were none.

4. DECLARATIONS OF INTEREST

There were none.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. RIPA CONSULTATION

The Monitoring Officer submitted a report and advised that the RIPA legislation gave powers to Local Authorities to conduct surveillance on members of the public. Press coverage on this issue had suggested that Local Authorities were misusing their powers e.g. surveillance conducted to check if people lived in the catchment areas for the schools that their children attended. The outcome of the consultation on whether RIPA should be amended was set out in the report.

The Monitoring Officer advised that any changes would need legislative changes through Parliament. The Government had indicated which issues they wanted to address. Clarification of necessity and proportionality was given so that trivial matters were not investigated; and the rank of authorising officers was to be raised. Elected members role would be to oversee the way in which the powers would be used. It was possible that the Standards Committee would have a role. RIPA was powerful legislation for Local Authorities and if used responsibly would add to accountability although much bureaucracy would lead to the powers not being used and it would fail to prevent fraud and serious offences.

The Monitoring Officer commented that RIPA also gave powers to other public bodies for example, the Fire Service. In the coming months the details would come clear as to how it would affect the Council. The Standards Committee would be engaged in this.

Councillor Capstick agreed that authorisation needed to be made at senior officer level and that Councillors themselves should be involved with the monitoring of the authorisations. If the Codes of Practise were to be more flexible then the scrutiny of decision making would be important.

RESOLVED: That the report be noted and the Committee supported the comments made by the Monitoring Officer.

7. STANDARDS AWAY DAY- THE WAY FORWARD

The Monitoring Officer submitted a report which reviewed the key points from the Standards Committee away day and how to raise the profile of the Committee and obtain engagement from senior leadership. There were a number of points captured from the discussions which were appended to the report. Work plans would review each issue and develop them.

The main points were the vision for the Committee in promoting ethical conduct had to be articulated into one simple vision that people understood. People should understand the role of the Committee. Matters and investigations should be dealt with effectively and quickly. The Communications team would assist in developing a communication plan the focus on developing trust and confidence in local democracy. Newsletters would be produced internally and externally with key messages to engage key stakeholders including for example harder to reach groups.

The Monitoring Officer confirmed that each Committee member would be responsible for an area within the terms of reference and act as a focal point and champion the area. Cllr Hollis confirmed that she was already the Champion for the Standards committee at the County Council.

The Terms of Reference was key to this point and once agreed the main areas would be listed and the members would be able to produce reports on their designated area which he would support.

The Chair confirmed that all the leaders of the political parties should agree with the message the Committee would be providing and he would make an address at the Full Council meeting to inform Councillors and the public. Councillors needed to be reminded of their position in the community and by adhering to the accepted standards of conduct in public life will be leading that community by example. When people do make mistakes then it should be dealt with by the Standards Committee efficiently. It was noted that this approach should be discussed with the Leader of the Council first.

As the Committee's profile is raised both within the council and externally there should be a greater interest in its work. It was thus important for the committee to be seen as operating effectively and efficiently.

The Monitoring Officer confirmed that the Committee could engage with different groups from Residents Associations to Neighbourhood Forums and with the different parishes in the Borough.

The Monitoring Officer advised that the terms of reference in the report would allow the Committee to be involved in wider issues and review policies. Effective Committee

processes would make sure the committee operated well. A review clinic to discuss what went well in the meeting and what could be done better could be arranged. As the Committee's profile raised there would possibly be a greater interest in its work and it was important for the committee to be seen as operating well.

At the Away Day personal development plans for individual Councillors including Chairmanship skills had been discussed to make them more effective. An assessment of needs would be required and then for them to be delivered. Joint training with other councils would be reviewed and regular monitoring reports would be provided to the Committee. It was intended that the Chair of the Committee would produce annual reports of Committee's work. This was regarded as good practise. Diagnostic work could be carried out and governance and processes reviewed for the Standards Committee to help the Council.

The Monitoring Officer mentioned an omission from the items identified in the report. This was a workstream that looked at standards issues in relation to partnerships the Council is involved in. It was agreed that this would be added to the work programme.

Resolved:

- 1. The agreement be given to the list of development activities for the Committee attached to the report.**
- 2. That Monitoring Officer develop a work plan for the Committee, drawing from the points outlined in the appendix to the report.**

8. STANDARDS COMMITTEE TERMS OF REFERENCE

The Monitoring Officer submitted a report and confirmed that the Terms of Reference was based on best practice and looked at widening the involvement of the Standards Committee and to ensure that additional legislative responsibilities were captured within the terms of reference.

The Monitoring Officer confirmed that the Standards Committee itself could not agree changes to the constitution to incorporate these wider terms of reference and that this had to be done through the Constitutional Review Working Party. However, any recommendations from the Standards Committee on the Terms of Reference would be reported to the Constitutional Review Working Party.

The Monitoring Officer referred to guidance from the Standards Board that suggested that Standards Committees should be involved in setting up of the Remuneration Panel, suggested, or review policy documentation, or note legislative changes or to provide advice on good standards, government processes and make comments on them.

RESOLVED: That the Terms of Reference appended to the report be approved and commended to the Constitutional Working Party.

9. LOCAL ASSESSMENT- STANDARDS BOARD DVD

The Monitoring Officer confirmed that a viewing day would be arranged to view the Standards Board DVD and to discuss the workings of local assessment and a discussion would be held afterwards. A date would be notified to members.

Resolved: That the position be noted.

10. REVIEW OF THE CONSTITUTION

The Monitoring Officer submitted a report and referred to the Constitution Working Party's work programme. The Monitoring Officer confirmed that he was keen for the Standards Committee to be involved in commenting on the constitutional review currently being undertaken. There were particular areas where the committee would want a lot of input for example the review of the Code of Governance, Officers and Members Protocol and general issues on purdah. He explained that the Committee could consider any issues to be added to these.

In response to a further question from Councillor Matthews, the Monitoring Officer confirmed that under the Code of Conduct, once a complaint had been made against a Councillor it was then outside his jurisdiction and it would have to go through the process.

RESOLVED: That the report be noted.

11. STANDARDS BOARD FOR ENGLAND - ANNUAL CONFERENCE 12 - 13 OCTOBER 2009

The Chair confirmed that about 800 people attended the Annual Conference. It had been useful and constructive. The report from the Minister of State was attached; it emphasised the fundamental need for public trust of elected members being a prerequisite of effective democracy.

The Monitoring Officer confirmed it was critical for the Council to develop and encourage trust in local democracy thereby confronting negative local perceptions where they exist. By far, Northampton Borough Councillors work hard, are committed to what they do and are jealous of their deserved individual reputation.

The Monitoring Officer confirmed it was critical for the Council to develop trust in local democracy and all elected Councillors as the public had a perception of local politicians. Most politicians work hard and were committed to what they did.

The Chair advised that the Council had a lot of work to do to ensure the public were content with the Borough and County Councils and considered that the Committee should have more members to undertake the extra workload.

T. Morris confirmed that the aim of the Committee was to encourage councillors to attain high standards and raise their profile. At the away day Standard Committee members had been encouraged to speak to people and to meet other Councillors and officials

The Chair referred to a national debate on the future of the Standards Board for England he noted that there was 98% support for the Model Code of Conduct and 97% support for it from Monitoring Officers. He confirmed that he would meet with the Leader of the Council and Leaders of all political parties to explain what the Committee did and give a brief outline of what it intended to do and would look for support from them. He would then seek authority to attend all group meetings in order that the same message should be communicated.

Councillor Capstick advised that all members new and old should be properly trained and money should be ring fenced for this.

The Chair confirmed that the promotion of the Standards Committee both within the

Council and with the public was essential. The Code of Conduct itself was being changed during 2010 and the vision for the future was to work within the community and have support from all elected members and so prove to be worthy for consideration of an award at national level.

The Monitoring Officer advised that when going out to the community and encouraging democratic involvement in the process, public perception and democracy, the role of the Committee, its powers, vision, standards and expected conduct must be fully explained. Local criteria must be created for the local assessment process, fully taking into account and following the Standards Board's guidance.

The Chair commented that councillors should understand that the Committee was not a threat but an asset to them both individually and to the Council as a whole.

In response to a question from the Chair, the Monitoring Officer confirmed that the employee survey results had improved over recent years which would suggest that staff morale had improved.

Councillor Matthews commented that the Council was no different than any other business or institution and because of the current economic climate staff would still be concerned about redundancies. Although he perceived that interparty relationships within the Council had improved.

RESOLVED: That the report be noted.

The meeting concluded at 9.00pm

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