

STANDARDS COMMITTEE

HELD: 4 FEBRUARY 2014
Start: 5.00pm
Finish: 5.25pm

PRESENT:

Councillors: Grant (Chairman)

Bell Kay
Mrs Blake Wright

In attendance: Mr S Garvey (Reserve Independent Person)

Officers: Managing Director (People and Places) (Mrs G Rowe)
Borough Solicitor (Mr T Broderick)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

13. APOLOGIES

Apologies for absence were submitted on behalf of Mr S Ibbs (Independent Person) and Councillor Davis.

14. SUBSTITUTIONS (IF ANY)

In accordance with Council Procedure Rule 4, as related to Standards Committee substitutions, Members noted the termination of membership of Councillor Mrs Atherley and the appointment of Councillor Mrs Blake, for this meeting only, giving effect to the wishes of the Political Groups.

15. URGENT BUSINESS

There were no items of urgent business.

16. DECLARATIONS OF INTEREST

Councillors Bell, Mrs Blake and Grant declared a non-pecuniary interest in relation to item 9 (Code of Conduct – Parishes) arising from their Parish Council membership.

17. MINUTES

RESOLVED: That the minutes of the Standards Committee meeting held on 22 July 2013 be received as a correct record and signed by the Chairman.

18. WRITTEN ASSESSMENT PROCEDURES

Consideration was given to the joint report of the Managing Director (People and Places) and Borough Solicitor as contained on pages 43 to 58 of the Book of Reports which sought endorsement of the current 'Procedure for the Assessment of Written Complaints of Breach of the West Lancashire Borough Council and Parish Councils Members' Code of Conduct', attached as Appendix 1.

RESOLVED: That the Written Assessment Procedure be noted and endorsed.

19. STANDARDS COMPLAINTS STATISTICS 2013/14

The Committee considered the circulated complaints statistics for 2013/14 as set out at pages 59 to 64 of the Book of Reports. Members were advised that 4 complaints had been brought forward from the previous period. Additionally, 7 complaints had been received in the year of which 2 decisions were still pending. Nine complaints had been considered by the Monitoring Officer (MO), in consultation with the Independent Person (IP) or the Reserve IP (RIP). In eight cases, it was determined that the complaints did not merit further action and in relation to one complaint it was determined that it could be resolved without need for formal investigation (local resolution).

The Chairman, on behalf of the Committee, thanked the IP and RIP for the work that had been undertaken to date in relation to the complaints.

RESOLVED: That the statistics be noted.

20. ANNUAL MONITORING OF TRAINING

Consideration was given to the joint report of the Managing Director (People and Places) and Borough Solicitor, as contained on pages 65 to 70 of the Book of Reports, which detailed training undertaken to date and its effectiveness in relation to the Code of Conduct and standards.

Members discussed the effectiveness of the training, particularly the in-house training session held on 20 November 2013 at the Council Offices in Ormskirk that had been well attended and good feedback reported.

It was noted that a Training Pack had been issued to all Standards Committee Members, Borough Councillors, Parish Clerks and Parish Councillors in the Borough which included a copy of the Members' Code of Conduct and a set of notes and case studies with model answers.

RESOLVED: That the training undertaken and evaluation of it be noted.

21. CODE OF CONDUCT - PARISHES

Consideration was given to the joint report of the Managing Director (People and Places) and Borough Solicitor, as contained on pages 71 to 74 of the Book of Reports, in relation to inviting the Parish Clerks and Parish Chairmen to attend a meeting of the Standards Committee to discuss the Code of Conduct. This had been a standing item on the Committee's Work Programme that had been included as part of the previous standards regime arrangements.

It was acknowledged that processes in place and the annual training undertaken in Autumn 2013, had provided an opportunity for the Parish Clerks and Parish Councillors to raise issues in relation to the Code of Conduct. Further, the Parish Clerk Liaison Committee provides a forum for the Parish Clerks to raise and discuss items collectively.

It was agreed that the item on the Committee's Work Programme, as indicated, was no longer required.

RESOLVED: That, given the processes and annual training already in place in relation to Parish Councillors, the item included on the Work Programme to invite Parish Clerks and Parish Chairmen to attend a meeting of the Committee be no longer included, in the context of the new standards regime.

22. WHISTLEBLOWING CODE

Consideration was given to the joint report of the Borough Solicitor and Borough Treasurer, as contained on pages 75 to 86 of the Book of Reports, updating the Council's Whistleblowing Code, attached as Appendix 1.

The report highlighted the changes that were being proposed to ensure compliance following a change to the Public Disclosure Act 1998 and practice arrangements produced by the Whistleblowing Commission. The report had previously been considered by the Audit & Governance Committee on 28 January 2014 and would be considered by Council at its meeting on 26 February 2014.

In discussion reference was made to actions to ensure staff are made aware of the updated Code and their protection in relation to disclosures under it.

RESOLVED: That the updated Whistleblowing Code be endorsed.

23. COMMITTEE ON STANDARDS IN PUBLIC LIFE - LOCAL GOVERNMENT STANDARDS

Consideration was given to the joint report of the Managing Director (People and Places) and Borough Solicitor, as contained on pages 87 to 90 of the Book of Reports, relating to information on Local Government Standards, set down at Appendix 1, from the Committee on Standards in Public Life 2012/13 Annual Report. The information provided the observations of that Committee, since the introduction under the Localism Act 2011 that came into effect on 1 July 2012, of the new local government standards regime.

RESOLVED: That the information on Local Government Standards be noted.

24. WORK PROGRAMME

The Committee considered the Work Programme.

RESOLVED: That the Work Programme be noted.

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Chairman