

Minutes of the Standards Committee

**12th June, 2015 at 2.30 pm
at the Sandwell Council House, Oldbury**

Present: Councillor S Crumpton (Vice-Chair in the Chair);
Councillors Ahmed, L Horton and Sandars.

Observers: Mr Bell and Mr Elliot (Independent Persons).

Apologies: Councillor Lewis (Chair);
Councillors Y Davies and Underhill.
Mr Tomkinson (Independent Person).

11/15 **Minutes**

Resolved that the minutes of the meeting held on 13th March, 2015, be confirmed as a correct record.

12/15 **Appointment of Standards Sub-Committees**

The Committee was advised that the Localism Act 2011 required authorities to adopt arrangements for dealing with complaints about breaches of the Member Code of Conduct. The Council's arrangements included provision for sub-committees of the Standards Committee to consider investigation reports referred to it by the Monitoring Officer; to conduct hearings; at the request of the complainant, to review decisions of the Monitoring Officer to take no action on a complaint and, at the request of the subject member, to review findings of failure to comply with the Code of Conduct and action taken in respect thereof.

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The Council, at its meeting on 26th May 2015, had agreed the membership of the Standards Committee for the 2015/2016 municipal year. It was now necessary for the Committee to appoint sub-committees under the arrangements approved in accordance with the Localism Act 2011.

Resolved that two Standards Sub-Committees be appointed for the 2015/16 municipal year, with delegated powers to carry out the functions set out in the following terms of reference, and with the membership set out below:

Terms of reference

To consider investigation reports referred to it by the Monitoring Officer; to conduct hearings (including the imposition of sanctions); at the request of the complainant, to review decisions of the Monitoring Officer to take no action on a complaint; at the request of the subject member, to review findings of failure to comply with the Code of Conduct and action taken in respect thereof.

Membership

SUB-COMMITTEE 1		SUB-COMMITTEE 2	
Member	Substitute	Member	Substitute
Lewis	S Crumpton	S Crumpton	Lewis
Ahmed	Dhallu	Dhallu	Ahmed
Y Davies	Sandars	Sandars	Y Davies
Underhill	L Horton	L Horton	Underhill

13/15 **Allegations Update**

The Committee received an update on complaints received during 2014/15 in respect of member conduct and the outcome of those complaints.

14/15 **Case Summary**

The Committee considered a case about a member in another authority reported in the 'Local Government Lawyer' which was reported to be the first case where a councillor had been found guilty of an offence under the disclosable pecuniary interest provisions of the Localism Act 2011.

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The member had been present at a meeting where he had a disclosable pecuniary interest and, without reasonable excuse, had participated in the vote taken. The member was a non-executive director of a charity and, although not paid a salary, had received remuneration payments for the years 2010 to 2013.

The member's view was that the matters at the meeting were of a broader nature and did not concern detailed issues of planning and ownership. The judge, nevertheless, concluded that the member should have taken time to consider his position. Whilst the member's participation in the meeting could not, on the evidence before the court, have led to any direct benefit to him, the 2011 Act made it clear that he should not take part or vote at that meeting. The member had failed to satisfy the court of a reasonable excuse and was given a six month conditional discharge and ordered to pay £930 in costs.

The case highlighted the importance of members understanding the Code of Conduct and being able to recognise when a disclosable pecuniary interest arose. Members were reminded to update their register of interest and were encouraged to seek the guidance of the Monitoring Officer if they were in doubt about any aspect of the Code of Conduct.

The Monitoring Officer undertook to circulate Part 5 of the Constitution "Guidance to Members Appointed to Other Bodies" to all members in order to reinforce the message in relation to declaration of disclosable pecuniary interests.

The Monitoring Officer also undertook to remind members how to access their current register of interests electronically in order that they may access it with ease prior to, and during, meetings.

Resolved that Part 5 of the Constitution "Guidance to Members Appointed to Other Bodies" be circulated to all members of the Council by the Monitoring Officer in order to reinforce the requirement of members to declare disclosable pecuniary interests.

15/15

Standards Committee Work Programme 2015/16

The Committee considered the draft work programme for 2015/16.

The Committee received an update on the member training programme and was advised that in the last six months training sessions had taken place and all members (with the exception of three) had been seen on an individual basis. The Monitoring Officer confirmed that a further training session would be arranged for the end of September 2015.

The Committee requested that an allegations update be provided in September. The Monitoring Officer confirmed that an allegations update would be provided at every meeting.

Resolved that the revised work programme for 2015/16 be approved and kept under review during the year.

(Meeting ended at 3.15 pm)

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