

**Minutes of the Standards Committee**

**11<sup>th</sup> March, 2016 at 2.30 pm  
at the Sandwell Council House, Oldbury**

- Present:** Councillor Lewis (Chair);  
Councillor S Crumpton (Vice-Chair);  
Councillors Sandars and Underhill.
- Observers:** Mr Elliot and Mr Tomkinson (Independent  
Persons);
- Apologies:** Councillors Ahmed, Y Davies, Dhallu and  
L Horton;  
Mr Bell (Independent Person).

1/16 **Minutes**

**Resolved** that the minutes of the meeting held on 11<sup>th</sup>  
September, 2015, be confirmed as a correct record.

2/16 **Annual Report of the Standards Committee 2015/16**

The Committee received the draft Annual Report of the Standards Committee for 2015/16. The report detailed the activities undertaken during the year and identified outcomes for the Committee.

In relation to standards training, it was agreed that clarification was required in that the Standards Committee had resolved that it was mandatory that each member attended standards training at least every two years and induction training would be offered to all new members. Standards training would be provided on an annual basis.

The Committee also noted that Sandwell had recently hosted an independent persons workshop.

**Resolved** that the Chair be authorised to agree the final version of the Standards Committee Annual Report 2015/16 for submission to Council.

3/16

**Review of Member Code of Conduct**

The Members' Code of Conduct was approved by the Council on 3<sup>rd</sup> July 2012 as part of the revised standards arrangements under the provisions of the Localism Act 2011. A substantial review of the Code was conducted by the Standards Committee on 13<sup>th</sup> March 2015 and approved by Council in April 2015.

Following the feedback from recent training events delivered to members on the Members' Code of Conduct and the one to one sessions between the Monitoring Officer and members, further revisions to the Code were proposed.

The Code of Conduct stated in Part I paragraph 4 that the Code "applied whenever a person is acting in his/her capacity as a member of the authority or co-opted member in the conduct of the authority's business or acting as a representative of the authority."

Part II of the Code of Conduct at 1.1 stated that "You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend, a close associate, an employer or a business carried on by you."

Part II of the Code of Conduct also covered declarations of interests at meetings and when acting alone stating that "Where a matter arises at a meeting or when acting alone which relates to or affects a financial interest of you, a friend, relative or close associate (and it is not a disclosable pecuniary interest or other registerable interest) you must declare the existence and nature of the interest unless it is a sensitive interest."

The revisions proposed to the Members' Code of Conduct would make it clear that obligations to declare interests applied not only to formal meetings but also to informal meetings, briefings, etc. when authority business was being discussed with officers or with other members.

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The revisions would ensure that members could not be perceived as using their influence improperly to affect a decision where members, or those close to them, had an interest.

It was also proposed that members should have to register any close members of the family, close relatives, close friends or close associates who either work for the Council or have a contractual relationship with the Council. Close family members and close relatives could be defined as a son/daughter (including a biological son/daughter, stepson/daughter, adopted son/daughter or male/female child for which the person has custodial responsibilities), mother, father, brother or sister, a niece, nephew, grandchild, grandparent or in-law (including relationships associated with the member's spouse/civil partner).

The Committee approved the proposed changes in principle and requested that the Monitoring Officer prepare a draft revised Members' Code of Conduct for the Constitution Working Group to consider prior to submission to Council for approval.

**Resolved** that a revised Members' Code of Conduct be reported to the Constitution Working Group for consideration prior to submission to Council for approval.

4/16

### Allegations Update

The Committee received an update on complaints received during 2014/15 and 2015/16 in respect of member conduct and the outcome of those complaints.

5/16

### Case Summary

The Committee considered a case about the Leader of Shropshire Council breaching the Code of Conduct after failing to disclose a conflict of interest at board meetings.

The member apologised for breaching the Code of Conduct and this apology was accepted. The Member accepted that with hindsight he should have formally disclosed the nature and extent of his interest at meetings and confirmed that he would attend training to ensure that he was fully aware of his responsibilities under the Code of Conduct.

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Members felt that this case was of particular interest and contained learning points for the Committee. The case also reiterated the requirement for the proposed amendments to the Code of Conduct for members as discussed at Minute No. 3/16.

(Meeting ended at 3.06 pm)

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