

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 18 JUNE 2015

I N D E X

Page No	Minute No	Heading
1	102	Apologies for Absence
1	103	Declaration of Interests
1	104	Minutes of Last Meeting
1	105	Register of Interest Forms 2015
2	106	Case Update – Disclosable Pecuniary Interests under the Localism Act 2011
3	107	Inspection of Rotherham Metropolitan Borough Council
4	108	Hansard Society's Audit of Political Engagement
5	109	A Consultation on a Public Service Ombudsman
5	110	Work Programme 2015/16
6	111	Urgent Business – Public Session

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MINUTES OF MEETING HELD ON 18 JUNE 2015

Present:

Councillor B Ridgway Chair

Councillor G Butler

“ S Boyle

“ S J Ellis

Councillor M Foster

“ A Garrett

“ S Peters

Also Present:

Matthew Kane - Governance Manager & Deputy Monitoring Officer
Sarah Sternberg - Assistant Director – Governance & Monitoring Officer
Sarah Cottam - Governance Officer

102 Apologies for Absence

An apology for absence had been received from Councillor R Welton.

103 Declarations of Interest

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations of disclosable pecuniary interests or other interests at the meeting.

104 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of the Standards Committee held on 26 March 2015 be approved as a correct record and signed by the Chair.

105 Register of Interest Forms 2015

The Committee considered Report No ADGMO/5/15-16/SS of the Assistant Director – Governance and Monitoring Officer. The purpose of the report was to advise Members of the numbers of statutory register of interest forms received from District and Parish Councillors.

The District Council had issued all of its Members with blank copies of the registration forms with their post election induction packs. The form was in two parts covering DPIs and also other interests which were not required to be declared by law but were subject to the Code of Conduct. Completed forms had been received from all District Members and would shortly be uploaded onto the Council's website as required by legislation.

Blank registration forms for the Parish and Town Councils were sent to the clerks on 14 April 2015. Members were advised to complete them by 8 June 2015 (this being the 29th day). An appendix attached to the report highlighted the current position, but it was noted that some parishes were still carrying vacancies arising from uncontested elections.

The Committee was advised that all parishes would be chased up over the coming weeks and requested to submit their forms at the earliest opportunity.

Members on the Committee advised that they would chase up their respective Parish Councils.

RESOLVED That:-

- (1) The Committee noted the current position with regards to Members Register of Interest Forms.
- (2) Members on the Committee would chase their respective Parish Councils for any outstanding Register of Interest Forms.

106 Case Update – Disclosable Pecuniary Interests under the Localism Act 2011

The Committee considered Report No ADGMO/6/15-16/SS of the Assistant Director – Governance and Monitoring Officer. The purpose of the report was to advise Members of the first case of a Member being found guilty of breaching the disclosable pecuniary interest (DPI) provisions set out in the Localism Act.

On 1 April 2015 local government press reported the first case of a member being convicted for participating and voting in a meeting where he had a disclosable pecuniary interest. The details of the case were that in February 2013 the member, who was also the Leader of Dorset County Council, participated and voted in a meeting about the East Dorset District Council's Core Strategy whilst also being a non-executive director of Synergy House, a charity that served to provide housing for those in need.

Although not paid a salary he did receive remuneration of almost £30,000 from Synergy over the period 2010 to 2013. The interest in Synergy Housing was registered on his Register of Interests Form but had failed to declare this at the meeting.

The judge said that whilst the member's participation in the 24 February 2013 meeting could not, on the evidence, lead to any direct benefit to him, the 2011 Act made it clear that he should not have taken part in voting at the meeting, having declared his

interest. The defendant had failed to satisfy the Court that what he did amounted to a reasonable excuse.

The member was found guilty of breaching the Disclosable Pecuniary Interest requirements of the Act and granted a six month conditional discharge and asked to pay costs of £930. Although the member stepped down from his position as Leader he remained a member of Dorset County Council and was re-elected (uncontested) at East Dorset District Council in May 2015.

The Committee were advised that the case reaffirms the importance of obtaining advice from the Monitoring Officer before taking part in a meeting where an interest may be evident. The case also highlighted that it is incumbent upon the member to take action where an interest may exist.

RESOLVED – That the Committee notes the case update where a Disclosable Pecuniary Interest had led to a member being convicted.

107 Report of Inspection of Rotherham Metropolitan Borough Council

The Committee considered Report No ADGMO-7/15-16/SS of the Assistant Director – Governance and Monitoring Officer which brought to the attention of the Committee the recent inspection report into Rotherham Metropolitan Borough Council.

The Committee were advised that a recent report of Professor Alexis Jay OBE into child sexual exploitation in Rotherham described how vulnerable children had repeatedly been failed by the Council.

Following that report the Secretary of State for Communities in Local Government ordered a statutory best value inspection of Rotherham Council and appointed Louise Casey to carry it out. Whilst the report presented a sterling picture of a Council in denial about its failures to prevent children from harm, of particular concern for this Standards Committee would be the failures highlighted in relation to high standards of conduct and governance arrangements.

In particular the report highlighted:-

- A pervading culture of bullying, sexism and misplaced political correctness;
- A failure by Members to hold officers to account through scrutiny and to represent the interests of the local people;
- Serious weaknesses in the Council's taxi licensing procedures.

The Casey report concluded that the Council was failing in its statutory duty to provide best value. It had culminated in the resignation of Rotherham's Cabinet, a move to all out elections in 2016 and the appointment of Government Commissioners to exercise the Council's executive and licensing functions, as well as senior officer level appointments.

Whilst North East Derbyshire showed no signs of the sorts of issues identified in Rotherham, the report highlighted lessons from which all councils could learn.

Members noted recently that the Executive Director – Transformation had given a presentation on safeguarding at a recent Licensing induction session, but felt that

safeguarding was a matter for all councillors and needed to ensure it was in place within all the Council's partnership arrangements.

RESOLVED That:-

- (1) The Committee agreed to note the report and recommend to all Scrutiny Committees to examine their remits and to ensure robustness throughout the Council concerning safeguarding.
- (2) The Committee recommends the issue of Safeguarding be raised with all officers, The Assistant Director – Governance and Monitoring Officer to raise with the Executive Director – Transformation in the first instance.
- (3) The Council take steps to ensure safeguarding was in place with all partners (i.e. Rykneld Homes).

108 Hansard Society's Audit of Political Engagement

The Committee considered Report No ADGMO/8/15-16/SS of the Assistant Director – Governance and Monitoring Officer. The purpose of the report was to consider the Hansard Society's audit of political engagement.

The Hansard Society had recently published the report of its twelfth audit of political engagement. The audit questioned members of the public on their levels of interest and engagement with politics, their perceptions of their elected officials and their attitudes towards issues ranging from the European Parliamentary elections to ethical training for MPs in the UK. The audit also incorporated questions relating specifically to ethical conduct, prepared by the Committee with the assistance of its Research Advisory Board.

The survey suggested that the public continue to have a very poor view of the current standards in public life, in particular:-

- More respondents thought overall standards of conduct were low than thought they were high;
- More respondents said that standards had got worse compared to a few years ago than thought they had improved;
- The majority of respondents were not confident that the authorities were committed to upholding standards in public life, that the authorities would generally uncover wrong doing by people in public office or that the authorities would punish those caught doing wrong;
- A majority did think the media would generally uncover wrong doing.

More worryingly, opinions about standards of public life were more negative than any of the previous surveys of public attitudes towards conduct in public life.

The newspapers had recently exposed the MP expenses scandal and Members commented it would difficult to gain the public's trust once lost.

RESOLVED – That the Committee notes the Hansard Society's Audit of Political Engagement Survey.

109 A Consultation on a Public Service Ombudsman

The Committee considered Report No ADGMO/9/15-16/SS of the Assistant Director – Governance and Monitoring Officer which sought views on a Government proposal to create a public service ombudsman to replace the existing arrangements.

On 25 March the Government launched a consultation on whether to reform the current Ombudsman Sector. In particular, it recommended the creation of a new Public Service Ombudsman (PSO) to replace the existing jurisdictions of the Parliamentary and Health Service Ombudsman (PHSO), Local Government Ombudsman (LGO) and Housing Ombudsman (HO).

It was believed that the main benefits would be an improved customer experience and the opportunity to improve systems and processes arising from having one integrated service. Should the Government confirm its intention to create a new PSO, further detailed work would be required to look at the precise powers of and structures within such an organisation.

There were currently a number of differences between ombudsman services which needed to be taken into account when looking at any modernisation. A consultation had taken place which closed on 16 June 2015 and the Standards Committee was invited to consider the consultation results which could be found at their website at www.gov.uk.

RESOLVED – That the Committee noted the report and agreed that the results of the consultation would be brought back to a future meeting.

110 Work Programme 2015/16

The Committee considered Report No ADGMO/10/15-16/SS of the Assistant Director – Governance and Monitoring Officer which advised the Committee of its Work Programme for 2015/16.

At the meeting in July 2012 Members expressed a wish for officers to devise a Committee Work Programme to give an idea of what sorts of issues would be considered over the year. A copy of the Committee's anticipated Work Programme for 2015/16 was attached as an appendix to the report.

The Committee were advised that the work programme was a live document that would inevitably be subject to change and additions. The Committee were also advised that there could be extra meetings or hearings.

At the next meeting scheduled for 10 September 2015 it was requested that the two Independent Persons, Mr I Daines and Mr S Hooton, be invited to attend this meeting. The Chair asked all Members of the Committee whether they were happy with the time of the Standards Committee, which was currently held at 5.00 pm. All Members were happy with the current time of the meeting.

RESOLVED – That the Committee agree to note the Work Programme for 2015/16.

111 Urgent Business – Public Session

The Committee was advised that there was no urgent business to be considered in the public session of this meeting.

Standards Mins (0618) 2015/AJD