



HILLINGDON
LONDON



Standards Committee

Date: TUESDAY, 4 SEPTEMBER
2012

Time: 7.00 PM

Venue: COMMITTEE ROOM 3 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

Councillors :

Corthorne,
Harmsworth,
Hensley
Lewis and
Riley

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Agenda

- 1** Appointment of Chairman and Vice-Chairman
To appoint a Chairman and Vice-Chairman of the Committee for the remainder of the Municipal Year
- 2** Apologies for Absence
- 3** Minutes
To approve the minutes of the meeting of the Committee held on 13 June 2012
- 4** Declarations of Interest
To note any declarations of interest in any matter before the Committee
- 5** Confirmation that all items marked Part I will be considered in public and those marked Part II, in private

PART I

- 6** Review of Work Programme
To consider and update the Committee's Work Programme
- 7** The New Code of Conduct - Member Training Programme
To note details of the training programme to be delivered by the Borough Secretary and Head of Democratic Services

PART II

- 8** Complaints Monitoring

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Minutes

Standards Committee
Wednesday, 13 June 2012
Meeting held at Committee Room 3 - Civic Centre,
High Street, Uxbridge UB8 1UW



Published on: 15 June 2012
Come into effect on: Immediately

Present: Malcolm Ellis (Vice Chairman, in the Chair), James Keys (Independent member), Councillors Barnes, Barrett, Curling, Dann, Hensley and Riley.

Officers Present: Messrs Alagh and White

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from the Chairman, Mr Edwards, Councillor Corthorne and from Councillor Lewis for whom Councillor Barnes was substituting.

2. MINUTES

RESOLVED: That the Minutes of the meetings of the Committee held on 29 February and 10 May 2012 be taken as read and confirmed.

3. DECLARATIONS OF INTEREST

The Chairman and Mr Keys declared a personal interest in item 6, 'The Localism Act – A New Ethical Framework'.

4. CONFIRMATION THAT ALL ITEMS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THOSE MARKED PART II, IN PRIVATE

5. REVIEW OF WORK PROGRAMME

The Committee's work programme for 2012/13 was noted. It was also noted that, should Council approve the recommendations set out under item 6, then the work programme would be re-written to reflect this.

6. THE LOCALISM ACT 2011 - A NEW ETHICAL FRAMEWORK

Members were reminded of the provisions of the Localism Act in so far as it related to the ethical framework for Members and co-opted members of Local Authorities.

As agreed at the last meeting, a detailed report was submitted for consideration making a number of recommendations to Council for changes to the ethical framework as required by the Act including:

- a proposed new Code of Conduct, 'minimalist' in nature and based on the Nolan principles, as requested by the Committee at the last meeting. It was noted that the Code would now only apply to Members when acting in their official capacity

and not in their private lives. Guidance on Disposable Pecuniary Interests had just been received and would be included in the version of the Code submitted to Council;

- the replacement of the current Standards Committee with a new Committee of five Members, politically balanced, with revised Terms of Reference and procedure rules;
- a new, simplified complaints procedure, including the introduction of a 'Whips' Protocol' as previously approved by the Committee and the abolition of the existing sub-committees;
- the appointment of a single independent person to be a non-voting member of the Standards Committee when meeting to consider complaints against Members or co-opted members – this position to be advertised to the public;
- consequential changes to the Planning and ICT Codes of Conduct for Members.

The Committee considered the proposals in detail and agreed that they should be recommended to Council for adoption on 5 July, noting that the Act required the new Framework to be in place by 1 July. In agreeing the proposals in principle, Members asked that a number of further issues be considered including:

- the Leader of the Council was excluded from the proposed membership of the new Standards Committee and it was suggested that Leader of all Political Groups on the Council should also be excluded;
- in line with the suggestion above, it was suggested that the Group Leaders also be excluded from the 'Whips' Protocol procedures;
- the proposed procedures for consideration of a complaint against a Member or co-opted member included a section for determining the 'Findings of Fact'. It was queried if there should also be a determination for the 'Finding of no-fact'?
- the proposed procedures for consideration of a complaint against a Member or co-opted member included a provision for maintaining the anonymity of the complainant and it was suggested that there should be similar provision for the Subject Member;
- the proposed procedures for consideration of a complaint against a Member or co-opted member included details of the publication of the outcome of the complaint. It was queried if this should be the case in every instance and how much detail would be published?;
- the proposed procedures for consideration of a complaint against a Member or co-opted member included the facility for a Subject Member to be legally represented at a Hearing of the Standards Committee. Members requested the Borough Solicitor to investigate the possibility of an indemnity policy to cover the associated legal costs;
- the ICT Code of Conduct included a section concerning the monitoring of emails sent using the Council's email facilities. Members queried if the detail should included the circumstances under which Members' emails would be accessed by the Monitoring officer as a part of an investigation;

RESOLVED: That Council at its meeting on 5 July 2012 be recommended to:

- a) **adopt a new Code of Conduct for Hillingdon Members and co-opted members in the form set out at Appendix 1 to the report and agree the amendments to the associated documents set out at Appendices 2-7;**

b) agree to appoint one existing Independent Member until 30 June 2013.

NB: Councillor Barnes wished his vote against resolution a) above recording

7. COMPLAINTS MONITORING

This item was discussed in Part II as it contained confidential information as defined in the Local Government (Access to Information) Act 1985.

The Committee noted details of the complaints made against Members in the last six months.

At the conclusion of the meeting a Vote of Thanks was unanimously recorded to the existing three independent members of the Committee, in recognition of their hard work and contribution to the work of the Committee during their period of appointment.

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WORK PROGRAMME 2012/ 2013

Reporting Officer: Head of Democratic Services

REASON FOR REPORT

To enable the Committee to track the progress of its work in accordance with good project management practice.

RECOMMENDATION: That Members note the Work Programme and make any amendments as appropriate.

BACKGROUND DOCUMENTS: None.

STANDARDS COMMITTEE WORK PROGRAMME

MEETING DATE	AGENDA ITEM
4 September 2012	<ul style="list-style-type: none">• Review work programme• The New Code of Conduct – Member Training• Complaint Monitoring (Part II)
28 November 2012	<ul style="list-style-type: none">• Review work programme• Complaint Monitoring (Part II)
27 February 2013	<ul style="list-style-type: none">• Review work programme• Complaint Monitoring (Part II)• Standards and Ethics monitoring annual report• Review of Code of Conduct and complaints process

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CODE OF CONDUCT – MEMBER TRAINING

Reporting Officer: Head of Democratic Services

REASON FOR REPORT

To summarise the main areas to be covered in the forthcoming training programme for Members about the new Code of Conduct adopted by Council on 5 July.

RECOMMENDATION: that the contents of the training programme be noted as follows:

- **INTRODUCTION** – details of the Localism Act 2011, the changes from the old Code and when the Code applies
- **THE SEVEN GENERAL PRINCIPLES OF PUBLIC LIFE**
- **GENERAL OBLIGATIONS** – a summary of the obligations imposed on Members / co-opted members by the new Code.
- **PECUNIARY AND NON PECUNIARY INTERESTS** – what they are, when they should be declared and what to do once they have been declared.
- **GIFTS AND HOSPITALITY**
- **THE NEW COMPLAINTS PROCESS** – including the ‘Whips’ Protocol’, the role of the Standards Committee, the role of the Independent Person and sanctions.
- **THE PLANNING CODE OF CONDUCT** – including the new rules on pre-determination and bias.
- **THE ICT CODE OF CONDUCT** – including the rules on use of Council resources.
- **SOCIAL NETWORKING** – the advantages and pitfalls.

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By virtue of paragraph(s) 7c of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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