

**MINUTES OF THE STANDARDS COMMITTEE**  
**Tuesday, 22<sup>nd</sup> November 2005 at 9.00 pm**

PRESENT: John Mann (Chair, Independent Member) and Councillors R Colwill and Nerva.

Councillor Moher also attended the meeting.

Apologies for absence were received from Councillor Hughes and Nav Mandair (Vice Chair, Independent Member).

1. **Declarations of Interest**

None.

2. **Deputations**

None.

3. **Minutes of Previous Meeting**

RESOLVED:-

that the minutes of the previous meeting held on 6<sup>th</sup> April 2005 and the notes of the inquorate meeting held on 8<sup>th</sup> June 2005 be approved as accurate records.

4. **Matters Arising**

None.

5. **Whistleblowing Procedure**

The Committee received a report which set out the reasons for developing the new Whistleblowing Procedure and which summarised the main changes. The report sought the approval of the Standards Committee for the implementation of the new procedure as set out in the recommendations. The Director of Human Resources stated that it was felt that the current procedure, having been in operation for a number of years, was due for a review which would also assist the Council's CPA assessment. The procedure was based on the model from the Local Government Management Board and there would be further consultation with recognised trades unions on the operation of the arrangements. The Committee noted that the proposal was for the procedure to come into effect in December 2005. Members were assured that the provisions of the Human Rights Legislation had been taken into account.

RESOLVED:

that the revised Whistleblowing Procedure be agreed and implemented.

## 6. **Twinning Update**

The latest draft of twinning guidance had been circulated to the Committee for consideration. The aim of the new guidance was to ensure that twinning activity supported by the Council was of a high quality and made effective use of resources. The Committee were advised that with the Borough having been twinned with South Dublin for a number of years it was now considered appropriate for a protocol to be in place particularly given that the Standards Board for England had recently considered cases in this regard. There had also been additional impetus from the decision of the Local Government International Bureau's decision to issue guidance on managing formal twinning arrangements 'Take Your Partners' which had been circulated to members.

The Mayor's Office and Member Development Manager outlined the role of the Mayor's Office in arranging twinning visits and the current guidance as set out in the Local Government Act 1972 which provided that local authorities can expend for such purposes providing the benefits to the community were clear and understood. He outlined the provisions of the draft twinning guidance which included budget arrangements, itinerary planning, travel costs, attendance and conduct.

Councillor Moher raised questions on the need for a protocol for this particular Twinning arrangement arguing that any visits taking place to other places would not be covered. He referred to an Audit report recently considered by the Performance and Finance Select Committee which indicated a broad satisfaction in the areas relating to members and suggested that attention should instead be focused on other areas of concern such as officers' declaration of interests. Councillor Moher added that the current Mayor of Brent also questioned the need for a formal protocol of this nature and circulated a letter written to a former Mayor in April 2005 which set out standards for a forthcoming twinning visit, which he considered to be sufficient guidance. Furthermore, he felt that the twinning budget was inadequate.

Members in discussion also queried the need for a detailed, prescriptive protocol and agreed that it was sufficient for a letter similar to that circulated at the meeting to be sent to both members and officers involved in twinning arrangements. It was suggested that more realistic proposals be considered and reported back to this committee for approval.

The Deputy Borough Solicitor responded that issues raised in the Audit report relating to officers' declaration of interests were outside the remit of the Standards Committee, being a staffing issue for the General Purposes Committee. Similarly, the adequacy of the budget was a matter for the Executive. The Deputy Borough Solicitor stated that the aim of the protocol was to ensure that the limited funds available were targeted to promote twinning. She stated that other member/officer one-off visits were covered by other council rules. An agreed local protocol would carry weight with the Standards Board and provide some protection for members. The letter to the Mayor referred to earlier would not, she felt, fulfil this function as effectively as it was insufficiently detailed and specific.

The Chair endorsed concern over evidence of non-compliance with council procedures regarding officers declaring interests and that this Committee had no remit in this regard. He also expressed surprise at the perceived gap between aspirations for twinning and available funding. He suggested, and it was agreed, that a short guidance note on twinning arrangements and procedures (approximately two sides of A4) be drafted, which he would approve as a basis for discussion with South Dublin County Council as the first steps to a protocol. It was also agreed that South Dublin County Council be asked for any information on their own procedures. The final document should be submitted to this Committee for approval. The Chair thanked all for their contributions.

RESOLVED:-

- (i) that the report be noted;
- (ii) that information be obtained from South Dublin County Council on their Twinning procedures;
- (ii) that the Borough Solicitor prepare a short guidance note, in line with discussion, to be approved by the Chair as the basis for discussion with South Dublin County Council.

**7. Annual Review of the Member Development Programme 2004/2005**

The Mayor's Office and Member Development Manager introduced this report which summarised feedback from members and gave information on the events held, attendance, cost of the programme, achievements over the year and issues for forthcoming phases of the programme. Lessons had been learned from the feedback and a new programme would be launched in 2006.

Members noted that in 2004/5, 14 councillors had not participated in any training events and it was noted that the induction programme for councillors in 2006 would make clear that participation was expected.

RESOLVED:-

that the report be noted and that the Mayor's Office and Member Development Manager take up the issue of non attendance by some councillors at any training sessions

## **8. Financial Rules Governing the Charities**

The Committee received a report which reviewed the existing rules governing the Mayor's Charity Appeal and outlined a new set of rules for the Charity's financial administration. The Mayor's Office and Member Development Manager outlined the reasons why it was proposed that arrangements be updated which included changes in management structures, accounting arrangements and a change in the role of mayor's charity committees, with a view to improving clarity and accountability.

RESOLVED:-

that the new rules relating to the financial management of the Mayor's Charity Appeal as set out in Appendix 2 to the report be noted.

## **9. Planning Code of Practice**

The Standards Committee had before them the annual report from the Borough Solicitor following the Planning Code of Practice: Independent Review for the period June 2004 to May 2005. It was noted that paragraph 11 of the Planning Code agreed at the meeting of Full Council in May 2005 was misquoted in the review appended to the report and omitted reference to the provision in the code for members to request site visits at meetings of the Planning Committee as agreed previously.

The Deputy Borough Solicitor introduced what was considered to be a positive report, there being no significant concerns, and outlined the recommendations.

RESOLVED:

that the findings of the Planning Code of Practice: Independent Review for the period June 2004 to May 2005 and the comments of the Borough Solicitor be noted.

10. **Guillotine**

It being 10.30pm the guillotine arrangements came into effect.

11. **Review of the Register of Members' Interests and the Register of Gifts and Hospitality**

The Committee received a report updating them on the activities following the audit of the Register of Members' Interests and the Register of Gifts and Hospitality.

RESOLVED:-

that the report be noted.

12. **Declarations in the Register of Gifts and Hospitality**

The Committee received a report which updated Members on the declarations made in the period since the last Monitoring Officer's report in July 2004 in the Register of Gifts and Hospitality. Members were reminded that audit findings were reported to the Standards Committee at its January meeting. The audit was undertaken as part of the 2004-05 internal audit plan. The report from the auditors identified a number of failures to register gifts and hospitality and recommended that steps be taken to rectify non-compliances and improve the situation in the future. It was recommended that the Monitoring Officer give a 6-monthly report on the entries into the Register of Gifts and Hospitality which was met by the report before members.

RESOLVED:-

that the report be noted.

13. **Local Investigations**

The Local Authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004 made provision for local monitoring officers to investigate allegations of misconduct by members of relevant authorities and enabled authorities' Standards Committees to make determinations following reports into such breaches made by Monitoring Officers. These regulations came into force on 4<sup>th</sup> November 2004 and highlighted when cases were likely to be referred for local determination. It was noted that within local authorities there were concerns over possible conflict of interests between the roles of Borough Solicitor and Monitoring Officer and agreed that future consideration be given to the likely arrangements.

RESOLVED:-

that the report be noted.

**14. Standards Board for England Borough Statistics**

The Committee received a report which contained some of the latest statistics provided by the Standards Board for England in respect of the number of complaints received and decisions made in reference to allegations of misconduct by members of London boroughs.

RESOLVED:-

that the report be noted.

**15. Monitoring Officer's Annual Report**

Members received the annual report of the Monitoring Officer to the Standards Committee, covering the period from July 2004 up until May 2005, the last report having been submitted to the Committee in July 2004. The report gave an update on issues concerning member conduct and other issues which had, or would soon be, considered by the Standards Committee and the work of the Monitoring Officer during the past year. It was agreed to add to the work programme a report on the members' web pages and the outcome of the pilot.

RESOLVED:-

- (i) that the Monitoring Officer's Annual Report be noted;
- (ii) that a report be submitted on the members' web pages and the outcome of the pilot.

**16. Standards Committee Visit to the GLA**

The Committee noted that a visit to the Greater London Authority to attend a meeting of their Standards Committee had been arranged for Thursday 26<sup>th</sup> January 2006, the meeting starting at 2.30 pm.

**17. Visits to Standards Committee Meetings of Other Boroughs**

The Chair reported back on visits he had made to meetings of the Standards Committees of the London Boroughs of Ealing and Barnet. He referred to the composition of the committees which had a larger number of independent members but with a similar quorum to Brent's suggesting that this be reviewed. He also commended the quality of Brent's reports.

18. **Date of Next Meeting**

The next meeting of the Standards Committee will be held on Wednesday, 18<sup>th</sup> January 2006.

19. **Any Other Business**

None.

The meeting ended at 10.45pm

JOHN MANN  
Chair

*Mins0506/council/standards/std22nk*