

## TAUNTON DEANE BOROUGH COUNCIL

### STANDARDS COMMITTEE – ANNUAL REPORT – 2004/05

#### Introduction

The Council's Standards Committee has been operating for since 2000. Although our meetings are open to the public, the minutes are available for inspection and regular updates of our work published in the Weekly Bulletin we feel it is good practice to produce an annual report so that members of the Council and the public are aware of our activities.

#### Membership

Right from the start the Council has not only complied with the appropriate legislation but gone beyond it and ensured that the Committee had a majority of independent members who were not connected with the Council. Again, in accordance with the legislation, our Chair is chosen for the independent members.

There are also two Parish Council representatives and one Councillor from each of the political groups represented on the Council.

Full details of the Committee's membership is as follows:-

##### Independent members:

David Baker O.B.E. (Chair)  
Anne Elder  
John Dewdney  
Bryan Gould  
Maurice Stanbury  
W Lynn Rogers  
1 vacancy

##### Parish representatives:

Philippa Hawks  
Ernie Warren

##### Council representatives:

Councillor Mrs Allgrove  
Councillor Croad  
Councillor Slattery  
Councillor Mrs Whitmarsh

We are supported at our meetings by Jeremy Thornberry, the Council's Monitoring Officer, David Greig, Parish Liaison Officer and Greg Dyke, Member Services Manager.

## Terms of Reference

The Local Government Act 2000 introduced certain principles governing the conduct of members of relevant authorities.

The Terms of Reference which have been adopted by Taunton Deane's Standards Committee are:-

- (a) To advise on the adoption and monitoring of the new local Code of Conduct for members.
- (b) To be responsible for training of Councillors on ethical conduct.
- (c) To promote and maintain high standards of conduct in the Authority and assist the Authority's members to observe its Code of Conduct.

## Functions of the Standards Committee

In accordance with Section 54 of the Local Government Act 2000, the Committee is responsible for:-

- (a) promoting and maintaining high standards of conduct by the members and co-opted members of the Authority; and
- (b) assisting members to observe the code of conduct;
- (c) advising on the adoption of a code of conduct;
- (d) monitoring its operation; and
- (e) advising, training or arranging to train members on matters relating to the Code.

## Training

- a) Training of Councillors  
Over the past two years the Committee has organised and promoted training sessions on ethics and probity for all Taunton Deane Councillors and for all Parish Councils. This subject is also now incorporated in the induction training for all new councillors. The training sessions have been fairly well attended. Out of Taunton Deane's 54 Councillors, there are only eight (excluding those elected in May 2005) who have been unable to attend any of the training sessions. The relatively high profile of this Committee has continued to raise the awareness of ethics and probity amongst all Councillors.

The stage has now been reached where the Committee has considered what further steps should be taken to maintain the high profile and ensure that ethics and probity are kept firmly in the minds of all Councillors.

We therefore asked our Chairman to speak to the four political group leaders to emphasise the importance of their members attending the training sessions. We feel one further training session should be set up for those Councillors who have so far been unable to attend, and that some form of refresher training for all Councillors be included in the 2005/06 Member Training Programme.

We are pleased to note that the meeting with Group Leaders has taken place and the importance we place on training is shared by them.

b) Training of Standards Committee members

We too have undertaken training. We have attended training sessions on how to deal with Local Determinations and we have been represented at the Annual Assembly of Standards Committee. We also keep abreast of national developments, policies and trends by being represented at the Regional Roadshows organised by the Standards Board for England.

Independent members in the Region have formed the South West Independent Members Forum at which we are able to hear from officers of the Standards Board and, most importantly, network and share good practice with our colleagues.

### Review of 2004/2005

During the year we have met on four occasions. The areas we have discussed have been:

- Training
- Consultation papers from both the Government and the Standards Board for England
- Feedback from forums and meetings
- Parish Councils and the Code
- The future of the ethical agenda and the role of the Standards Board for England
- A review of the existing Code of Conduct.

Training has been covered earlier in the report and a little more detail on national developments is submitted later.

With regard to Parish Councils we consider their awareness of ethics and probity to be equally as important as Borough Councillors. We are fortunate to have the services of David Greig, Parish Liaison Officer who has provided one to one training for many Parish Councils where appropriate. He is also a regular attendee at a large number of Parish Council meetings and is therefore able to monitor all matters concerning ethics and probity. He has visited over 27 Parish Councils during the year and observed first hand how they function. No serious cause for concern has been revealed.

In addition, we are pleased to report that this Committee, through its Chairman, made a presentation at the Annual Meeting of Parish Councils emphasising the importance of ethics and probity and reminding them of their responsibilities.

We have been notified of two cases at Norton Fitzwarren which have been determined by the Standards Board for England. In both cases, no breach of the Code was found.

### National Developments

During the year we have responded to consultation papers from the ODPM and the Standards Board for England on Local Determination Regulations and Local Investigations – Draft Guidance for Monitoring Officers.

The Standards Board for England has been reviewing the Code of Conduct and had invited all Standards Committees to help to shape its future. Details of their consultation paper have been considered by us. We were disappointed that the consultation paper did not address what we felt were the main issues concerning most local Standards Committees. Once again the need to deal with most cases locally was emphasised. It was also felt that the process needed to be speeded up, it shouldn't be so prescriptive and legalistic and a reserve power should be introduced in order to give the Standards Board an ability to call in cases within a particular time period.

The Committee on Standards in Public Life had also produced a report which covered all elected and appointed public office holders. The major part of the report focussed on public appointments. There was, however, a section where the report looked at the ethical agenda and the role of the Standards Board for England.

We were more than interested to note that the inquiry had concluded that the framework must move to locally based arrangements for the initial handling, investigation and determination of all but the most serious cases. This is not a view shared by the Standards Board for England. The Committee agreed with the views contained in the report on implementing standards of conduct in public life and saw no reason why cases could not be handled locally in all but the most serious instances. It acknowledged that some form of reserved power be included to allow the Standards Board for England to deal with contentious cases.

We felt sufficiently strongly to submit these views to the Standards Board for England with copies to the Office of the Deputy Prime Minister, Local Government Association and National Association of Local Councils.

### The Future

We intend to continue to provide training for Borough and Parish Councillors. We will continue to press for local determination of cases. We remain convinced that all but the most serious cases should be dealt with by local Standards Committees rather than centrally by the Standards Board for England.

We particularly want to offer further support to our Parish Councils. Great strides have been made by the parishes since the introduction of the Code but we recognise that we have a legal duty to ensure that both tiers of local government are clear on their responsibilities and of the protection the Code offers them. In addition to the presentation at the Annual meeting of Parish Councils we will be looking at what more we can do and how we can continue to work with Parish Councils.

Guidance on appointment of members to the Standards Committee is an area to which we feel we can contribute. We will, therefore, shortly be taking a look at the criteria for selection.

Our meetings will be more formally timetabled and advertised more fully. We recognise that the operation of the Standards Committee should be just as open and transparent as any other Committee of the Council.

Above all, we will strive to continue to maintain the high profile and ensure that ethics and probity are kept firmly in the minds of all Councillors. By doing this, Councillors will be well prepared to deal with all matters in an open and transparent manner.

David Baker  
Chair  
Taunton Deane Standards Committee