



# THE STANDARDS COMMITTEE

**Melton Borough Council**

Promoting high standards within Melton Borough  
and its Parish Councils

ANNUAL REPORT – 2010/11

**The Standards Committee of  
Melton Borough Council  
Annual Report May 2010 – April 2011**

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## **Foreword by the Chairman**

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This is the second Annual Report of the Standards Committee. The report covers the period May 2010 to April 2011. With the introduction of local assessment on 8 May 2008, this has significantly enhanced the role of local Standards Committees.

### **The Role of the Standards Committee**

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The main role of the Standards Committee is to promote and maintain high standards of conduct amongst the 28 Members of the Borough Council and approximately 100 members of 26 Parish Councils in the Borough.

The Standards Committee is currently responsible for the following main activities:

- Promoting and maintaining high standards of conduct by Borough Councillors, Parish Councillors and co-opted members
- Ensuring members are trained to carry out their duties effectively
- Advising on the Members' Code of Conduct and protocols
- Monitoring the operation of the Code of Conduct
- Dealing with the local assessment of complaints
- Conducting local hearings and determination of sanctions should a breach of the code of Conduct be found
- Monitoring performance
- Making returns to Standards for England
- Overview of Council complaints
- Dealing with dispensations
- Oversight of the Council's Constitution
- Oversight of the Council's Anti Fraud Strategy
- Overview of the Council's Whistleblowing Policy

The Committee was, prior to 2008, responsible for hearing complaints which had been referred to it by the Standards Board for England. However, from 8 May 2008 the Standards Committee became responsible for receiving all complaints about alleged breaches of the Code of Conduct made against members of Melton Borough Council and Parish Councillors within the Melton Borough. There is an initial assessment stage when a Standards Assessment Sub Committee made up from members of the Standards Committee meets to consider whether the complaint relates to a local member, if it discloses a potential breach of the Code of Conduct and if it does, whether it ought to be investigated or dealt with by other means such as mediation or training. Some decisions can be appealed by the complainant and if an appeal is made, this will be considered by the Standards Review Sub Committee made up from different members of the Committee.

If a complaint is referred for Investigation, the Monitoring Officer appoints an independent investigating officer, who produces a report for the Assessment Sub Committee. This Sub Committee determines whether they support the findings of the investigation, either that no breach of the code has been found or that it is a minor breach, which does not warrant any further action. If a complaint has been investigated and a breach of the Code is disclosed then the Standards Sub committee (Hearing) will meet to hear evidence and representations and to determine if there has been a breach of the Code of conduct and if so what sanctions are appropriate.

## Members of the Committee

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The Standards Committee is composed of four Independent Members, four Borough Councillors and four Parish Council Members.

<b>Independents</b>	<b>Councillors</b>	<b>Parish Councillors</b>
Mr A Hand	P Chandler	Hon Alderman A M Dames
Mr A Hockey	C O Chapman	Mr P Holbrook
Mr M J Mayes	S Dungworth	Mr R A Putnam
Vacancy	E Holmes	Mr J Machin (additional nominee)

Mr. R.A. Putnam sadly passed away on 29 August 2011.

## Officers who Support the Committee

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The Standards Committee and Sub Committees are supported by the Monitoring Officer (Christine Marshall – Strategic Director) and the Deputy Monitoring Officer (Verina Wenham – Solicitor to the Council).

The Democratic Services Team services the Committee and makes arrangements for the distribution of agendas, reports and minutes of the Standards Committee and Sub Committee meetings.

### **The Monitoring Officer:**

Under the provisions of the Local Government and Housing Act 1989, Councils have a duty to appoint a Monitoring Officer to ensure the lawfulness and fairness of Council decision making. The Monitoring Officer effectively serves as the guardian of the Council's Constitution and the decision-making process.

The Monitoring Officer also works closely with the Council's Standards Committee to assist it in its role of promoting and maintaining high standards of conduct amongst members of the borough Council and members of Parish Councils in the Borough.

The Monitoring Officer is responsible for establishing and maintaining the register of members' interests.

The Monitoring Officer is the main advisor to the Standards Committee. She is responsible for ensuring the decisions of the Standards Committee are implemented. If the Standards Committee refers an allegation for investigation, the Monitoring Officer/Deputy Monitoring Officer will arrange for it to be investigated.

The Monitoring Officer is also the main point of contact with Standards for England.

## **Meetings of the Standards Committee May 2010 - April 2011**

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A summary of meetings held is as follows :

<b>Standards Committee</b>	3
<b>Assessment Sub-Committee</b>	5
<b>Review Sub-Committee</b>	4
<b>Assessment (Consideration) Sub-Committee</b>	1
<b>Hearing Sub-Committee</b>	0

## **Complaints Statistics May 2010 – April 2011**

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Total number of complaints received May 2010 – April 2011 = 5  
- of which

- 5 were considered by an Assessment Sub Committee
- 4 were considered by a Review Sub Committee
- 2 concerned the actions of a Parish Councillor only
- 3 concerned the actions of Borough Councillors only
- 0 concerned the actions of a Borough & Parish Councillor combined

### **Actions Taken**

- 0 complaints were withdrawn
- 4 were considered to warrant No Further Action
- 1 was referred for Other Action by the Monitoring/Deputy Monitoring Officer
- 0 were referred for investigation (2 investigations are continuing)
- 0 were referred to Standards for England

### **Who makes the Complaint?**

4 out of the 5 complaints received were from members of the public. 1 was from a Borough Councillor.

# The Work of the Standards Committee

## May 2010 – April 2011

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### 1. Local Assessment of Complaints

The arrival of local assessment on 8 May 2008 saw the transfer of functions from the Standards Board for England to the local level. From that date all complaints about the conduct of councillors have to be submitted to the local Standards Committee.

In preparation for the transfer of these new duties we have had to set up separate Standards Sub Committees. Although the new structure may be viewed as bureaucratic one clear advantage is that members have had the opportunity to see the different elements of the standards agenda at work.

In preparation for local assessment we have had to ensure that members were suitably trained to carry out this new work that we had proper written procedures in place. A special toolkit was established to support us in this work. With all complaints having to be in writing we have established a page on the Council's website giving advice on how to make a complaint. On this site members of the public can download complaint forms and other useful information including "how to make a complaint". We understand that not everyone has access to the website and therefore we can provide paper copies on request and help, if necessary, for the form to be completed.

With a national target of 20 working days to deal with local assessment cases, our average to date is within this. We are however below average in the time taken to progress investigations and different arrangements will be put into place for any new investigations undertaken.

### 2. Register of Members' Interests

Members must tell the Monitoring Officer in writing within 28 days of taking office or within 28 days of any change to their register of interests, of any interests which fall within the categories set out in the Code of Conduct.

In accordance with best practice, all Borough Councillors are invited annually to review their registrations. Parish Clerks are asked to place an item on their parish council agenda each year reminding members to do the same. The registrations are available to view on request by any Member or member of the public and consideration is currently being given to the registers being displayed on the Council's website.

### 3. Training

Rather than simply focus on standards training provided during the year we thought it would be sensible to list all the key training given to Members during the year to increase their understanding of Council business generally and this is as follows :-

Date	Training/Development Event
<b>2010</b>	
May	121 Planning Update for sitting on Dev Cttee
May	Bias and pre determination for sitting on Development

Date	Training/Development Event
	Committee
18 May	Standards Training
26 May	Civic Heads Training
21 June	Workshop on Lean Management
6-9 July	LGA Conference
11-14 July	CABE Urban Design School
23 July	Effective Challenge
28 July	Licensing Training for new Members to Cttee & refresher
24 Aug	Understanding the Elected Member's Role in Budget Consultation
Aug	OSA Cttee Training
Sept	LGA Rural Conference
28 October	Creating a Health and Social Care Service Fit for an Ageing Population
27-28 Nov	Leadership Academy Young Councillors Weekender Event
7-11 Sep	Planning Summer School – York
30 Sept	Standards Training

#### 4. **Dispensations**

None

#### 5. **Constitution**

The Monitoring Officer in conjunction with the Democratic Services team, Overview, Scrutiny and Audit Committee and the Constitution Review Task Group have reviewed the Constitution and this is pending approval by the Full Council on 20 July 2011.

#### 6. **Review of Policies and Procedures**

The Monitoring Officer and as necessary the Standards Committee reviews all policies and procedures relating to ethical standards and various codes, policies and protocols.

- The Anti-Fraud and Corruption Policy and Strategy - specific action has been taken to increase awareness amongst staff in strengthening proactive anti-fraud measures.

- The Whistle Blowing Policy – specific action has been taken to increase awareness amongst staff.
- Ethical Framework Summary – this document was specifically created to bring together for training purposes the overarching framework for Ethical Standards and which has then been rolled out to all staff in the form of a presentation.
- The change of legislation in respect of the Localism Bill will involve a complete review of all policies and procedures, the full detail of which is still awaited.



## Draft Forward Work Programme 2011/12

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1. Local assessment of complaints and reviews
2. Consider and determine applications for dispensations, as appropriate
3. Preparation of Annual Report for presentation to the Full Council
4. Annual Review of the Ombudsman report
5. Training of Standards Committee Members – 2011/12
6. Review of policies, procedures, constitution as appropriate
7. Other matters as determined by the Committee during the course of the year
8. Consideration of any change in legislation that affects the work of the Committee

### Contacts

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For further information about the role of the Standards Committee or standards issues in general, please contact either of the following:

Christine Marshall Monitoring Officer Melton Borough Council Phoenix House Nottingham Road Melton Mowbray Leicestershire LE13 0UL 01664 502532 <a href="mailto:cmarshall@melton.gov.uk">cmarshall@melton.gov.uk</a>	Verina Wenham Deputy Monitoring Officer Melton Borough Council Phoenix House Nottingham Road Melton Mowbray Leicestershire LE13 0UL 01664 502490 <a href="mailto:vwenham@melton.gov.uk">vwenham@melton.gov.uk</a>
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