
DACORUM BOROUGH COUNCIL

STANDARDS COMMITTEE

05 March 2015

Present -

MEMBERS:

Borough Councillors: Cllr Mrs Green (Chairman) and C Wyatt-Lowe (Substitute Member).

TOWN AND PARISH COUNCIL CO-OPTED REPRESENTATIVES:

Councillor McCarthy (Aldbury Parish Council)
Councillor Collins (Berkhamsted Town Council)

INDEPENDENT CO-OPTED REPRESENTATIVES

None

ALSO IN ATTENDANCE

Rachel Keil (Independent Person)

OFFICERS:

Steven Baker, Assistant Director (Chief Executive's Unit)
Kayley Johnston Members Support Officer

The meeting began at 7.30 pm.

1. MINUTES

The minutes of the meeting held on 4 December 2014 were confirmed by the Members present and were then signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Mrs Rance and Councillor Ayling, Councillor C Wyatt-Lowe attended as a substitute on behalf of Councillor Rance

Councillors Flint, Wood and Independent Co-opted Representative Amy Wilcox did not attend.

3. RECRUITMENT OF INDEPENDENT MEMBERS ON THE STANDARDS COMMITTEE

Cllr McCarthy asked if the committee were happy that there was a need to recruit before they went over the report.

Steve replied if the committee felt they don't want to recruit and if they wanted to alter the composition they can make recommendations, but as it stands we are duty bound to follow the process in recruiting two more independent people unless the committee can justify to Cabinet why they are not required.

Cllr McCarthy was worried about the cost for the interview process and the training expenses.

Cllr C Wyatt-Lowe said that that the vacancies have arisen and the terms have expired, this leaves little time to act on due to the Election and possibly new Councillors being elected on 7th May. They have very little time to act before the Election as it has to go through the committee process and would take 2/3 weeks and would fall in the middle, it would be more appropriate for it to be dealt with after the election of Members. She wanted clarification that independent members are appointed for 4 years.

This was confirmed as correct by Steve Baker if they are appointed at the start of term then it's usually for 4 years.

Cllr Green understands Cllr McCarthy's point of view but it would be wrong to say they don't need independent people. She followed on by saying its good practice and that it's still worth looking at the recruitment process and if there are going to be any changes it won't be now it will be after the Election. The next Standards Committee is 11th June 2015 the committee need to decide whether to review the process now or do we leave it for the next Council year. Cllr Green asked for Steve's recommendations bearing in mind the legal position.

Steve replied to Cllr Green saying that it's up to Members to say if they feel independent members are appropriate. If the committee think independent members are a good idea then Steve can get the ball rolling and things put in place. He accepts what Cllr Wyatt-Lowe is saying, that it won't be done before the Election but if nothing happens until June, and then they won't get approval from the committee till after then, whereas if it's agreed now he can get the ball rolling straight after the Election. If the option was left open for the new committee to decide then he won't do anything because there is no point advertising for something that may not be needed.

Cllr Collins asked the question that between now and June the Standards Committee will still be in existence but it won't have two independent members is that what you're saying?

Steve agreed that the committee can still function without these two independent members.

Cllr Collins said that we need to be seen as justice being done and we need to get everyone involved and independent members sounds wonderful as they have a voice and puts the Committee in shape.

Cllr Wyatt-Lowe said she thinks it's very important to have independent members because she doesn't believe you can have a Standards Committee without looking at it truly independent, and for them to have that input even though the two that they have haven't been turning up and that hasn't been helpful. The public for the

Standards Committee look at possible infringements of the Standards that are set. It is very important that we are perceived by the public to be doing this. McCarthy said that due to this new procedure the process never ends up coming to the committee anyway.

Steve said that if it did go to a hearing then the Independent Members would be part of that decision and decide whether that Member is guilty of a breach. They wouldn't be part of the panel but would have an influence.

Cllr Green agreed with the committee to move forward with the agenda.

Steve Baker presented the above report to the committee and asked for any comments or amendments.

Cllr McCarthy said it looks perfectly acceptable to him.

Steve said the criteria is similar to the criteria which was applied to the Independent Person.

Cllr Green moved on to the application form, where it says 'supporting information', do we want to have a question in there saying something 'in your past history that you think the Council should be aware of?'

Rachel Keil said you would struggle to get someone to declare it until someone found out.

Steve said maybe something could be flushed up at interview.

Cllr Collins referred to question 4, how do people know the answer to that, and what is a Partner?

Cllr Wyatt-Lowe thinks that this is an important question. Example if you were appointed to one of the Acute Hospital Trusts they do need to know things like that and they do need to know whether your spouse or partner has any interests that may cause you to be conflicted.

Cllr Collins said when do you draw the line?

Cllr Wyatt-Lowe replied, when you question them and it becomes apparent.

Rachel Keil made reference to the application form and the format needs tidying up. Steve agreed.

Cllr Green asked if a line on the 'Information for Candidates' booklet could be changed page 2, 'play an active role in their local community'. Could it say to demonstrate an active interest?

Steve agreed to change this.

Steve said that he would normally advertise this in the Dacorum Digest but as you are aware we have just missed one, the next Digest will be in the Summer so will go out to advertisement then. Steve will also ask Tenants and Leasehold Consultation Committee if it can be advertised there.

Cllr McCarthy said that if there isn't much for the Standards Committee to do, then they have to look for things to do as this is why the other Independent Members left.

Steve said they do have a way of promoting standards and the ability of the Committee to get involved in training other Members and an independent input that could be helpful. There also is a role in keeping the code under review. Three years on it may be time to review that code and make sure its fit for purpose, there is also a protocol on the back of the code.

Cllr Collins disagreed as they shouldn't have to look for things for them to do as when the Standards Committee are expected to do something they need to be available to spring into action if something does arise and they should be delighted when they don't have much to do.

Cllr Green said we must keep Standards up to date and looking how we would operate if something was to arise.

Cllr Collins agreed.

Steve said that he had spoken with Neil Harden saying that the terms had expired and did anticipate there may be a question as to whether they do need to recruit new Independent Members given the lack of business for the committee. Neil made a comment that that after the Election they will have a new intake of Members and have done well so far, pretty well behaved as a culture and they have followed the code, well trained and after the election issues may arise.

Steve said members will have an induction for standards so they will know what is expected but it's a more powerful message when the Standards Committee are more proactive promoting the committee.

Cllr Collins said we need to be liberal on what we accept into the committee.

Cllr Green said that the committee are happy for this report to be brought forward and there are no other recommendations.

Steve said that in recommendation 2, to adopt what the Appeals Committee do and draw down five Members.

Steve also spotted an error which says three Members; he will change that to four Members.

Cllr Wyatt-Lowe made a point that three Members are standing down and what if any of the others didn't get re-elected. Steve replied, he will then need to get them in and re-train them as soon as possible.

Action: None

Outcome: Report was noted.

Cllr Ayling was not present for the meeting but would like to have an input. He said he would have agreed them if he had been at the meeting and that they appear to reflect previous like documents and cover the essential criteria.

4. DATE OF NEXT STANDARDS COMMITTEE MEETINGS

The committee agreed that the next meeting will take place on Thursday 11 June 2015

5. EXCLUSION OF THE PUBLIC

None

The meeting ended at 20:05 pm.