



STANDARDS COMMITTEE

BURNLEY TOWN HALL

Monday 7th October 2013

PRESENT MEMBERS

Councillor Royle in the Chair.

Councillors Brindle, Harrison and Kennedy

OFFICERS

David Wilcock - Monitoring Officer
Elaine Newsome - Democracy Officer

ALSO IN ATTENDANCE

Gill Smith – Parish Representative

6. Apologies

Apologies for absence were received from Councillors Carmichael and Cooper, Alan Ravenscroft Parish Representative and Mark Webb independent member.

7. Minutes

IT WAS AGREED

That the minutes of the last meeting held on the 24th June 2013 be agreed as a correct record and signed by the Chair

8. Committee on Standards in Public Life Annual Report

The Committee received, for information, the annual report of the Committee on Standards in Public Life. The Monitoring Officer highlighted the views of the body in relation to the introduction of the new Standards regime in 2012 and the lack of sanctions now available to councils.

**IT WAS
AGREED**

That the Committee on Standards in Public Life Annual Report be noted.

9. Openness and Transparency on Personal Interests

The Committee considered the latest guidance from the Department for Communities and Local Government on the requirement to declare personal interests. The guidance aimed to clarify the position in respect of membership and sponsorship of Councillors by a trade union.

Members were reminded that they had adopted specific provisions into the Councils Code of Conduct relating to trade union interactions and that the Code also covered membership of other groups that looked to influence public or government opinion.

The Committee discussed the following:

- Registration requirements for Parish Councils. It was highlighted that parishes were required to maintain their register of interests and that the Borough Council was required to publish this on their website. Parish Councils were only required to publish their register on-line if they had a parish website.
- The difficulty of determining the nature of spousal or partner related interests. The Monitoring Officer suggested that where Members were uncertain of potential interests, they should seek advice from him.

**IT WAS
AGREED**

1. That the position with respect to the Burnley Council Code of Conduct be noted;
2. That the revised guidance be circulated to all Member of the Council and Clerks of each Parish or Town Council in the Borough.

10. Update on Town/Parish Council Registers of Member's Interests

Members received an update on progress towards full statutory compliance in relation to the registration of interests. Further to the last meeting, the Monitoring Officer advised that the number of Councillors in compliance had increased, leaving 3 parish members and 1 borough member to submit their registration documents.

He further advised that Parish Clerks and the Democracy Team continued to actively encourage and support members in order that they complied and that where required, borough council group leaders had been engaged to assist in securing a completed register entry for all Councillors.

The Committee considered the sanctions available to them if those with outstanding registration requirements did not comply. The Monitoring Officer advised that the new regime allowed for criminal sanctions in relation to breach of the code for non-disclosure. He further reported that, whilst non-compliant members left themselves exposed to a potential complaint, these were required to be referred to the police for action.

**IT WAS
AGREED**

1. That the current position in relation with the registration of interests be noted;
2. That the Monitoring Officer contact the Chair of the Committee to discuss any outstanding register entries and potential options if they remained outstanding before the next meeting in November

11. Complaint Statistics

The Committee received an update on the number of complaints received about Members since April 2013. The Monitoring Officer advised that 7 complaints had been received and processed; 1 had been referred to Lancashire County Council as it related to the behaviour of a member acting in a county councillor role; 1 had been rejected at assessment as being outside the jurisdiction of the Standards Committee and the complainant advised of the alternative route by which the matter could be progressed; 1 complaint was awaiting assessment, 3 were currently under investigation and 1 complaint had been resolved through a mediatory process.

In response to a question on mediation, the Monitoring Officer advised that this course of action was utilised where appropriate, but that this was only one remedy and would only be proposed where it was a suitable outcome to a complaint.

**IT WAS
AGREED**

That the report be noted.

12. Report back from Data Protection Member Workshop

The Monitoring Officer gave a verbal report on the data protection workshop for members that had been held on the 11th September 2013. Members were advised that the workshop was facilitated with the assistance of one of the independent persons and that the content aimed to address data protection issues that were relevant to Councillors. He advised that attendance by members was low, with only 6 members attending. The Committee suggested that falling attendance levels at workshops was an issue generally and it was highlighted that a related report had been submitted to Member Structures and Support Working Group for their consideration.

**IT WAS
AGREED**

That the report be noted.

13. Work Programme

**IT WAS
AGREED**

That Committee discussed the research on the ethical governance framework which would be considered at the next meeting. The Monitoring Officer outlined that this piece of work would aim to assess current public levels of knowledge and understanding of the current governance infrastructure alongside gauging Councillors views of the framework.

Members discussed options to heighten public awareness and undertook to consider these alongside the outcomes of the research.

That the work programme as submitted be noted, subject to confirmation of future meeting dates as being:

Monday 25th November 2013 and
Monday 24th March 2014