

Standards Committee

Agenda

Date: Monday, 24th May, 2010
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**
2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos. 11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to its work.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Members of the public should provide three clear working days notice, in writing, if they wish to ask a question at the meeting, in order for an informed answer to be given. It is not required to give notice of the intention to make use of public speaking provision; however, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Please contact Carol Jones on 01270 686471
E-Mail: carol.jones@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

MATTERS REQUIRING A DECISION

4. **Minutes of Previous Meeting** (Pages 1 - 6)

To approve the Minutes of the meeting held on 29th March 2010.

5. **Work Programme - 2010-2011** (Pages 7 - 12)

The Committee is invited to approve a Work Programme for 2010-2011.

6. **Partnerships Protocol** (Pages 13 - 18)

To consider the report of the Monitoring Officer which outlines progress to date on the development of a Standards Partnerships Protocol.

7. **Training for Members** (Pages 19 - 22)

To consider the report of the Monitoring Officer on any training requirements for Members in general and for Members of the Committee.

INFORMATION ITEM

8. **Working Group Report** (Pages 23 - 24)

To receive the notes of a meeting of the "Issues and Ideas" Working Group.

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9. **Exclusion of Public and Press**

The report relating to the remaining item on the agenda has been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the public and press excluded.

The Committee may decide that the public and press be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

10. **Complaints Under the Code of Conduct** (Pages 25 - 26)

To report receipt of complaints made against Borough, Town or Parish Councillors.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Standards Committee**
held on Monday, 29th March, 2010 in Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Mr Nigel Briers (Chairman)
Mr David Sayer (Vice-Chairman)

Councillors Rhoda Bailey, B H Dykes, J Goddard, J Hammond, M A Hollins,
M A Martin, M Parsons and L Smetham

Independent Members:

Mr R Pomlett, Mr I Clark and Mr M Garrett

Parish Council representatives:

Mrs P Barnett, Mrs T Eatough and Mr K Edwards

89 URGENT BUSINESS

The Chairman announced that there was one item of urgent business to bring before the meeting. This related to the reporting of "Complaints Under the Code of Conduct".

The reason for the urgency was that, in accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chairman was of the opinion that the item should be considered at this meeting as a matter of urgency as it was intended to have appeared on the agenda as a separate item but had inadvertently been omitted on the assumption that a separate item on the agenda covered the subject matter; it was subsequently realised that it ought to be considered as a separate item.

The item would be considered at the appropriate point in the proceedings.

90 DECLARATIONS OF INTEREST

No declarations of interest were made.

91 PUBLIC SPEAKING TIME/OPEN SESSION

In the absence of members of the public, the Committee proceeded to its next item of business.

92 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 25th January 2010 be approved as a correct record, subject to the following amendments –

- (a) The inclusion of Mr R Pomlett in the list of those present;
- (b) The addition of the name of “Mr Tim Leslie”, Director of Regulations, Standards for England, to be noted as an attendee at the “Away-Day” held on 11th December 2009 as noted in Minute No. 84.

93 PILOT COMPACT

The Pilot Compact Working Group, which had met on several occasions, held its last meeting on 17 February 2010. The minutes of the meeting were submitted, together with the proposed draft Compact.

The Committee was invited to adopt the draft Code of Conduct Compact for use within Cheshire East.

RESOLVED:

That the draft Code of Conduct Compact be adopted for use within Cheshire East.

94 MEMBER AND OFFICER PROTOCOL

The Committee received for consideration a copy of the Member/Officer Relations Protocol from the Council's Constitution.

RESOLVED:

That the Member/Officer Relations Protocol be noted.

95 ANNUAL REPORT

The Annual Report was submitted. This was the first report of its type since the inception of Cheshire East Council; it outlined the activities undertaken by the Standards Committee over the past year.

RESOLVED:

That the report be noted and that it be submitted to full Council for information.

96 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing the information.

97 COMPLAINTS UNDER THE CODE OF CONDUCT

The Monitoring Officer reported that during the past Council year there had been four complaints against serving or former Councillors as follows –

- On 12th May 2009, the Sub-Committee considered a complaint transferred from the former Crewe and Nantwich Borough Council (CNBC/01/09). The Assessment Sub-Committee considered the report of the Investigator and agreed with his finding that there had been no breach of the Code of Conduct by the Subject Member.
- On 12th May 2009, the Sub-Committee considered a request from a complainant for a withdrawal of his complaint. The complaint had been made against a former Cheshire County Councillor and had been transferred to Cheshire East Council under the transitional arrangements. The County Councillor is no longer a serving councillor. The Sub-Committee was satisfied with the reasons for the request and granted the withdrawal of the complaint.
- On 17th June 2009, the Sub-Committee considered a complaint transferred from the former Macclesfield Borough Council. The Assessment Sub-Committee considered the report of the Investigator and agreed with his findings that there had been no breach of the Code of conduct by the Subject Member.
- On 21st December 2009, the Assessment Sub-Committee considered a complaint made against a serving Cheshire East Councillor. The Assessment Sub-Committee concluded that there was no case to answer and both complainant and Subject Member were informed of the outcome.

RESOLVED:

- (a) That the report be noted; and
- (b) That reports on complaints against Borough, Town or Parish Councillors be included as a standing item on future Committee agendas.

98 **RE-ADMITTANCE OF PRESS AND PUBLIC**

RESOLVED:

That the press and public be re-admitted to the meeting.

99 **BRIBERY BILL**

The Committee received a report on the content and impact of the Bribery Bill, which was progressing through Parliament and the House of Lords at present.

The aim of the prospective Act was to provide a more effective legal framework to combat bribery in the public and private sectors. It would replace the current fragmented and complex offences at common law, as well as the body of Acts between 1889-1916, comprising the Public Bodies Corrupt Practices Act 1889 and the Prevention of Corruption Act 1906-1916.

Two new general offences could be created, covering the offering, promising or giving of an advantage, and requesting, agreeing to receive or accepting of an advantage. The formulation of these offences was designed to abandon the agent/principle relationship, in favour of a model based on intention to induce improper conduct. A further offence of bribery of a foreign public official would also be created.

There would also be an offence of failure by a commercial organisation to prevent a bribe being paid for or on its behalf. It would be a defence if the organisation had adequate procedures in place to prevent bribery.

The new legislation did not require any changes to be made to the existing Code of Conduct to which Members of the Council, and employees of the Council, were already subject.

RESOLVED:

That the report be noted.

100 **MEMBER TRAINING**

The Committee was invited to consider any training needs at this time.

It was noted that the Code of Conduct training which had been arranged in March 2010 had been postponed as a result of the delay in publishing the new Code of Conduct.

During discussion of this item, the Chairman indicated that he would like to invite Members to an informal Issues and Ideas Group whose role would be to support the work of the Standards Committee and examine any

notable practice with the Borough and nationwide. Any Member of the Committee would be welcome on 11th May 2010 at 10.00 am.

The Monitoring Officer reminded Members of the formal requirements for decision-making bodies and the need for reports to follow the corporate standard so that appropriate Officer advice could be given and all relevant legal and policy implications considered.

RESOLVED:

That the position on Member training be noted.

**101 ANNUAL ASSEMBLY OF STANDARDS COMMITTEES
(18TH AND 19TH OCTOBER 2010)**

The Annual Assembly of Standards Committees was to be held on 18 and 19 October 2010 at the International Convention Centre, Birmingham. The Committee considered if there should be representation at the Annual Assembly and agreed that two members should attend, one on each day.

RESOLVED:

That Councillor Michael Parsons attend the Annual Assembly of Standards Committees on 18 October and Councillor Lesley Smetham attend on 19 October 2010.

102 THE BULLETIN (NO. 47)

The Committee received for information Bulletin No. 47 issued by Standards for England.

RESOLVED:

That the contents of the Bulletin be noted.

103 TIMETABLE OF MEETINGS - 2010-2011

Council, at it meeting on 25 February 2010, had approved its Timetable of Public Meetings for 2010-2011. Meetings of the Standards Committee were to be held at 2.00 pm on the following dates:-

24 May 2010	26 July 2010
27 September 2010	22 November 2010
24 January 2011	28 March 2011

RESOLVED:

That the meeting dates for the Standards Committee for 2010-2011 be noted.

The meeting commenced at 10.30 am and concluded at 11.30 am

Mr Nigel Briers (Chairman)

CHESHIRE EAST COUNCIL

REPORT TO: STANDARDS COMMITTEE

Date of Meeting: 24th May 2010

Report of: Monitoring Officer

Subject: Work Programme 2010-2011

1.0 Report Summary

- 1.1 The report invites the Standards Committee to agree a work programme for 2010-2011.

2.0 Recommendations

- 2.1 That the work programme for 2010-2011 be approved.

3.0 Reasons for Recommendations

- 3.1 The role of the Standards Committee is set out in Part 3 of the Council's Constitution, and a work programme will assist the Committee to meet its obligations in a timely manner.

4.0 Wards Affected

- 4.1 Not applicable.

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 The work of the Standards Committee contributes to the Annual Governance Statement of the Council. The Standards Committee's work programme will help to support the Council's system of internal controls.

7.0 Financial Implications 2009/10 and beyond

- 7.1 None identified.

8.0 Legal Implications

- 8.1 The Standards Committee discharges the Council's functions under Part III of the Local Government Act 2000 and subsequent regulations. The roles and responsibilities of Standards Committees are set out in the Local Assessment Framework Guidance.

9.0 Risk Management

- 9.1 The Council has identified complaints under the Local Assessment Framework as a significant risk. Through its work programme, the Committee is asked to identify actions and projects which will encourage high levels of conduct and reduce the likelihood of complaints being made.

10.0 Background and Options

- 10.1 The function of the Standards Committee is set out in Part 3 of the Council's Constitution. The remit of the Committee comprises the following -

- Assessment of new complaints (discharge of any functions under S57A of the Act)
- Reviewing decisions to take no action over a complaint (S57B of the Act)
- Consider final investigation reports and conduct determination hearings.
- Considering and granting, or otherwise, dispensations in respect of Members' Interests when so enabled under Part III of the Local Government Act 2000;
- Promoting high standards of ethical behaviour by developing, maintaining and monitoring codes of Conduct for Members of the Council (including Co-opted Members and other persons acting in a similar capacity) and for employees in accordance with best practice and Government guidance;
- Advising the Council on the adoption or revision of the Codes of Conduct for Members and Officers;
- Ensuring that Members receive advice and training as appropriate on the Members' Code of Conduct;
- Issuing advice to Members on the treatment of personal interests and on conduct matters generally;

- Ensuring that the Council maintains appropriate links with the Standards Board for England and the Commission for Local Administration in England (Ombudsman);
- Referring issues, which impinge on staff conduct, performance, terms of employment, training and development to the appropriate and responsible Executive Member and/or Manager;
- Promoting high standards of responsiveness by the Council to its clients and contacts
- Advising other persons/bodies on probity and ethics as appropriate, particularly where that person or body is exercising functions on behalf of the Council;
- Supporting the Council's statutory officers as appropriate or their authorised deputies, in the performance of their duties;
- The local determination of complaints following any allegations of misconduct by Members;
- The determination of applications for exemption in respect of politically restricted posts.

10.2 To ensure that the Standards Committee is fulfilling its functions as set out in the Constitution, the Committee is asked to develop a work programme designed around its responsibilities.

10.3 The Monitoring Officer is required to report annually on the delivery of the ethical framework to Standards for England; this includes the following areas –

- Communication – publicising information about the work of the Committee
- Influence – promoting standards issues with senior figures within and external to the Council
- Training and Support – assessing training needs of Members
- Investigations
- Relationships with Parish and Town Councils

The Committee may wish to consider one or more of these themes as part of its work programme.

10.4 A draft containing suggestions for items to be included is attached as an appendix for consideration by the Committee.

11.0 Overview of Year One and Term One Issues

11.1 None identified.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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APPENDIX

WORK PROGRAMME – 2010- 2011

Month	Item
May 2010	<ul style="list-style-type: none"> • Report on Partnerships Protocol • Training requirements (standing item) • Work Programme 2010/2011
July 2010	<ul style="list-style-type: none"> • Monitoring compliance with the Code of Conduct (monthly report on the number and types of complaints which have been referred). • Progress report on Partnerships Protocol • Training requirements (standing item) — to give consideration to the arrangement of training sessions on the Code of Conduct for Borough, Parish and Town Councillors. This will be dependent on Communities and Local Government (CLG) having published the revised Code. • Local Government Ombudsman complaints – these are published at the end of the June
September 2010	<ul style="list-style-type: none"> • Monitoring compliance with the Code of Conduct (monthly report on the number and types of complaints which have been referred). • Training requirements (standing item) • Raising awareness: to review publicity for the role of the Standards Committee. • Review of Register of Interests. Committee to receive a report twice yearly on the outcome of a review of the Register of Interests.
November 2010	<ul style="list-style-type: none"> • Monitoring compliance with the Code of Conduct (monthly report on the number and types of complaints which have been referred). • Training requirements (standing item) • Feedback from the Annual Assembly of Standards Committees • Promoting high standards of ethical behaviour – the role of political groups
January 2011	<ul style="list-style-type: none"> • Monitoring compliance with the Code of Conduct (monthly report on the number and types of complaints which have been referred). • Training requirements (standing item) • Chairman's Annual Report for confirmation before submission to full Council

Month	Item
	<ul style="list-style-type: none"> • Town and Parish Councils: Feedback from the annual conference (Autumn 2010) in respect of any Code of Conduct issues raised by Clerks or Chairmen. • Annual Review of Whistle-blowing Procedure and “Dignity at Work” policy
March 2011	<ul style="list-style-type: none"> • Monitoring compliance with the Code of Conduct (monthly report on the number and types of complaints which have been referred). Finalised Chairman’s Annual Report 2010/2011 • Training requirements (standing item) • Finalise Work Programme 20111-201209/2010 • Review of Register of Interests. Committee to receive a report twice yearly on the outcome of a review of the Register of Interests.
May 2011	<ul style="list-style-type: none"> • Monitoring compliance with the Code of Conduct (monthly report on the number and types of complaints which have been referred). • Training requirements (standing item)

CHESHIRE EAST COUNCIL

REPORT TO: STANDARDS COMMITTEE

Date of Meeting: 24th May 2010

Report of: Monitoring Officer

Subject: Standards in Partnerships Protocol

1.0 Report Summary

- 1.1 This report gives an update of the work being undertaken by the Partnerships Protocol Working Group which was established by the Standards Committee at its meeting held on 23rd November 2009.

2.0 Recommendations

- 2.1 That the Committee consider the information contained in this report and endorse the progress made.

3.0 Reasons for Recommendations

- 3.1 High standards are a cornerstone of good governance and should become embedded in the culture of organisations. It is as important to achieve good governance in partnership arrangements as it is in individual organisations.
- 3.3 The development of a "Standards in Partnerships Protocol" will help to achieve this.

4.0 Wards Affected

- 4.1 Not applicable.

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 None. There is no policy on the development of such a partnership arrangement.

7.0 Financial Implications 2010/11 and beyond

7.1 None identified.

8.0 Legal Implications

8.1 None identified

9.0 Risk Management

9.1 The development of a Standards In Partnership Protocol will strengthen the governance arrangements between the Council and its partners.

10.0 Background and Options

10.1 As reported to the meeting held on 23rd November 2009, Standards for England has worked with Manchester City Council to develop a protocol for working in partnership. The key aim of the project was to develop a shared set of values and behaviours which will underpin partnership work. This will, in turn, encourage high standards and will enable partners to agree what behaviour can be expected from each other and provide a means by which to hold each other to account.

10.2 The Standards Committee set up a Member/Officer Working Group including the Monitoring Officer and appropriate Officers from the Partnership Team together with Councillors M A Hollins and L Smetham and Mr R Pomlett (Independent Member).

10.3 The Working Group has met on two occasions. At its first meeting in February 2010, it reviewed and revised the draft Protocol issued by Standards for England. The revised Protocol was agreed by the Working Group on 29th March 2010 and was submitted to the Cheshire East Local Strategic Partnership (LSP) Executive on 12th April 2010 (revised Protocol attached).

10.4 The Executive considered that it required additional time to consider its impact on statutory services such as Children and Adult Services as well as Safer Communities in terms of access to confidential material.

10.5 The next meeting of the Executive is 17th May 2010 and it is understood that this will be considered again at that time. Notwithstanding this delay, it is important to ensure that all partners can agree a protocol which is "fit for purpose".

10.6 It is intended to re-convene the Working Group when a response from the LSP has been received.

11.0 Overview of Year One and Term One Issues

11.1 None identified.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Chris Chapman
Designation: Monitoring Officer
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APPENDIX

The Protocol

1 Achieve intended outcomes

Our priorities are evidence-based and our decision-making is transparent.

We will:

1. Share resources to achieve joint outcomes
2. Ensure that decision-making is transparent
3. Be committed to continuous improvement
4. Ensure that claims of improved performance are based on clear evidence
5. Establish accountability both across the partnership (horizontally) and within each organisation (vertically)

2 Public interest

We act in the interest of the public and demonstrate value.

We will:

1. Focus on long-term as well as short-term issues
2. Act in the interests of the public good over individual interests
Consider visibility, input from the public and informing the public of the Council's activities and the rationale behind decisions.
3. Demonstrate to the community how we are achieving publicly valued outcomes
4. Agree a protocol for the handling of complaints that relates to our joint work
5. Promote and ensure public engagement
6. Consider public access to partnerships (and documentation) when appropriate (Note: Most meetings were not held in public, and it was sometimes inappropriate for the public to attend meetings, but this would ensure the provision of documents when appropriate.)
7. Use appropriate, unambiguous and simple language

3 Building partners' capacity

We act to build capacity in our partnership.

We will:

1. Be committed to developing individual partners' skills to achieve our aims.
2. Encourage partners to be confident working outside of their organisational culture
3. Be open to partners' suggestions and help.
4. Actively encourage ideas and innovation
5. Ensure that decision-making is transparent
6. Establish accountability both across the partnership (horizontally) and within each organisation (vertically)

4 Value and respect each other

We respect and value everyone's contribution.

We will:

1. Actively promote a "no-blame" culture
1. Ensure that all partners contribute appropriately and openly
2. Acknowledge the capabilities of all members
3. Recognise and embrace the role of voluntary and community sector partners
4. Avoid dominance by individuals
5. Respect each other's roles and needs
6. Actively encourage the participation of all partnership members
7. Build effective working relationships with each other
8. Recognise the value of all partners' contributions

5 Act ethically

We act ethically. We are open and objective and encourage constructive challenge.

We will:

1. Be honest and objective
2. Support partners both to understand and constructively challenge any poor behaviour
3. Agree how we will achieve democratic accountability
4. Ensure that our dialogue is open and transparent
5. Declare conflicts of interest and address them
6. Make sure that the purpose of all meetings is made clear
7. Agree a mechanism for “whistle-blowing” and dealing with complaints
8. Ensure that “whistle-blowers” are supported

6 Aligning strategies and networks

We harness our collective efforts through joint planning, delivery and governance arrangements. This must be clear evidence-based.

We will:

1. Encourage all partners to actively shape the strategy and share information.
2. Ensure that partners can influence the decision-making of partner organisations
3. Allow sufficient time and capacity to be given to understand an issue and to reflect on its impact
4. Make sure that actions taken by the partnership are clear, time-limited and task-orientated
5. Ensure that agreed actions are carried out

CHESHIRE EAST COUNCIL

REPORT TO: STANDARDS COMMITTEE

Date of Meeting: 24th May 2010

Report of: Monitoring Officer

Subject: Training for Members

1.0 Report Summary

- 1.1 This report invites the Standards Committee to consider its training needs and identify training to be delivered to promote the ethical framework.

2.0 Recommendations

- 2.1 That the contents of this report be considered.

3.0 Reasons for Recommendations

- 3.1 The role of the Standards Committee is set out in Part 3 of the Council's Constitution. Amongst other things the Committee is responsible for ensuring that Members receive advice and training as appropriate on the Members' Code of Conduct.

4.0 Wards Affected

- 4.1 Not applicable.

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 The work of the Standards Committee contributes to the Annual Governance Statement of the Council. Any training delivered through the Standards Committee will help support high standards and develop good governance.

7.0 Legal Implications

- 7.1 The Standards Committee discharges the Council's functions under Part III of the Local Government Act 2000 and subsequent regulations.

The roles and responsibilities of Standards Committees are set out in the Local Assessment Framework Guidance.

8.0 Risk Management

- 8.1 The Council has identified complaints under the Local Assessment Framework as a significant risk. Through a training programme, the Committee can encourage behaviours that will support high levels of conduct and reduce the likelihood of complaints being made.

9.0 Background and Options

- 9.1 The function of the Standards Committee is set out in Part 3 of the Council's Constitution. The remit of the Committee includes -

- Ensuring that Members receive advice and training as appropriate on the Members' Code of Conduct;

- 9.2 This also includes Members of Town and Parish Councils.

- 9.3 The Local Standards Framework Guidance recommends that training on the Code of Conduct and the functions of Standards Committees and Assessment Sub-Committee, the Hearing Sub-Committee and the Review Sub-Committee should be given to both independent and elected Members of its Standards Committee.

- 9.4 To ensure that the Standards Committee is fulfilling its functions as set out in the Constitution, the Committee is asked to develop a training programme designed around its responsibilities.

- 9.5 This Committee received some initial training in July 2009 on planning.

- 9.6 At the conclusion of this meeting, Members will be able to view a DVD from Standards for England on local assessment matters entitled "Assessment Made Clear".

- 9.7 The Council will be providing planning training for all Members as part of the Member Development Programme 2010-2011 and Members of this Committee will be invited to attend.

- 9.8 The Committee is asked to consider any further training requirements for its Members for 2010-2011.

- 9.9 As part of the induction process Members of Cheshire East Council were given an overview and update on the Code of Conduct. The Committee is asked to consider any further training requirements for Members of Cheshire East Council.

- 9.10 The Committee has previously considered training for Town and Parish Councillors and this will be considered further when the new Code of Conduct has been published by Standards for England.

10.0 Overview of Year One and Term One Issues

- 10.1 None identified.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Chris Chapman
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**REPORT OF A MEETING OF THE ISSUES AND IMPROVEMENTS
WORKING PARTY held at Westfields, Sandbach on Tuesday 11th May
2010 at 10.00a.m.**

Present: Nigel Briers (Chair) David Sayer (Vice Chair) Cllr Mike Parsons,
Mike Garratt (Ind) Cllr Lesley Smetham Cllr Rhoda Bailey
Cllr Brian Dykes Cllr John Hammond Ian Clark (Ind) Teresa Eatough (Parish)

Officers in Attendance: Julie Openshaw (Dep Monitoring Officer) Paul
Jones (Democratic Services Manager)

Apologies

An apology for absence was received from Roger Pomlett (Ind)

1 Reports from Standards for England (S for E)

Discussion centred upon a proposal to extract on a regular basis reports on items of interest/relevance appearing on the S for E Website and Forum. Agreed that all members engage in this exercise and communicate findings via the Chair/Vice Chair. Following advice from Paul Jones any such 'reports' would be endorsed 'For Information Only' and included only in such part of any agenda as items not calling for decision making resolution.

2 Complaints Against Councillors

Vice Chair raised this question expressed succinctly "When, following receipt of a complaint against a named member, is that member notified that such a complaint has been lodged ?" It was clear that this issue has been discussed at length within S for E and the working party was advised of the Monitoring Officer's discretion in this regard. It was accepted that in the majority of instances the matter would be referred to the Assessment Sub Committee and thereafter the named member would be advised. In the small number of instances (thought to be as low as 5%) not referred to ASC the Monitoring Officer's discretion would prevail and it was not considered practicable to devise any exhaustive list of such instances but adviseable that they be dealt with on a case by case basis.

3 Regular Communications with Borough Councillors/Town and Parish Councillors/Council Staff and Members of the Public

The Working Party considered and discussed at some length the present available means of communication whereby the existence and function of the Standards Committee is brought to the attention of those persons it purports to serve and in appropriate cases to offer training and guidance.

It was accepted that with the large number (108) of Town and Parish Councils within Cheshire East, communication with individual councillors would be difficult and largely effected through Chairs and Clerks.

The Chair urged the Working Party to consider the introduction of a regular newsletter. This idea found favour with members present

4 Compact Pilot Evaluation Research Report

A substantial document (84 pages) was made available to the Chair and Vice Chair at this juncture. Vice Chair undertook to prepare and submit for consideration by the full Standards Committee at its meeting in July 2010 a resume of the principal findings.

5 Charter Trust

The Deputy Monitoring Officer advised on this following a specific question which had been raised at the monthly Council Meeting which basically asked whether the Standards Committee would have regard to the Charter Trusts which presently existed in respect of the former boroughs of Macclesfield and Crewe. As in both instances the Charter Trust membership comprised elected members for the areas concerned then the answer was clear i.e. the Code of Conduct would apply and the Standards Committee would have due regard to the respective Trusts while in existence. A copy of the Charter Trust Regulations 2009 was made available.

6 Next Meeting

This would be determined following the full Standards Committee meeting scheduled for 24th May 2010

11th May 2010

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