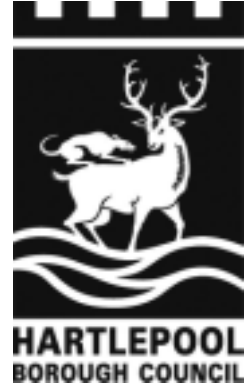


# **STANDARDS COMMITTEE AGENDA**



**Wednesday 8<sup>th</sup> September 2010**

**at 4.00 pm**

**in Committee Room C, Civic Centre, Hartlepool**

**MEMBERS: STANDARDS COMMITTEE:**

Councillors Fleet, Griffin, Dr Morris, Preece, Shaw, Simmons and Sutheran.

Co-opted Members: B Footitt, B Gray and T Jackson.

Parish Councillors: A Bell, Hart Parish Council and 2 vacancies

**1. APOLOGIES FOR ABSENCE**

**2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

**3. MINUTES**

3.1 To confirm the minutes of the meeting held on 24<sup>th</sup> August 2010 (*to follow*)

**4. ITEMS FOR DECISION / DISCUSSION**

No items

**5. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

## **EXEMPT ITEMS**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs below of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

### **6. ITEMS FOR DECISION**

- 6.1 Determination Hearing – *Chief Solicitor and Monitoring Officer (Paras 1 and 7c)*

### **7. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

# **STANDARDS COMMITTEE**

## **MINUTES AND DECISION RECORD**

24 August 2010

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

**Present:**

Barry Gray, Independent Member (In the Chair)

Councillors Mary Fleet, Sheila Griffin, Dr Morris and Arthur Preece

In accordance with Paragraph 4.2 (ii) of the Constitution, Councillor Richardson attended as a substitute for Councillor Simmons

Professor Brian Footitt and Ted Jackson, Independent Members  
Parish Councillor: Alan Bell (Hart Parish Council)

Officers: Alyson Caman, Solicitor and Deputy Monitoring Officer  
Denise Wimpenny, Principal Democratic Services Officer

### **7. Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors Shaw, Simmons and Sutheran.

### **8. Declarations of interest by members**

None at this point in the meeting. A personal interest was declared later in the meeting as referred to in Minute 13.

### **9. Confirmation of the minutes of the meeting held on 15 June 2010**

Confirmed.

### **10. The Local Government Ombudsman's Annual Review 2009/10 – Hartlepool Borough Council** *(Chief Solicitor)*

The Council's Solicitor presented the report which included background information to the establishment of the Local Government Ombudsman and the role of the Ombudsman. Attached to the report was the Local Government Ombudsman's Annual Review for the year ended 31 March

2010 which summarised the complaints relating to Hartlepool Borough Council.

It was noted that for the period ending 31 March 2010, the Ombudsman's Office received a total of 17 enquiries and complaints. Three matters were judged to be premature with 11 complaints being referred for consideration. In total, 10 complaints were determined during the year as outlined in the Annual Review. Of those complaints, one was "closed" as it was not considered to be within the jurisdiction of the Ombudsman's Office whilst 5 further complaints were not taken further as part of the general discretion available to the Ombudsman not to pursue such matters. In 2 of the remaining cases, there was no evidence of maladministration and the Council agreed to settle 2 remaining complaints in that it was appropriate to offer some form of remedy to the complainant's satisfaction.

Members commented on the figures and were pleased to note that the level of complaints were at an acceptable level.

### **Decision**

That the contents of the report, be noted.

## **11. The Employee Code of Conduct** *(Chief Solicitor and Chief Customer and Workforce Services Officer)*

At its meeting on 15 April 2010, Council resolved to revise the "Role and Function" of the Council's Standards Committee outlined in Article 9 of the Council's Constitution. Within those revisions and pertinent to this report were the following changes as incorporated within the Council's Constitution:-

- Promoting and maintaining high standards of conduct by Officers
- Assisting Officers to observe a Code of Conduct for employees and advising the Council on the adoption or revision of such a Code of Conduct for employees
- Monitoring the operation of a Code of Conduct for employees

The above provisions sought to parallel the requirements placed upon Standards Committee in relation to Members and Co-opted Members of the authority.

The report included information from previous consultation relating to a Code of Conduct for Local Authority Employees. Hartlepool Borough Council agreed, as part of its Single Status Agreement, an Employee Code of Conduct, a copy of which was attached at Appendix A to the report. The Code was based upon that which was provided nationally for local government employees and adapted to reflect and clarify those issues particularly relevant to Hartlepool Borough Council.

Although provided for through the provisions of the Local Government Act

2000 and despite consultation exercises initiated through Central Government, a statutory Code of Conduct for local government employees under the Local Government Act 2000 was still awaited. The Committee were requested, in light of its role and function to note the Council's Code of conduct for employees and to make any recommendations that may be considered necessary.

It was noted that this issue had previously been considered at length by the Standards Committee. In response to a request for clarification regarding the role of Standards Committee, the Council's Solicitor advised that whilst there had been an extension to the role and function of Standards Committee, as outlined in the report, there was no requirement of the Committee to deal with any employee Code of Conduct issues as any such breaches would be dealt with under the Council's disciplinary procedures.

#### **Decision**

That the Council's Code of Conduct for employees, be noted.

### **12. Local Government (Access to Information) (Variation) Order 2006** *(Chief Solicitor and Monitoring Officer)*

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 7 (c) of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 13 [Determination Hearing] (Paragraph 1 namely information relating to any individual and Paragraph 7(c), information presented to a Standards Committee or a to a Sub-Committee of a Standards Committee, set up to consider any matter under Regulation 13 or 16 to 20 of the Standards Committee (England) Regulations, 2008, or referred under Section 58(1) (c) of the Local Government Act 2000).

**Prior to discussion on the following item of business, Independent Member, Professor Footitt declared a personal interest in Minute 13**

### **13. Determination Hearing** *(Chief Solicitor and Monitoring Officer)*

The Council's Solicitor and Deputy Monitoring Officer presented a report which provided the background and outcome to the investigation. Further details were included within the exempt section of the minutes.

#### **Decision**

The decision was set out in the exempt section of the minutes.

The meeting concluded at 5.05 pm.

CHAIR