

**Minutes of the Meeting of
Shropshire and Wrekin Fire and Rescue Authority
Standards Committee
Held at 5.15 pm on Monday, 16 January 2012
at Headquarters, Shrewsbury**

Present

Members

Councillors Bennett, Kiernan, Mellings and Murray and non-elected Independent Members, Mr Brereton (Vice-Chair) and Mr Tebbutt (Chair)

Officers

Deputy Chief Fire Officer, Monitoring Officer and Corporate Services Manager

1 Apologies for Absence

No apologies for absence had been received.

2 Declarations of Interest

The Chair reminded Members that they should declare any personal and/or prejudicial interests at this point and that they should leave the meeting room before any item, in which they had a prejudicial interest, was discussed.

There were no declarations of interest.

3 Minutes

Members received the minutes of the Standards Committee meeting, held on 21 November 2011.

It was proposed by Mr Brereton, seconded by Councillor Kiernan and

Resolved that the minutes of the meeting of the Standards Committee, held on 21 November 2011, be approved and signed by the Chair as a correct record

4 Public Questions

No questions, statements or petitions had been received, from members of the public.

5 The Way Forward for Standards

This report followed up on a report to the Committee on 21 November 2011, which had considered the future of the standards regime in the light of the provisions of the Localism Act 2011. The meeting agreed at that time that the Monitoring Officer would report back to the Committee with proposals for the development of a new standards regime.

It was noted that, at the November meeting, the Monitoring Officer had proposed to conduct further analysis of the Localism Act and bring a series of questions for the Committee to discuss at this meeting. He had, however, made better progress than anticipated in formulating more detailed proposals for Members to consider, which were set out in his report. He advised that he had discussed these proposals with his counterpart at Shropshire Council with a view to proposing a common Code of Conduct across the three authorities (Shropshire Council, Telford & Wrekin Council and the Fire Authority).

Officers had also discussed establishing a joint Standards Committee between the three authorities. The Monitoring Officer felt, however, that this would require a disproportionate amount of work on behalf of the Fire Authority and, in light of the lack of complaints against its Members in the past, it did not seem justifiable. His proposal was, therefore, that the Fire Authority maintain a Standards Committee of its own but that it met only when required.

Referring to the proposed process for managing complaints about Members (set out at Appendix B to the report), the Monitoring Officer advised that, if a complaint related to the Chair of the Fire Authority or a Group Leader, then he would suggest that it be dealt with by the Standards Committee in order to protect all parties concerned.

With reference to the appointment of an independent person it was noted that officers were in discussion with Shropshire Council to explore whether one person, or possibly two for resilience, could be appointed between the three authorities. The Monitoring Officer advised that it was not a requirement for such an independent person to sit on the Standards Committee, merely that they be consulted before a finding relating to a complaint was made.

The Monitoring Officer pointed out that the draft document relating to disclosure of pecuniary and non-pecuniary interests proposed that a Member with a disclosable pecuniary interest leave the meeting room during debate and voting on the issue. Although this was not a requirement of the Localism Act, he felt that this was a clean and transparent way of dealing with such interests. It was, however, a decision for Members to make.

Members then considered in detail the recommendations set out in the report. Councillor Mellings suggested that the reference to consultation with Group Leaders be removed from recommendation a), as the full Fire Authority would approve the final version of the Code of Conduct.

A discussion took place regarding the optimum membership and quorum for the Standards Committee and whether there should be a sub-committee to hear cases. Members agreed to recommend that the Committee have a membership of five, with a quorum of three, and that cases be dealt with by the Committee itself, rather than a separate sub-committee. In addition, Members felt that they would prefer the Committee to have a Member from each political group, if at all practicable, than for it to be politically balanced. It was noted that the Fire Authority could agree not to apply the political balance rules to the Standards Committee, provided no Member voted against the decision.

As a result of the above discussions it was proposed by Councillor Kiernan, seconded by Councillor Bennett and

Resolved that the Committee recommend to the Fire Authority:

- a) A Code of Conduct, as set out at Appendix A to the report, subject to the Monitoring Officer adding provisions that would cover the management of interests, as provided for in the Localism Act 2011 and regulations made under it;
- b) That the Code of Conduct include specific provisions requiring that the Member would leave the room when he/ she has a disclosable pecuniary interest;
- c) That a Standards Committee be established with terms of reference, which include the oversight of the duty to promote and maintain high standards of conduct by Members of the Fire Authority, the consideration of Investigation Reports arising from complaints that a Member of the Fire Authority has breached the Code of Conduct and the granting of dispensations;
- d) That five Members sit on the Standards Committee, with a quorum of three Members, to consist of a Members from each political group, as far as practicable;
- e) Arrangements for dealing with complaints and making decisions about complaints that have been investigated, as set out in Appendix B to the report; and
- f) Arrangements for the appointment of an Independent Person by delegating authority to the Monitoring Officer to undertake the recruitment of an Independent Person, either solely for the Fire Authority or for a combined appointment for the Fire Authority, Telford & Wrekin Council and Shropshire Council together, as the Monitoring Officer considers most appropriate, whilst ensuring that a Recruitment Panel represents the interests of the Fire Authority.

Finally, the Committee agreed that it would be useful to hold a meeting in late March / early April to consider the latest developments. Any recommendations emanating from that meeting would then go forward to the Fire Authority for consideration at its meeting on 25 April 2012.

The meeting closed at 5.50 pm.

Chair.....

Date.....