

**Minutes of the Meeting of
Shropshire and Wrekin Fire Authority
Standards Committee
held at Brigade Headquarters, Shrewsbury
on Monday, 16 June 2008 at 5.15 pm**

Present

Members

Councillors Holyoak, Mason and Mellings (Vice-Chair) and non-elected Independent Members, Mr Brereton, Mr Tebbutt (Chair) Mr Turner and Mr Webb

Officers

Matthew Cumberbatch, Deputy Clerk and Monitoring Officer, Lynn Ince, Committee Clerk, Alan Taylor, Chief Fire Officer and Roger Woliter, Clerk and Monitoring Officer

1 Apologies for Absence

Apologies for absence had been received from Councillor Adrian Williams. Councillor Williams, (Independent, Telford & Wrekin Council) has replaced Councillor Groom, who has been elected Borough Mayor for 2008/09, on the Fire Authority.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

Members received the minutes of the Standards Committee meeting, held on 18 February 2008.

Resolved that the minutes of the Standards Committee meeting, held on 18 February 2008, be agreed 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 Local System for Processing Code of Conduct Complaints

This report updated the Committee on developments regarding the introduction of the local system for processing Code of Conduct complaints and asked the Committee to establish a framework to consider complaints in accordance with the new legislative requirements.

Councillor Mason referred to the Local Resolution section of the Monitoring Officer protocol and asked if an apology was accepted by the complainant, would the complaint still need to go to the Committee. The Deputy Monitoring Officer confirmed that in this case, it would still need to go before the Committee as a formal complaint has been made.

Councillor Holyoak asked what would happen if the member who was the subject of the complaint resigned as soon as the complaint was made. The Deputy Monitoring Officer explained that if this happened the complaint would be passed on if the person concerned was a member of another authority. Otherwise the complaint would stop with the sub-committee but could be made again at a future date.

Mr Tebbutt commented that there is a stronger attempt to have a conciliatory approach within the new Local Complaints procedure. The Deputy Monitoring Officer commented that there was no formal guidance available for the process at the moment. The Monitoring Officer also advised that the average cost of an investigation was approximately £8,000.

Members then discussed the draft revised Terms of Reference for the Committee which were attached as an appendix to the report.

Mr Tebbutt asked how many times the Standards Committee has been involved in a complaint. The Deputy Monitoring Officer explained that, in the last five years, there had been only one complaint concerning a Fire Authority member.

Councillor Mellings referred to the Fire Authority's Standing Orders which would also apply to the Standards Committee and asked how the issue of tied votes would be resolved within the sub-committees. The Monitoring Officer explained that in the case of a tied vote, the Chair of the Committee would have a casting vote as per legislation.

Mr Turner referred to section 4 on page 2 of the report and asked for clarification of the time period referred to. The Deputy Monitoring Officer explained that the time period referred to is 30 days with the complaint having to be dealt with within 3 months.

The Committee then discussed whether or not members should be appointed to the sub-committees or if they should be appointed as and when needed. The Committee agreed that it would be better to appoint as and when needed. This would allow for any conflict of interests and should allow members to gain experience of all parts of the process.

It was moved by Councillor Mellings that the recommendations be agreed with the words 'and appoint the members of' being removed from c) and d). This was seconded by Councillor Holyoak and it was

Resolved that the Committee

- a) Note the contents of the report;
- b) Approve the Monitoring Officer's Protocol relating to the receipt and processing of Code of Conduct Complaints as set at Appendix 1 of the report;
- c) Establish a Referrals Sub-Committee comprising membership in accordance with the draft terms of reference set at Appendix 2 of this report;
- d) Establish a Review Sub-Committee comprising membership in accordance with the draft terms of reference set out at Appendix 2 of this report; and
- e) Establish Hearings sub-committees as and when required for particular hearings, comprising where possible, members who have not been involved in the referral or review of the particular matter.

6 Standards Board for England Guidance Summary

This report provided the Committee with information about Standards Board for England Guidance on specific areas of the Code of Conduct and sought the views of the Committee in respect of any work that needs to be undertaken with regard to the guidance.

Mr Tebbutt commented that the guidance documents were very lucid and easy to read and he felt that they needed wider publicity amongst members. Councillor Mellings agreed that the guidance was very useful and suggested that they be disseminated to members via the Bulletin / an email link. Mr Turner agreed that the guidance does need to be accessible through the Fire Authority's website as the Standards Board for England (SBE) website can be difficult to navigate. Mr Turner also suggested that any comments relating to difficulties using the SBE website should be registered on the site.

Councillor Mason referred to the guidance on disclosing confidential information and asked for clarification of how public interest would be defined. The Deputy Monitoring Officer gave a brief explanation of public interest.

Resolved that the Committee

- a) note the contents of the report; and
- b) instruct the Clerk and Monitoring Officer to distribute the Standards Board for England Guidance to Fire Authority members via the Bulletin, an email link and the Members' Handbook.

Mr Brereton arrived at this point (5.50 pm)

7 Standards Board for England Research Project Report – Satisfaction with the Standards Board for England and Attitudes to the Ethical Environment

This report informed the Committee of the results of recent research undertaken on behalf of the Standards Board for England in relation to satisfaction with the Standards Board for England and attitudes to the ethical environment.

Councillor Mellings asked what the research project is likely to be used for. The Deputy Monitoring Officer explained that there had been no indication of what will happen in response to the research findings but any developments will be brought back to the Committee as necessary.

Resolved that the Committee note the contents of the report.

8 Standards Board Bulletin

The latest Bulletin (no. 38 –April 2008) issued by the Standards Board for England, was brought to Members for discussion, as previously agreed by the Committee.

Resolved that Members note the contents of the Bulletin

Before the meeting closed it was noted that the next meeting of the Standards Committee is scheduled for Monday 13 October 2008 at 5.15 pm. This is the same day as the Standards Board for England Annual Assembly and the Committee agreed that the meeting should therefore be rearranged.

The meeting closed at 6.00 pm.

Chair.....

Date.....