

**Minutes of the Meeting of
Shropshire and Wrekin Fire Authority
Standards Committee Meeting
at Brigade Headquarters, Shrewsbury
on Monday, 2 March 2009 at 5.15 pm**

Present

Members

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

Officers

Mr Cumberbatch, Deputy Clerk and Monitoring Officer
Mrs Lloyd, Corporate Services Manager
Mr Raymond, Deputy Chief Fire Officer

Consultant

Ms Adams, Media Advisor to the Fire Authority

At the start of the meeting the Chair welcomed Ms Adams, the media advisor to the Fire Authority, who was attending in connection with item 13 on the agenda.

1 Apologies for Absence

There were no apologies for absence, although Mr Webb did not attend. Having previously resigned from the Committee, Mr Turner did not attend either.

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 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 27 October 2008.

It was proposed by Councillor Mrs Holyoak, seconded by Councillor Mason and

Resolved that the minutes of the Standards Committee meeting, held on 27 October 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 Standards Committee Work Plan 2009-10

This report sought to establish a Work Plan for the Standards Committee for the year April 2009 to March 2010.

The Chair went through each section of the proposed Work Plan and asked for comments, which were as follows:

Actions 5 and 6

The Chair felt that the Standards Board Annual Assembly was a worthwhile event to attend and that dissemination to the Committee of the various sessions and workshops was useful.

Action 7

Members agreed that the Committee should provide an annual report to the Fire Authority in order to provide all Members with an insight into the work of the Committee. The report would also reinforce the ongoing importance of ethics and good governance.

Action 8

The Deputy Monitoring Officer advised that easy accessibility of the Fire Authority's complaints documentation to the public was important. He would be developing a concise, plain English guide on how to make a complaint about a breach of the Code of Conduct by a Member, which would include a section on frequently asked questions. The intention was that this would also be accessible via the Fire Authority's website.

Action 9

A discussion took place about allowing a complainant to remain anonymous and some concerns were raised about the potential for increased legal costs as a result. The Deputy Monitoring Officer advised that the Fire Authority's assessment and review criteria, approved by the Committee, took into account both anonymous complaints and complaints where the complainant wished to withhold his/her identity.

It was proposed by Councillor Mason, seconded by the Chair and

Resolved that the Committee approve the Standards Committee Work Plan, attached as an appendix to the report

6 Code of Conduct Training

This report provided the Committee with an update on the possible format of future Code of Conduct training.

A discussion took place regarding the training, which took place in November 2008, and Members noted that any future training would improve on this.

All Members agreed upon the value of training, not only for the Standards Committee itself in order to fulfil its role competently, but also for all Fire Authority Members to ensure that they did not breach the Code of Conduct. As training was not compulsory and the Standards Board advised against making it such, it was all the more important to make any training easily accessible, relevant and interesting. Members agreed that the move to interactive sessions with case studies was a step in the right direction.

It was proposed by Mr Brereton, seconded by Councillor Mrs Holyoak and

Resolved that the Committee note the contents of the report

7 Update on Code of Conduct Complaints made to the Standards Committee – 1 October to 31 December 2008

This report provided the Committee with details of the Code of Conduct complaints received by the Standards Committee from 1 October to 31 December 2008.

Members noted with interest the number of complaints emanating from District Councils and the absence of complaints about Fire Authority Members.

It was proposed by Councillor Mrs Holyoak, seconded by Mr Brereton and

Resolved that the Committee note the contents of the report

8 Insurance Arrangements for Members, including Independent Members of the Standards Committee

This report outlined the insurance arrangements in place for all Members of the Fire Authority and the four Independent Members of its Standards Committee.

In response to a question from Mr Brereton the Corporate Services Manager confirmed that the same insurance cover was in place for Independent Members of the Standards Committee as for full Members of the Fire Authority. She also emphasised one significant condition of the legal protection cover, namely that the person insured must agree to repay any legal costs, should he/she be found to be in breach of the Fire Authority's Code of Conduct. She also urged any Member, who might wish to take advantage of the cover, to contact her without delay to discuss the matter.

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

Resolved that the Committee note the insurance arrangements in place for all Members of the Fire Authority and the four Independent Members of its Standards Committee

9 Standards Board Bulletin

The latest Bulletin (no. 41 – December 2008) issued by the Standards Board for England, was brought to Members for discussion, as previously agreed by the Committee.

Members were interested in learning more about the criteria for entering the Local Government Chronicle Standards and Ethics Award, as the Committee might consider making a submission in 2010. The Corporate Services Manager undertook to find out more about the Award and to bring a report to the next meeting of the Committee.

Members noted the contents of Bulletin no. 41.

10 Ethical Standards Bulletin

The Winter 2008/09 edition of the Ethical Standards Bulletin, published by Telford & Wrekin Council, was brought to Members for discussion, as previously agreed by the Committee. A copy of the Bulletin had been emailed to all Members (including the four non-elected, Independent Members of the Standards Committee).

In response to a request from the Deputy Monitoring Officer for Bulletin items the Chair asked for more case studies to be included. The Deputy Monitoring Officer undertook to look for further cases on the Standards Board website.

Members noted the contents of the Ethical Standards Bulletin.

11 June Meeting of the Committee

The Corporate Services Manager reported that on 4 June elections for Shropshire Council would take place and it would meet on 19 June to agree, inter alia, who should sit on the Fire Authority. A meeting of the Fire Authority

would take place on 3 July, at which it would decide which Members would sit on its committees, including the Standards Committee. It would not be possible, therefore, to hold the meeting of the Committee, which had been scheduled for Monday, 29 June. Officers would attempt to arrange an alternative date for a meeting to take place in mid to late July.

The Committee noted that its June meeting would not take place and officers would attempt to arrange an alternative date in mid to late July.

12 Independent Membership of the Committee

Members noted that, having stood in the by-election for Much Wenlock Town Council, which took place on 19 February 2009, Independent Member, Mr David Turner, had been successful in obtaining a seat on the Council. He had previously notified the Chair of the Committee and officers that he intended to resign, if he were successful, and his formal letter of resignation had now been received.

The Chair reported that he had responded to Mr Turner, thanking him for his contribution to the Committee.

The Deputy Monitoring Officer advised that the resignation of Mr Turner would be brought to the attention of the Fire Authority, as it had appointed him. It was appropriate that at the same time the Authority should receive the Committee's recommendations as to whether four Independent Members were required. The Deputy Monitoring Officer outlined the following options regarding recommendations to the Fire Authority:

- Leave the position vacant temporarily until the new regulations, containing provisions regarding Joint Standards Committees, were issued. According to the latest Standard Board Bulletin no. 42 this was likely to be in May 2009.
- Begin the recruitment process for a replacement for Mr Turner.

It was a matter for the Committee to decide what recommendations to make to the Fire Authority but, in doing so, it should be mindful of the following points:

- It had opted for four Independent Members when the new system for dealing with complaints locally was introduced. Having four ensured that the three potential stages of the process, namely initial assessment, review and hearing, could be chaired by a different Independent Member, even if one were unavailable, because of a conflict of interests or illness.
- It was considered good practice to have the same number of Independent Members as elected Members.
- The Fire Authority had not received any complaints relating to breach of the Code of Conduct since the introduction of the new system.

- The independent Chair would have a casting vote in the event of a tied vote.

The Committee debated the merits of continuing to have four Independent Members and felt that it could leave itself vulnerable, if it were to have only three.

It was, therefore, proposed by Mr Brereton, seconded by Councillor Mason and

Resolved unanimously that the Committee:

- Note that Mr Turner had now formally resigned as an Independent Member of the Committee; and
- Recommend to the Fire Authority that the process to recruit a replacement Independent Member be commenced

13 Raising the Profile of the Committee

Elaine Adams the Service’s Media Advisor attended the meeting to discuss with the Committee how it might raise its profile through publicity.

Ms Adams thanked the Committee for inviting her to the meeting and said that she would be able to produce a “good news story” relating to the fact that the Fire Authority had received no complaints relating to breach of the Code of Conduct, since the introduction of the new system. She agreed with the Committee and officers that it would be helpful to have a page on the Fire Authority’s website, which set out in plain English what the Standards Committee did and how members of the public could complain about a Member’s conduct.

It was agreed that Ms Adams would write a piece on the Committee and forward it to the Chair, Corporate Services Manager and Deputy Monitoring Officer for agreement before release to the press.

The Chair thanked Ms Adams for her contribution.

The meeting closed at 6.45 pm.

Chair.....

Date.....