

# City of Bradford Metropolitan District Council

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## Minutes of a meeting of the Standards Committee held on Thursday 3 December 2009 at City Hall, Bradford

Commenced 1300  
Concluded 1515

### PRESENT –

#### Independent Persons

Mrs P Essler, The Very Revd Dr D J Ison and Mr M Shakeel

#### Parish and Town Council Members

Parish Councillors Bowen, Jay and Mitchell

#### Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Binney	Ferriby	Middleton
	A Thornton	

Apologies: Mr G Dobson, Councillor Lee, Councillor Owens and Councillor D Smith

#### Mrs Essler in the Chair

### 27. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

### 28. MINUTES

#### Resolved -

That the minutes of the meeting held on 28 October 2009 be signed as a correct record.



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INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



**29. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

There were no appeals submitted by the public to review decisions to restrict documents.

**30. MONITORING OFFICER'S REPORT ON COMPLAINTS**

The Monitoring Officer reported to the meeting the receipt of complaints notified to her, the stage that complaints had reached and the final outcome on the consideration of a complaint, where appropriate.

She advised on the outcome of a recent investigation undertaken by the Standards for England and noted that a full report would be forwarded to the Council which, although it would be confidential, the Committee may wish to consider in camera at a future meeting.

She also noted that there had been a case referred for alternative action in which the subject member had not yet responded and undertook to keep the Committee informed.

Finally, she advised on a recent series of complaints which had come to the Assessment Sub-Committee and which had led to the next item on the agenda.

In response to a question from the Chair, she reported that there was no theme amongst the multiple complaints that had recently been assessed which would require the Committee to take action.

In response to a question by a parish member, she advised that when a case had been resolved, but antagonism continued, there were different courses of action to consider dependent on who had made the complaint. If the complaint was by a member of the public and was simply a repeat of a previous complaint, the current advice from Standards for England was that it must be assessed again. If the complaint was by an officer, the line manager of that person would have a role to play. It was important to remember that the Monitoring Officer would have no supervisory role in that instance.

**Resolved –**

**That the update provided by the Monitoring Officer be noted.**

***NO ACTION***

**31. CODE OF CONDUCT – REVISED COMPLAINT FORM**

The Monitoring Officer presented a report (**Document “K”**) in which the Standards Committee was invited to consider adopting an amended complaint form to facilitate more effective local assessment of complaints. The amendments were set out in full at appendix 1 to the report.

She noted that in the recent group of complaints, the complainants had not articulated the part of the Code of Conduct which they believed had been breached. That had made assessment of the complaint very difficult, hence the proposal to amend the complaint form to set out the relevant parts of the Code which the complainant must choose from to identify the crux of their complaint.

Members of the Committee made the following positive suggestions for further amendment:-

- an explanation of the tick boxes in Section 4 would be useful
- the signature should not seem as if it referred only to having English as a second language
- the use of "complainant type" in Section 2 was confusing and should be simplified
- the whole form should be assessed to ensure it was fully accessible

**Resolved –**

- (1) That the revised complaint form set out in the appendix to Document “K” be amended further in line with the comments made at the meeting and then be utilised immediately.**
- (2) That the Monitoring Officer liaise with the Assistant Director, Public Affairs and Communications to ensure that all publications issued on behalf of the Committee are fully accessible.**
- (3) That the Monitoring Officer investigate the possibility of producing a guidance note to help complainants complete section 4 of the revised complaints form.**

***ACTION: Assistant Director, Corporate Services (City Solicitor)***

## **32. STANDARDS COMMITTEE MEMBERS TRAINING**

The Monitoring Officer presented a training DVD supplied by Standards for England entitled “Assessment Made Clear”.

Having viewed scenarios of mock assessment Sub-Committees presented in the DVD, Members made the following comments:

- the DVD gave the Monitoring Officer an option of whether to inform a subject member when a complaint was made.

Bradford's Monitoring Officer responded by stating that she took the view that a Member should always be informed when there was a complaint. She explained the provisions for confidentiality and advised that she did not give details of the complaint but merely stated which part of the Code had been breached. She also advised that she was not permitted to inform Group Leaders when there was a complaint about one of their group members

- the example for "no action" shown on the DVD was not particularly useful
- does the process get in the way of effective use of "alternative action"?. This subject continued to cause Members some consternation and they requested that a proforma be created for assessment panels to use when considering alternative action. They also considered that further training would be useful.

**Resolved –**

- (1) That the Monitoring Officer be requested to produce a proforma for assessment panels to use when considering alternative action.
- (2) That the Committee undertakes a training exercise on alternative action in the new year in conjunction with the other West Yorkshire authorities.
- (3) That it be noted that two representatives of the Committee are undertaking training in Leeds on 4 December 2009 on the issue of local investigation and that they be requested to cascade the outcome of that training to the remainder of the Committee.

**ACTION:** *Assistant Director, Corporate Services (City Solicitor)*

**33. ADJUDICATION PANEL FOR ENGLAND DECISIONS**

The Committee was invited to consider **Document “L”** which contained summaries of recent decisions made by the Adjudication Panel for England regarding allegations of misconduct against members.

The Monitoring Officer explained that she had chosen the two examples given in the report as they were both particularly interesting. The first one showed that the Adjudication Panel had used information to make a decision which the original Sub-Committee would not have had available to it. The second one, while amusing, showed that it was necessary to set a high bar when deciding complaints of disrespect.

**Resolved –**

**That the information contained in Document “L” be noted.**

**NO ACTION**

**34. STANDARDS COMMITTEE WORK PROGRAMME**

An updated copy of the Committee’s work programme was appended to the agenda for Members’ information.

Members considered the programme alongside the extra workload that had been flagged up during the meeting.

**Resolved –**

**That the meeting scheduled for January 2010 be extended to include the extra business identified at this meeting.**

**ACTION:** *Assistant Director, Corporate Services (City Solicitor)*

Chair

**Note:** These minutes are subject to approval as a correct record at the next meeting of the Committee. minutes\sta3de these minutes have been produced, wherever possible, on recycled paper