

## **Minutes of a meeting of the Standards Committee held on Wednesday 31 October 2012 at City Hall, Bradford**

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Commenced 1005

Concluded 1050

### **PRESENT – Councillors**

|               |
|---------------|
| <b>LABOUR</b> |
| Ruding        |
| Ferriby       |
| Javed         |
| Smithies      |

### **Non-Voting Co-opted Members:**

Mr M Shakeel – Independent Person  
Parish Councillor Bowen and Town Councillor Mitchell – Parish/Town Councillor Representatives

### **Councillor Ruding in the Chair**

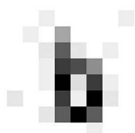
#### **7. DISCLOSURES OF INTEREST**

No disclosures of interest in matters under consideration were received.

#### **8. MINUTES**

**Resolved -**

**That the minutes of the meeting held on 20 June 2012 be signed as a correct record.**



Suzan Hemingway, City Solicitor

## 9. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

## 10. APPOINTMENT OF A COMPLAINTS SUB-COMMITTEE

Previous Reference: Council, Minute 25 (2012-13)

The Committee was advised that it was required to appoint a Complaints Sub-Committee.

The City Solicitor advised that the Sub-Committee would be made up of three Members of the Standards Committee, one of whom must be from the same political group as the subject Member (wherever possible), but not all of the Members would be from the same political group. The Chair would be elected from among the membership at the beginning of the meeting, but could not be from the same political group as the subject Member.

The Sub-Committee was required to hear and determine allegations of breach of the relevant code(s) of conduct by Members of Council and of Parish and Town Councils respectively.

The Chair noted that he did not consider it appropriate to sit on the Sub-Committee as the operation of the new complaints procedure meant he would already have taken a view on complaints earlier in the procedure.

Members were all advised that each voting member on the Committee would form part of a pool of members to be called on to constitute a Complaints Sub-Committee as appropriate. There would be an opportunity for any Member with a conflict of interest to declare that and withdraw from any proceedings before the Sub-Committee met.

### **Resolved –**

**That a Complaints Sub-Committee be appointed with memberships and role and functions as contained in the resolution of Council made on 10 July 2012 and subject to the Rules of Procedure contained in Part 3 of the Constitution adopted by Annual Council on 22 May 2012.**

***ACTION: City Solicitor***

## 11. MONITORING OFFICER'S REPORT ON COMPLAINTS

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

She noted that four complaints had been received since the commencement of the new process, two of which were not to be pursued and two of which would be taken forward to stage two of the process. She advised that this reflected very closely the ratio of valid and invalid complaints previously received.

The Chair advised that the previous decision of the Committee to hold in abeyance any complaint made after an election had been called until after the election had been held would be continued by this Committee in order to minimise the effect of politically motivated complaints.

He also envisaged that stage two of the new process (informal resolution) would involve group whips as their pragmatic input would be extremely useful.

A Parish/Town Council representative noted that there was no whip system within the majority of Town and Parish Councils and was advised that stage two of the process now allowed for the involvement of the clerk to the Council involved, which should provide the same type of assistance.

Members discussed what the procedure would be if a complaint was made in respect of the Chair, a close acquaintance of the Chair or another member of the Committee. The Monitoring Officer advised that it may be possible to establish a reciprocal arrangement with another West Yorkshire Council to consider complaints involving a substantial conflict and that a complaint about a member of the Committee would not mean they must absent themselves from the ordinary business of the Committee but that they would not be expected to serve on any Sub-Committee until the matter was resolved.

## ***NO ACTION***

### **12. IMPLEMENTATION OF NEW STANDARDS REGIME AND ROLE OF STANDARDS COMMITTEE MOVING FORWARD**

The Monitoring Officer presented a report (**Document "B"**) which updated Members on the progress made in implementing the new Standards Regime in Bradford.

In addition, Members were asked to consider how the Committee could contribute to the Council's ability to meet its statutory duty to promote and maintain high standards of conduct.

The Monitoring Officer noted that, of the four training sessions she had arranged for Members on the new regime, one had been cancelled as attendance was so low, two had taken place with very low attendance and the final one would be held on the forthcoming Saturday but only five Members were expected. Although she appreciated that Members had very busy diaries, the changes to the requirements on disclosure of interest were significant and all Members needed to be aware of them.

She went on to advise on the issue of disclosable pecuniary interests and on the likelihood that Members would still wish to disclose other interests for the sake of clarity and in accordance with the Nolan Principles. That was the reason that the Members' Register of Interest was still an extensive document.

She noted that complaints in respect of disclosable pecuniary interests were to be investigated by the Police in future but early indications were that complaints would not be investigated where there was no evidence of wrongdoing or where there was no public interest to be served. She was concerned that there was the potential for a situation where a prosecution was not pursued but there was no other opportunity to investigate a potential non-disclosure of a pecuniary interest.

Members considered that there should still be an investigation via the Standards Committee in such cases to establish whether the code of conduct had been breached and to give the public confidence that such matters were taken seriously.

**Resolved –**

- (1) **That the content of Document “B” and the newly drafted documentation be noted.**
- (2) **That the City Solicitor be requested to contact all political group leaders or whips and parish/town clerks to emphasise the importance of all District, Parish and Town Councillors attending training on the new standards regime and the new requirements on disclosure of interests.**

***ACTION: City Solicitor***

**13. DATES OF MEETINGS**

Members noted that the following schedule of dates had been established for the Committee:

Wednesday 31 October 2012

Wednesday 16 January 2013

Wednesday 17 April 2013

***NO ACTION***

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Committee.**