

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Standards Committee held at Knowle, Sidmouth on 28 September 2005

Present: Cllr Chamberlain
Cllr Lt Col A J M Drake
Cllr Mrs Roden
Mrs J A Durrant
Parish Cllr C Pole Carew
Dr J A Rees
Town Cllr S P Pollentine

Also present: Mr S Taggart – Standards Board for England

Apologies: Mr Butt
Cllr Mrs A E Liverton

The meeting started at 2.00pm and ended at 3.40pm.

1* Election of Chairman

RESOLVED that Dr J A Rees be elected Chairman of the Standards Committee for the ensuing year.

***2 Minutes**

The minutes of the meeting of the Standards Committee held on 15 November 2004, were confirmed as a true record.

***3 Fourth Annual Assembly of Standards Committees**

Consideration was given to the report of the Corporate Director – Central Services with regard to the fourth Annual Assembly of Standards Committees. A large range of topics were covered at the assembly including a review of the Code of Conduct, the Graham Committee report on standards in public life and the role of Standards Committees. It was noted that the Standards Board had submitted suggestions to the Office of the Deputy Prime Minister on the proposed changes to the Code of Conduct.

The assembly was attended by both the Corporate Director – Central Services and Mrs Durrant, Independent Member of this Standards Committee. Both found the guidance and practical help given for conducting hearings very useful.

The role of Standards Committees in embedding a culture of high standards in the Council and the role of the Standards Board were discussed. It was noted that this was a particularly important area for development as it would be assessed in the next round of Comprehensive Performance Assessment.

RESOLVED that the report be noted.

*4 **Standards Board complaints and referral update**

Consideration was given to the report of the Corporate Director – Central Services which gave statistical information about the number of allegations made to the Standards Board for England at the national, regional and local level from 2002 to the present. It was noted that more than half of all complaints were made against Parish Councillors and that a significant number of them concerned the declaration of interests. The statistics for the South West reflected the national picture.

Discussion took place on the hearing held earlier in the day and whether the evidence should have been made publicly available prior to the hearing. The presumption was that all hearings would be held in public however individual circumstances could mean that this was not appropriate in some cases.

Members were advised that only a quarter of all complaints were investigated by the Standards Board. It was suggested that Town and Parish Councillors in particular should be encouraged to carefully consider, prior to reporting, whether their complaint had merit or would be a waste of public money.

Mr Taggart who left the meeting at this point was thanked for his attendance.

RESOLVED that the report be noted.

*5 **Employee Code of Conduct**

Consideration was given to the report of the Corporate Director – Central Services with regard to the possible introduction of an Employee Code of Conduct. The aim of the Code was to ensure that employees were clear about the standards expected of them by the Council and to provide them with guidance and protection in all matters with ethical implications. The Committee considered the Code under their remit of upholding standards.

Discussion took place on the Code and in particular on the acceptance of gifts. Members were advised that the Code provided guidance helpful to new employees in particular and also pulled together into one document requirements which could already be found elsewhere.

It was suggested that section 13.3 be amended to direct employees to their line managers when deciding whether to accept any gifts.

RESOLVED that the Council be recommended to adopt the Employee Code of Conduct subject to any final amendments made by Officers.

*6 **Indemnities for Members and Officers – Local Authorities (Indemnities for Members and Officers) Order 2004**

Consideration was given to the report of the Head of Legal and Member Services with regard to the level of indemnity offered to employees and Councillors in respect of personal liability arising from their actions. New regulations introduced by the Government gave the Council the power to grant indemnities, and/or take out insurance to cover the potential liability to Members and Officers in a wide range of circumstances. The Council had to decide whether to grant such indemnities, or take out such insurance and if so to decide the extent of any indemnity/insurance.

*6 **Indemnities for Members and Officers – Local Authorities (Indemnities for Members and Officers) Order 2004 (Cont)**

Various options in terms of cover and indemnity were available. Members were recommended to put forward the option which enabled employees/Councillors to apply for assistance to cover costs should a complaint go to an adjudication panel and to also offer indemnity for Councillors representing the Council on an outside body.

The financial implications relating to the proposals were not yet available from the Council's insurers.

RESOLVED

1. that the Executive Board and Council be recommended to grant an indemnity to Members and Officers of the authority on the terms set out in the Appendix to the report and instruct the Corporate Director – Economy to secure insurance to cover the authority's liability under this indemnity, in so far as he is of the opinion that such insurance would be financially prudent;
2. that an appointment to a position on an outside organisation which comes within these indemnities shall be treated as an appointment as a representative of the authority for the purposes of the Code of Conduct for Members.

Chairman Date.....