



STANDARDS COMMITTEE

DATE:	Wednesday, 16 January 2019
TIME:	10.00 am
VENUE:	Council Chamber - Council Offices, Thorpe Road, Weeley, CO16 9AJ

MEMBERSHIP:

Councillor Heaney
Councillor Bray
Councillor Bucke
Councillor S Honeywood

Councillor Nicholls
Councillor Steady
Councillor Whitmore

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For further details and general enquiries about this meeting, contact Ian Ford on 01255 686584.

DATE OF PUBLICATION: Monday, 7 January, 2019

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 1 - 4)

To confirm and sign as a correct record, the minutes of the meeting of the Standards Committee, held on Wednesday 3 October 2018.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 Questions on Notice pursuant to Council Procedure Rule 37

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

5 Case Review

The Monitoring Officer will give a presentation to the Committee, for its information and guidance, on standards related decisions and actions taken nationally.

6 Discussion Topics and/or Updates from the Monitoring Officer

The Monitoring Officer will give a quarterly update on Complaints.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Standards Committee is to be held in the Council Chamber, Council Offices, Thorpe Road, Weeley, CO16 9AJ at 10.00 am on Wednesday, 20 March 2019.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

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**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE,
HELD ON WEDNESDAY, 3RD OCTOBER, 2018 AT 10.00 AM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors Heaney (Chairman), Bray (Vice-Chairman), Bucke (except items 34 - 38 (part)), S A Honeywood, Nicholls and Steady
In Attendance:	Lisa Hastings (Head of Governance and Legal Services & Monitoring Officer), Linda Trembath (Senior Solicitor (Litigation and Governance) & Deputy Monitoring Officer), Ian Ford (Committee Services Manager & Deputy Monitoring Officer) and Martin Klaassen (Senior Governance Officer)
Also in Attendance	Clarissa Gosling (Independent Person)(except item 38) and John Wolton (Independent Person)

34. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Whitmore (with no substitute).

35. MINUTES OF THE LAST MEETING

The minutes of the meeting of the Standards Committee, held on 23 July 2018, were approved as a correct record and signed by the Chairman.

36. DECLARATIONS OF INTEREST

There were none on this occasion.

37. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 37

There were none on this occasion.

38. JOINT REPORT OF THE HEAD OF LEADERSHIP SUPPORT AND COMMUNITY AND HEAD OF GOVERNANCE AND LEGAL SERVICES & MONITORING OFFICER - A.1 - INDEPENDENT REMUNERATION PANEL AND INDEPENDENT PERSONS RECRUITMENT

Clarissa Gosling, an Independent Person, declared a personal interest in the subject matter of this item insofar as she was a potential applicant to be re-appointed as a member of the Independent Remuneration Panel and to be re-appointed as an Independent Person. She therefore left the meeting whilst the Committee deliberated this matter and reached its decision.

The Chairman (Councillor Heaney) informed Members that John Wolton, an Independent Person, had informed Officers that he would not be seeking re-appointment as a member of the Independent Remuneration Panel or as an Independent Person. Councillor Heaney, on behalf of the Committee, placed on record its thanks and appreciation to Mr Wolton for all of his help, advice and contributions during his period of office. Mr Wolton suitably responded.

The Head of Governance and Legal Services & Monitoring Officer (Lisa Hastings) then introduced to the Committee Martin Klaassen who had recently been appointed to the post of Senior Governance Officer. Mrs Hastings informed Members that Mr Klaassen would be supporting her and the Council's Head of Finance, Revenues and Benefits (Richard Barrett) in carrying out their statutory duties particularly with regards to the governance framework. He would also support the Independent Persons and the Independent Remuneration Panel in their work and also administer the early stages of the process for dealing with complaints about Members. Councillor Heaney, on behalf of the Committee, welcomed Mr Klaassen to the Council.

The Committee thereupon considered a joint report (A.1) by the Head of Leadership and Community and the Head of Governance and Legal Services & Monitoring Officer which sought its comments on the proposed Independent Remuneration Panel and Independent Persons recruitment pack. The joint report also sought the Committee's approval for the membership of the Interview Panel and to delegate authority to the Interview Panel to make recommendations to Council regarding the appointment of the successful candidates.

Current Position

Members were reminded that, at the meeting of the Council held on 25 November 2014, Council had agreed the appointment of Mr John Wolton, Mrs Clarissa Gosling and the Reverend Dr William Lock as the Council's Independent Remuneration Panel for the purposes of making recommendations to Council on Members' allowances. In addition, Mr Wolton and Mrs Gosling had also been confirmed as the Council's Independent Persons for the purposes of standard's arrangements. All those appointments were in place until the Annual Meeting of the Council in May 2019.

Officers were, therefore, proposing that arrangements be put in place to appoint a new Independent Remuneration Panel and new Independent Persons in time to make new formal appointments at the Annual Council meeting in May 2019.

Recruitment and alternative options

It was reported that, in October 2017, a request had been made to all other Essex local authorities to ask if any were interested in sharing an Independent Remuneration Panel. No responses had been received to that request and it was therefore proposed by Officers that a local recruitment process should take place.

Members were informed that, with regard to Independent Persons for standard's arrangements, a pool of Independent Persons was available through the Public Law Partnership (which covered local authorities in Essex, Hertfordshire and parts of Suffolk) that could be called on by any authority. Those arrangements were considered appropriate to use where capacity or conflicts of interest were an issue however, it was still considered prudent for this Council to recruit and appoint its own Independent Persons.

Therefore it was proposed by Officers that the recruitment process followed that used for recruitment in 2014, namely:-

- that three people be appointed to serve as both the Independent Remuneration Panel and as Independent Persons;
- that an allowance of £600 per annum continued to be paid to each person;
- that a Recruitment Pack be produced incorporating any comments from the Standards Committee;
- that the posts be advertised locally;
- that interviews be undertaken by a Joint Member / Officer panel; and
- that the recommended appointments by the Panel be submitted directly to Full Council for its approval.

The Independent Remuneration Panel / Independent Person Recruitment Pack was before the Committee for its consideration, as set out in the Appendix to the joint report.

Statutory Requirements

The Committee was advised that Section 28(6) and (7) of the Localism Act 2011 required the Council to appoint at least one Independent Person to work with the Monitoring Officer within the Standards Framework and that Section 20 of The Local Authorities (Members' Allowances) England Regulations 2003 required that an Independent Remuneration Panel be established in respect of each authority and that the Panel should consist of at least three people.

Members were informed that, in the Council's Constitution, the advertisement of vacancies of Independent Person(s) and the Independent Remuneration Panel; the review of applications received; the interview of suitable candidates and the making of recommendations to Council as to who should be appointed were delegated to the Chief Executive or the Monitoring Officer. However, as both of these independent roles did have strong engagement with Councillors it was considered appropriate that the Committee was involved in the recruitment process.

Having considered the Officers' advice and proposals:-

It was moved by Councillor Heaney, seconded by Councillor Bray and:-

RESOLVED that –

- (a) the contents of the Independent Remuneration Panel / Independent Persons Recruitment Pack be endorsed;
- (b) the membership of the Interview Panel will consist of Councillors Bray, Bucke and Heaney, together with the Head of Leadership Support and Community and the Head of Legal and Governance Services & Monitoring Officer.
- (c) the Interview Panel be authorised to make recommendations to Full Council regarding the appointment of the Independent Remuneration Panel / Independent Persons and any related matters.

39. DISCUSSION TOPICS AND/OR UPDATES FROM THE MONITORING OFFICER

Quarterly Complaints Update

The Monitoring Officer circulated to the Committee the quarterly schedule, which gave general details of complaints received (both existing and new cases), without providing any names, and went through them with the Committee.

General Notes

There was one additional matter where a complaint form had been requested but not returned.

The Monitoring Officer informed the Committee that, in accordance with its request, the Constitution Review Working Party (CRWP) had considered the issue of potentially linking Members' Allowances to attendance at Members' training sessions. However, the CRWP had decided not to pursue this matter as it felt that any issue of non-attendance should be dealt with by the relevant Group Leader through internal Group disciplinary procedures.

Requests for Dispensations

The Committee was advised that no requests for dispensations had been submitted to the Monitoring Officer since the last update to Members.

The meeting was declared closed at 10.50 am

Chairman