



**MINUTES OF THE STANDARDS COMMITTEE held on 30 September 2009 at Lecture Theatre, FSHQ at 10:00.**

**PRESENT:** Cllrs M Biggin, H Mundry, and C Thorley

**INDEPENDENT MEMBERS:** Mr W Ravenscroft (in the Chair) and Mr R Garner

**APOLOGIES:** Cllrs K Musgrave, E Johnson and B Livesley

**PART 1 – MATTERS CONSIDERED IN PUBLIC**

**1 PROCEDURAL MATTERS**

**A DECLARATION OF MEMBERS' INTERESTS**

There were no declarations of Members interests

**B MINUTES OF THE COMMITTEE**

**C APPOINTMENT OF SELECTION PANEL**

It was noted that one of the Independent Members of the Standards Committee no longer wished to be a member and had resigned. The service had advertised for a replacement and two applications were received. Members were asked to nominate an elected member to sit on the selection panel along with the Chair, the Deputy Monitoring Officer and Democratic Services Manager.

**RESOLVED: That**

- [1] Minutes of the Meeting of the Committee held on 1 July 2009 be confirmed as a correct record; and
- [2] Mr W Ravenscroft and Councillor M Biggin be appointed to sit on the selection panel for the recruitment of an Independent Member.

**MAJOR ITEMS REQUIRING DISCUSSION / DECISION**

**2 FORWARD WORK PLAN FOR STANDARDS COMMITTEE AND GOOD PRACTICE FOR STANDARDS' COMMITTEE**

The Deputy Monitoring Officer presented Members with the proposals for a forward work plan for the Standards Committee. It was noted that the work

plan was in line with the gap analysis conducted as a result of the annual report to the Standards Board for England which was submitted to the Standards Committee in July 2009.

Item 9 – Roadshow, of the work plan was highlighted by Members and it was questioned whether events would be arranged to undertake the noted task. It was advised by the Deputy Monitoring Officer that the roadshows would be integrated into current events.

Additionally, the revised terms of reference were highlighted, these would be reviewed annually by the Standards Committee and any suggested changes taken to the Fire Authority for approval.

**RESOLVED: That**

- [1] the Forward Work Plan be approved; and
- [2] the provision of further reports be provided to this committee to include continuing practice guidance from the Standards Board for England into the ongoing work of the Standards Committee.

**3 MEMBER AND OFFICER PROTOCOL**

The Deputy Monitoring Officer presented Members with the Member and Officer Protocol. It was noted that the requirement to provide a Member and Officer Protocol had been illustrated in the annual return to the Standards Board for England and was good practice.

The draft protocol acknowledged that good relations existed between Members and Officers of Cheshire Fire Authority and it was not envisaged that relationships would deteriorate. The Protocol however, outlined principles and processes for these relationships giving a safe guide to ensuring that this continued. Furthermore the protocol summarised the roles and responsibilities of both Members and Officers and how possible disputes may be resolved.

The report identified that the protocol would need to be reviewed annually, it was proposed that such reviews would be undertaken by the Monitoring Officer and Deputy Monitoring Officer and brought back to the Committee.

**RESOLVED: That**

- [1] the draft Protocol be approved and presented to the Fire Authority for approval at its meeting in December 2009.

**4 2007 THE REVISED CODE OF CORPORATE GOVERNANCE - SUMMARY PROGRESS REPORT**

The Area Manager, Finance and Governance presented Members with the Revised Code of Corporate Governance – Summary progress report. It was noted that there were six core principles of which one to three were covered in the report. Key areas of the report were highlighted.

**RESOLVED: That**

- [1] the progress on core principles 1-3 of the revised Code of Corporate Governance be noted.

**5 NEW REGULATIONS ON STANDARDS COMMITTEE FUNCTIONS**

The Deputy Monitoring Officer presented Members with a paper on the New Regulations for Standard Committee functions. It was noted that the Government had recently developed Regulations to implement some of the outstanding provisions relating to standards introduced by the Local Government and Public Involvement in Health Act 2007. The Standards Committee (Further Provisions) England Regulations covered the power of the Standards Board for England to suspend arrangements for the local initial assessment of complaints, the power for Local Authorities to establish joint Standards Committees and the power for Standards Committees to grant dispensation to Members to allow them to participate in meetings even where there was a prejudicial interest.

The main issue highlighted was the complaints. The Regulations for creating a joint Standards Committee in collaboration with other authorities were also outlined and it was noted that other authorities regionally had not expressed any interest in forming joint standards committees

**RESOLVED: That**

- [1] the new provisions in the Regulations be noted.

**6 CHANGES TO THE CRITERIA FOR GRANTING DISPENSATIONS**

The Deputy Monitoring Officer presented Members with a paper highlighting changes to the law in terms of the criteria for granting dispensation. The previous Regulations had been revoked and these Regulations enabled proportionality to be considered when granting dispensations

**RESOLVED: That**

- [1] the requirements and changes to the rules on granting dispensation as outlined in the report be noted;
- [2] the Standards Board Guidance on the criteria and considerations for granting dispensation be adopted; and
- [3] a further report be provided to Cheshire Fire Authority to inform Members of the criteria adopted.

**7 STANDARDS FOR ENGLAND - CORPORATE PLAN**

The Deputy Monitoring Officer presented Members with the Standards Board for England's 2009 – 2012 Corporate Plan. It was noted that the Standards Board had changed its name to Standards for England. The paper outlined the

responsibilities of Standards for England and detailed the development of the role as a strategic regulator highlighting its objectives, work and priorities for 2010/11 and 2011/12.

Also identified was financial information detailing expenditure and key performance indicators for the coming year.

**RESOLVED: That**

[1] the report be received.

**8 LOCAL GOVERNMENT OMBUDSMAN: ANNUAL REPORT 2008/09**

The Government Liaison Officer presented Members with the Local Government Ombudsman Annual Report 2008/09. It was noted that the role of the Local Government Ombudsman was to investigate complaints made by members of the public who considered themselves to have been caused injustice by the administrative actions of local authorities including fire authorities.

The report provided Members with an overview of the annual report and outlined developments which had occurred over the past twelve months. These changes included alterations to the way the Ombudsman operated its services. Members were advised that for the period 2008/09 no complaints relating to Cheshire Fire Authority were referred to the Ombudsman for investigation.

**RESOLVED: That**

[1] the report be received.

**9 UPDATE - RESPONSE, THE SERVICE'S DEDICATED RESIDENTS' CONSULTATION PANEL**

The Area Manager, Corporate Communications presented Members with an update on 'Response' the Service's Dedicated Residents' Consultation Panel. Members were advised that 'Response' was established in 2006 in order to give the residents of Cheshire, Halton and Warrington the opportunity to regularly have their say about their local fire and rescue service.

**RESOLVED: That**

[1] the report be noted.

**PART 2 – BUSINESS TO BE DISCUSSED IN PRIVATE**

None