



**MINUTES OF THE STANDARDS COMMITTEE held on 31 March 2010 at Lecture Theatre, FSHQ at 10:00.**

**PRESENT:** Councillors M Biggin, B Livesley and H Mundry

**INDEPENDENT MEMBERS:** Mr W Ravenscroft (in the chair), Mr R Garner and Mr M McBride

**PART 1 – MATTERS CONSIDERED IN PUBLIC**

**1 PROCEDURAL MATTERS**

**A APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C Thorley, K Musgrave and E Johnson.

**B DECLARATION OF MEMBERS' INTERESTS**

There were no declarations of Members' interests

**C MINUTES OF THE STANDARDS COMMITTEE**

**RESOLVED:** That

[1] the minutes of the meeting of the Standards Committee held on 27 January 2010, be confirmed as a correct record.

**MAJOR ITEMS REQUIRING DISCUSSION / DECISION**

**2 FORWARD WORK PLAN 2010/11**

The Monitoring Officer presented Members with a report on the forward work plan for the Standards Committee for 2010/11. Members noted the amendments to timescales in the 2009/10 forward work plan and the ongoing matters that had been re-timetabled.

The work that had been successfully completed throughout the year was highlighted and Members discussed the Standards Committee Annual Report.

Members raised work plan item 19 – Review of Constitution. It was felt that an additional review and progress report on particular points and scenario testing needed to be conducted.

**RESOLVED: That**

- [1] the ongoing Standards Committee Forward Work Plan 2010/11 be approved;
- [2] the draft Annual Report for the Standards Committee be presented to the next Committee Meeting; and
- [3] the Constitution be discussed from a Standards and Ethical perspective and debated at the September 2010 meeting of the Standards Committee with a report of recommendations being submitted to the Fire Authority meeting in December 2010.

**3 REVIEW OF LOCAL CODE OF CONDUCT COMPLAINTS DOCUMENTATION AND PUBLICITY**

The Monitoring Officer presented Members with the review of local Code of Conduct complaints documentation and publicity. Members discussed the submission of the form and it was agreed that forms should be accepted electronically and via post. It was thought that a note needed to be added to the introduction highlighting the need to print or save the form before being completed and, if sent electronically, the form would need to be submitted as an attachment to an email.

The validation of electronic complaint forms would need to be confirmed by the relevant Officer before they progress through the procedure.

**RESOLVED: That**

- [1] The Complaints form be approved subject to the following amendments:
  - (i) a note be added to the introduction advising people of how to submit their forms; and
  - (ii) the first sentence of paragraph 5 be removed.
- [2] the complaint form be publicised on the internet and intranet alongside the Complaints procedure which is already publicised;
- [3] the existing procedure for making a complaint be approved; and
- [4] a separate page be developed on the internet and intranet making it easier to identify standards issues, including complaints documentation but also other documents, such as information about standards generally.

#### **4 REVIEW OF THE LOCAL INVESTIGATION AND LOCAL HEARING PROCEDURES**

The Monitoring Officer presented Members with a report highlighting the current arrangements for local investigation and local hearing of complaints. The report proposed no changes pending the appointment of a new Monitoring Officer to the Authority.

Discussion took place in view of the Deputy Monitoring Officer advising both the Sub Committees and considered whether this would need to be a split role between the Deputy Monitoring Officer and the Monitoring Officer. Members agreed that this should be raised for further discussion following the appointment of the new Monitoring Officer.

Furthermore Members discussed the Filtering Sub Committee and agreed that this should be renamed the Assessment Sub Committee.

#### **RESOLVED: That**

[1] the current procedure be approved on an interim basis subject to the following amendments:

- (i) that the Filtering Sub Committee be renamed the Assessment Sub Committee; and
- (ii) paragraph 4 be amended to read:

*“The Monitoring Officer would undertake the investigation stage where the Assessment Sub Committee has accepted the complaint is valid and requires investigating.*

- (iii) paragraph 6 be amended to read:

*“The Deputy Monitoring Officer or appropriate Officer as designated by the Monitoring Officer would advise the Review Sub Committee.”*

[2] a further review of the procedures be conducted following the appointment of the in-house Monitoring Officer and a report submitted to the meeting of the Standards Committee to be held in September 2010.

#### **5 REVIEW OF TERMS OF REFERENCE FOR THE STANDARDS COMMITTEE AND REVIEW OF THE PROTOCOL ON MEMBER/OFFICER RELATIONS**

The Monitoring Officer presented Members with a report timetabling the reviews of the Terms of Reference for the Standards Committee and the Protocol on Member/Officer relations.

**RESOLVED: That**

- [1] the Terms of Reference for the Standards Committee be reviewed by in November 2010 to inform the review of the Constitution as a whole; and
- [2] the Protocol on Member/Officer relations be reviewed by the Standards Committee in September 2010.

**6 EMPLOYEE CODE OF CONDUCT**

The Monitoring Officer presented Members with the Employee Code of Conduct. The Monitoring Officer advised Members that the Service was awaiting the draft Communities and Local Government's proposed National Code of Conduct for Employees, however the date for this had been delayed and it was unclear when this would be issued. It was therefore agreed that the Service's current Code of Conduct be reviewed and updated ahead of Communities and Local Government's national guidance.

Furthermore it was noted that an updated version would be presented to the Standards Committee once Communities and Local Government had released the National Guidance.

**RESOLVED: That**

- [1] the Standards Committee endorse the approval and adoption of the revised Employee Code of Conduct.

**7 REVISED COMPLAINTS, COMPLIMENTS AND COMMENTS PROCEDURE**

The Monitoring Officer presented Members with the revised Complaints, Compliments and Comments Procedure. It was advised that there had been a review of the procedure to reflect best practice guidance given by the Local Government Ombudsmen.

Members discussed vexatious and persistent complaints, it was clarified that great care was required when characterising a complaint as vexatious to ensure that subsequent valid complaints from the same individual were not dismissed out of hand. Furthermore the Director of Finance and Corporate Planning advised that such decisions would be taken by Principal Officers or the Monitoring officer.

It was agreed that the detailed complaints letters needed to clearly state that the complainant had a further 28 days to raise any additional issues or comments. This would ensure that there was closure and complaints were not unnecessarily prolonged.

The Complaints, Compliments and Comments procedure, guidance and form needed to be published on the intranet and the internet with clear definition between the procedure for Member and Officer Complaints.

**RESOLVED: That**

- [1] the revised Complaints, Compliments and Comments procedure be noted and implemented.

**8 REVISED CODE OF CORPORATE GOVERNANCE – THEMES 4-6**

The Director of Finance and Corporate Planning presented Members with the 2007 Revised Code of Corporate Governance Summary Progress Reports themes 4-6. Members were updated on some key issues within the report.

Members discussed training and development, it was felt that an information pack was needed for the Constituent Authorities to brief Members on their roles and responsibilities when appointed to the Fire Authority. Furthermore the training details and key skills kept by the Constituent Authorities of Members appointed to the Fire Authority should be relayed to the Fire Authority. This would highlight where training and refresher course were required. Further information on training could be acquired from Members to complete a full log of information covering the training received at Constituent Authorities, training received at Cheshire Fire and Rescue Service, personal/educational training and work life training. It was felt that attendance at training events was imperative to ensure that decisions could be made accurately. It was suggested that some training could take place in collaboration with the Constituent Authorities to ensure that there was minimal duplication.

Members also discussed the ratio of attendance at meetings and allowances. It was agreed that the attendance of Members needed to be closely monitored and poor attendance should be dealt with at first instance by the Monitoring Officer and Party Whips. Furthermore it was felt that substitutes should be nominated to attend meetings where the Committee Members were unable to, nonetheless persistent problems needed to be addressed.

Consultation methods of the Service were discussed and it was suggested that some consultation should take place in Schools and Colleges. The Director of Finance and Corporate Planning advised Members that the Service was looking beyond the conventional methods of consultation and was using modern methods such as Facebook and Twitter.

**RESOLVED: That**

- [1] the progress on core principles 4-6 of the revised Code of Corporate Governance action plan be noted.

**9 STANDARDS FOR ENGLAND ANNUAL RETURN 2010 - DRAFT RESPONSES**

The Monitoring Officer presented Members with the draft responses for the Standards for England Annual Return 2010. Members were advised by the Monitoring Officer that issues should be picked and integrated into future

workplans. This would enable responses over the years to expand as further mechanisms were developed.

Members noted that the Committee's first Annual Report would be produced this year and a draft copy would be presented to the Committee at its meeting in June, the production of an Annual Report was considered to be best practice. The final approved copy of the Standards Committee Annual Report would be published on the Service's website.

**RESOLVED: That**

- [1] the proposed responses to the Annual Return 2010, as detailed, be approved and be submitted to Standards for England by 15 April 2010.