



MINUTES OF THE STANDARDS COMMITTEE held on 18 January 2012 in the Lecture Theatre, FSHQ at 10:00 am.

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 MEMBERSHIP OF THE COMMITTEE

The Members noted the following change to the membership of the Committee for 2011/12, as agreed by the Fire Authority at its meeting on 14 September 2011 and detailed below:

Councillor David Brickhill to be replaced by Councillor Bill Livesley.

B APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Crowe, J Leather and B Rudd.

C DECLARATION OF MEMBERS' INTERESTS

There were no declarations of Members' interests.

D MINUTES OF THE STANDARDS COMMITTEE

RESOLVED: That

the minutes of the meeting of the Standards Committee held on 29 June 2011, be confirmed as a correct record.

ITEMS REQUIRING DISCUSSION / DECISION

2 NEW STANDARDS REGIME

The Monitoring Officer presented the report which explained the provisions of the Localism Act 2011 and their effect upon the standards regime. He explained that the Service needed to have its arrangements in place by no later

than 1st July 2012. Decisions on the new standards regime would need to be made by the Fire Authority at the Annual General Meeting in June. The Monitoring Officer advised that some regulations were still awaited that would impact on the new regime, which made it difficult to make progress on all elements of it.

He went through the main provisions within the Act, with a view to ensuring that Members were satisfied that they appreciated the requirements placed on the Authority.

He also discussed the requirement for a code of conduct for Members and they reviewed the principles detailed within the existing code and discussed the differences between these and the principles detailed within the Act. Members suggested that some of the existing definitions could be used and re-framed. Members were keen to ensure that 'respecting of others' was captured within the new Code, and they discussed the protection of the reputation of the Authority being included.

The Monitoring Officer advised Members that new arrangements were required for dealing with any allegations raised. Members queried whether it was possible for allegations to be handled 'centrally', rather than at individual authorities. The Monitoring Officer confirmed that meetings with lawyers from constituent Authorities were being held to look into the possibility of having commonality of processes. However, a centralised system for handling complaints had not been included in those discussions, and he would raise it as an option.

The Act contains a requirement for an Independent Person to be appointed by the Authority, by process of an advertised vacancy which would bring it to the public's attention. It was suggested that it would be beneficial to have a pool of Independent Persons which covered the Cheshire area, and that possibility should be explored. Members discussed the role of an Independent Person and could also see the benefit of the Independent Person having an awareness and knowledge of the Service, to enable the role to be carried out effectively. Members queried whether the Authority's existing Independent Members would be eligible to carry out the role of Independent Person, as they believed they were not co-opted Members as detailed in the Act. The Monitoring Officer would need to review the Act further, but there was some doubt about their ability to take up this role.

The Monitoring Officer advised that a Register of Interests was still required under the new Act, and suggested it would be helpful to have the same approach throughout the Cheshire area. He explained that there was a new offence where an interest was not disclosed and certain circumstances prevailed. Conviction could lead to a fine not exceeding £5,000, or disqualification of a Member.

Members considered some ideas about a streamlined process for handling complaints. Some initial views were expressed by Members, although a fully worked procedure was required before the discussion could be progressed to a conclusion.

The Monitoring Officer confirmed that a new code and other documents would be drafted, to satisfy the Act, incorporating wherever possible Members initial views, and would be brought back to the Committee for further discussion and recommendation to the Fire Authority.

RESOLVED: That

- [1] the report be noted; and**
- [2] the Monitoring Officer, taking into account initial feedback provided by Members, bring back a report to the next committee.**