

HAMPSHIRE COUNTY COUNCIL STANDARDS COMMITTEE ANNUAL REPORT 2009/2010

Introduction

This is the Annual Report of the Standards Committee and covers the period from April 2009 to March 2010.

The composition of the Standards Committee complies with statutory guidance and is chaired by an Independent Member, Mr Martin James. All Sub-Committee meetings of Standards Committee are also chaired by an Independent Member. A third Independent Member, Mrs Barbara North, was appointed by Council in February 2010 to avoid any problems of unavailability of Independent Members when a Sub-Committee might need to be formed. The Vice Chairman of the Committee is also an Independent Member, Mr Graham Ellis. Membership of the Committee for 2009 – 2010 was as follows:-

Mr Martin James (Independent Chairman)
Mr Graham Ellis (Independent Vice Chairman)
Mrs Barbara North (Independent Member)
Councillor Brian Dash
Councillor Andrew Gibson
Councillor Geoff Hockley
Councillor Alan Rice
Councillor John West
Councillor Sean Woodward
Councillor David Harrison (Deputy)

The Committee met on three occasions during 2009 – 2010 (30 October 2009, 30 November 2009 and 9 February 2010).

The role of the Standards Committee

The Standards Committee's terms of reference are contained at Part 1 Chapter 9 of the Constitution and are set out below:-

- Promoting and maintaining a high standard of conduct by Councillors, co-opted members, and Church and Parent Governor representatives.
- Assisting Councillors and co-opted members, and Church and Parent Governor representatives, to observe the Member's Code of Conduct.
- Advising the County Council on adopting or advising the Member's Code of Conduct or other County Council internal procedures relating to Members, including Standing Orders and any other procedures relating to conduct of members.
- Monitoring the operation of the Member's Code of Conduct.

- Advising, training or arranging to train Councillors and co-opted members and Church and Parent/Governor representatives on matters relating to the Member's Code of Conduct.
- Granting exemptions to Councillors and co-opted members, and to Church and Parent/Governor representatives, from requirements relating to interests set out in the Member's Code of Conduct.
- Grant and supervision of exemptions under Section 3A of the Local Government and Housing Act 1989 in respect of employees holding politically restricted posts.
- Establishing sub-committees to take such action as is necessary to assess, review, investigate, determine and impose appropriate sanctions in respect of any written allegation that the member has failed to comply with the County Council's Members Code of Conduct.

Locally Managed Framework for determination of Complaints under the Member's Code of Conduct

Following the coming into force of Local Government and Public Involvement in Health Act 2007 (which amended the Local Government Act 2000), responsibility for dealing with the local assessment of alleged breaches of the Member's Code of Conduct by elected and co-opted members of the County Council passed on 8 May 2008 from the Standards Board for England to the County Council.

During the year 2009 – 2010 Assessment and Review Sub-Committees of Standards Committee dealt with six allegations of breaches of the Member's Code of Conduct. Of these six allegations in five cases, the decision of the Assessment and Review Sub-Committee was that no further action should be taken. The decision of the Assessment Sub-Committee in respect of the remaining allegation was that the matter should be referred to the Monitoring Officer for other action, following which the Member received appropriate training.

The Monitoring Officer has ensured that quarterly reports of details of the complaints dealt with by the Standards Committee have been submitted to the Standards Board for England, and has, in consultation with the Chairman of the Standards Committee, submitted the annual return of the Standards Committee to the Standards Board for England.

Investigation into Unauthorised Disclosure of Confidential Information and Procedures for Improved Governance and Protection of Confidential and Exempt Information

In October 2009, Standards Committee considered a report of the Monitoring Officer into the unauthorised disclosure of confidential information contained in an exempt appendix of a report to Audit Committee in June 2009. Following consideration of this report the Monitoring Officer was instructed to

investigate how new procedures for improved governance and the protection of confidential information might be achieved. A protocol in respect of these is currently being developed alongside the review of the Constitution. In the meantime, an interim procedure developed by the Chief Executive with the advice of the Monitoring Officer was put in place.

Member Training

Training on the Member's Code of Conduct was delivered to new Members of the Authority following the County Council elections in May 2009.

Specific training on Planning and the Local Code of Conduct for Planning matters in October 2009 was delivered to Members of Regulatory Committee A, and to Members of Regulatory Committee B on Appeal Panels in July 2009 and January 2010. Further training is delivered to new Members of these Committees as and when required.

A general update on the Members Code of Conduct has been arranged for all Members in the autumn.

Specific training on the Local Determination of Complaints under the Member's Code of Conduct will be part of the Standards Committee's work programme for the year 2010-2011.

Grant of Exemptions from requirements to interests set out in the Member's Code of Conduct.

No applications were received.

Grant and supervision of exemptions under Section 3A of the Local Government and Housing Act 1989 in respect of employees holding politically restricted posts.

No applications were received.

Conclusions

Hampshire County Council's Standards Committee complies with all statutory requirements and has managed all its statutory and constitutional responsibilities during the year 2009/2010. The Committee has resolved to take a more pro-active role in the business of the authority and this should start to become apparent in 2010-2011.

The overall standard of member conduct within Hampshire County Council is high and the Standards Committee will continue to promote and monitor the effectiveness of the Member's Code of Conduct to assist the Authority maintain its excellent record in ethical standards and conduct.

Signed
Martin James, Independent Chairman

Dated