

**BEDFORDSHIRE AND LUTON COMBINED FIRE AUTHORITY
STANDARDS COMMITTEE**

29 July 2009

PRESENT

Mr G Dykes, Mr K Frazer, Mrs A Nevinson and Councillors C Atkins and A Brown.
Councillor S Timoney, CFA Chair, also attended.

09-10/cfasc/001 MEMBERSHIP

The Secretary/Monitoring Officer welcomed new and returning Members to the meeting, who introduced themselves.

09-10/cfasc/002 APOLOGIES

Apologies had been tendered by Mr B Gill.

09-10/cfasc/003 ELECTION OF CHAIR FOR 2009/10

The Secretary/Monitoring Officer requested a nomination. Statutory provision required the Chair was to be an Independent Member.

Mr. Ken Frazer was proposed, seconded, and duly elected as Chair of the Standards Committee.

RESOLVED:

That Mr. Ken Frazer be elected as Chair of the Standards Committee for the ensuing year.

Mr. Frazer welcomed the new Members, CFA Chair Councillor S Timoney and Mr. L Moon from the FBU to the meeting

09-10/cfasc/004 ELECTION OF VICE CHAIR FOR 2009/10

Statutory provision required the Vice Chair was to be an Independent Member.

Mr. George Dykes was proposed, seconded, and duly elected as Vice Chair of the Standards Committee.

RESOLVED:

Mr. George Dykes be elected as Vice Chair of the Standards Committee for the ensuing year.

09-10/cfasc/005 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS

No Member declared a personal or prejudicial interest in any matters on the Agenda.

09-10/cfasc/006 COMMUNICATIONS

The Chair circulated a letter from BMG Research seeking assistance with research commissioned by the Standards for England on Standards Committee Members in four selected areas, including Luton and surrounding area.

A Focus Group was to be held in Luton on 10 August 2009 and BMG Research had requested that a Member of the Standards Committee attend.

RESOLVED:

That, Mr. George Dykes attend the Focus Group in Luton on 10 August 2009.

09-10/cfasc/007 MINUTES

RESOLVED:

That the minutes of the meeting of the Standards Committee held on 6 March 2009 be confirmed and signed as a true record.

09-10/cfasc/008 TERMS OF REFERENCE

The Secretary/Monitoring Officer submitted a report noting the Terms of Reference and constitution for the Standards Committee and its two sub committees – the Assessment Sub Committee and the Review Sub Committee.

The Terms of Reference and constitution of the Standards Committee had been approved by the CFA on 9 June 2008 and revised at its meeting on 30 June 2009. The Terms of Reference and constitution for the two sub committees had been agreed by the Standards Committee on 10 July 2008.

RESOLVED:

That, the Terms of Reference and constitution for the Standards Committee, the Assessment Sub Committee and the Review Sub Committee be noted.

09-10/cfasc/009 APPOINTMENT TO ASSESSMENT SUB COMMITTEE AND REVIEW SUB COMMITTEE

The Secretary/Monitoring Officer submitted a report on how a complaint could be made against an elected or co-opted Member and the procedure to be followed for considering such a complaint by the Assessment Sub Committee and the Review Sub Committee.

Members were also issued with a copy of the Web page detailing the procedure and a suggested complaints form.

Members were invited to note the current procedures and appoint to the Assessment Sub Committee and the Review Sub Committee.

The Assessment Sub Committee had a quorum of three Members (including an Independent Co-opted Member as Chair and at least one elected Member of the CFA). Last year, four Members had been appointed to the Assessment Sub Committee to provide some operational flexibility.

The Review Sub Committee had a quorum of three Members (including an Independent Co-opted Member as Chair and at least one elected Member of the CFA).

RESOLVED:

That,

1. Mr K Frazer, Mr G Dykes and Councillors Atkins and Brown be appointed to the Assessment Sub Committee.
2. Mr B Gill, Mrs A Nevinson and Councillor Ayub be appointed to the Review Sub Committee.
3. The Secretary/Monitoring Officer investigate and report to the next meeting on the possibility of all Members being appointed to both sub committees, to be called on the basis of availability and experience and in accordance with the investigation procedure.

09-10/cfasc/010 STANDARDS FOR ENGLAND GUIDANCE

The Secretary/Monitoring Officer submitted a report containing guidance received from Standards for England on Joint Standards Committees, Dispensations and Other Action.

The guidance on establishing joint standards committees followed regulations issued by Communities and Local Government (CLG) on 15 June 2009. These regulations allowed local authorities to form joint standards committees with other authorities and it was suggested that this would be most useful where standards committees needed to deal with cases involving Members' conduct more flexibly, or where resources were limited and could be shared to help the ethical standards framework operate successfully. Until the introduction of these regulations, authorities had not had the power to enter into joint arrangements on standards matters.

The guidance on the grant of dispensations by standards committees to Members would allow them in specified circumstances to speak and vote at a meeting when they had a prejudicial interest. The guidance followed recent regulations, which had been introduced to clarify the position. The grounds for granting a dispensation, relating to political balance or the number of Members who would otherwise be prohibited from voting, remained.

The guidance on Other Action related to the powers of an Assessment Sub Committee when dealing with a complaint against a Member under the Code of Conduct. If the Assessment Sub Committee decided to refer the matter to the Monitoring Officer, it might either direct him/her to investigate the matter, or to take steps other than carrying out an investigation (known as 'other action'). Once a decision had been made to direct other action, it was not open to the sub committee to decide to direct an investigation into the same matter.

RESOLVED:

That, the guidance from the Standards for England be noted.

RECOMMENDED:

That, having regard to the Guidance from Standards for England, the implications of joint arrangements be further explored without any pre-determined view, and that other authorities in the area be asked if they would be prepared to enter into discussions on this matter.

09-10/cfasc/011 ETHICAL GOVERNANCE HANDBOOK

An updated Combined Fire Authority (CFA) Handbook had been issued to CFA Members at the Annual General Meeting on 30 June 2009 and was issued to Standards Committee Members at the meeting. It was noted that the Handbook was also available on the Service Website.

An Ethical Governance Handbook had been issued to Members in 2006 and was similarly available on the Service Website.

It was proposed that the Ethical Governance Handbook should be updated and revised in 2009. Much of the information would be as existing but updated to include changes in procedure and incorporate guidance from Standards for England.

A suggested list of contents was submitted for Members' consideration.

RESOLVED:

That, the CFA Ethical Governance Handbook be updated and revised as suggested.

09-10/cfasc/012 WORK PROGRAMME 2009/10

The Committee had previously considered its work programme on an annual basis. A suggested programme for 2009/10 was submitted for Members' consideration.

RECOMMENDED:

That, the Standards Committee work programme for 2009/10 include the following:

- Revisions to the Members' Code of Conduct
- Model Code of Conduct for Local Government Employees
- Annual Report on Registration of Interests and Gifts/Hospitality
- Training
- Consultation on the Fire Authority's Code of Corporate Governance

09-10/cfasc/013 MEMBER TRAINING

In the past, Members of the Standards Committee had received training relating to the Code of Conduct, complaints against Members and local adjudication.

Although a Combined Fire Authority Member Development Programme was to be prepared in-year, to include Standards Committee Members, it was considered that Standards Committee Member training should start as soon as possible, and include adjudication.

Members were invited to consider their specific training requirements, so they might be incorporated into a Standards Committee Training Programme.

RESOLVED:

That, in addition to training on the Code of Conduct, complaints against Members, local adjudication and Standards for England guidance, a case study adjudication exercise be undertaken after each meeting of the Standards Committee.

09-10/cfasc/014 STANDARDS FOR ENGLAND BULLETINS

Members received Bulletin Numbers 43 and 44 and noted various points of interest.

Number 43 advised that Standards for England had supported the Standards and Ethics category of the 2009 LGC Awards, which had been presented on 25 March 2009.

It was agreed that further information on the Standards and Ethics category of the 2010 LGC awards be submitted to a future meeting.

DATE OF NEXT MEETING

10am on 4 November 2009 at Fire and Rescue Service Headquarters.