

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

4 November 2009

PRESENT

Mr G Dykes, Mr K Frazer (Chair), Mr B Gill and Councillors C Atkins, M Ayub and A Brown.

09-10/cfasc/015 APOLOGIES

Apologies had been tendered by Mrs A Nevinson.

09-10/cfasc/016 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS

Mr George Dykes declared a personal interest as an Independent Member of Bedfordshire Police Authority Standards Committee (Minute 09-10/cfasc/ 021).

09-10/cfasc/017 COMMUNICATIONS

Statement of Accounts for 2008/09

The Chairman noted that the Authority's Statement of Accounts for 2008/09 had been published and issued to Elected and Independent Members.

Standards for England Training DVD: 'Assessment Made Clear'

Members noted that the Standards for England Training DVD: 'Assessment made Clear' was to be shown after the meeting.

Ethical Governance Handbook

Copies of a revised Ethical Governance Handbook, in the form agreed by Members at the last meeting, were distributed to Members.

09-10/cfasc/018 MINUTES

On 10 August 2009, Mr Dykes had attended a Focus Group commissioned by Standards for England (Minute 09-10/cfasc/006). Representatives of Standards for England had met with standards committee members from the area to seek their views on set questions relating to Standards for England.

Amongst other things, the Focus Group had discussed the possibility of holding roadshows and day conferences instead of the annual assembly of standards committees.

The Chairman advised that he had attended a standards roadshow a few years ago, which had been interesting. This matter was also discussed at the Annual Assembly attended by the Chairman and Monitoring Officer on 12/13 October 2009 and reported elsewhere on the Agenda (Minute 09-10/cfasc/019).

RESOLVED:

That, the minutes of the meeting of the Standards Committee held on 29 July 2009 be confirmed and signed as a true record.

09-10/cfasc/019 ANNUAL ASSEMBLY OF STANDARDS COMMITTEES 12/13 OCTOBER 2009

The Chairman reported on the Annual Assembly of Standards Committees which had been held in Birmingham on 12/13 October 2009, where there had been some debate on the future of Standards for England.

He also referred Members to the definitions of Predisposition and Predetermination, and Other Actions included in his report.

The Monitoring Officer advised that, when the revised Code is published, it is likely to apply at any time where behaviour had led to a criminal conviction.

RESOLVED:

That, the report be noted.

09-10/cfasc/020 APPOINTMENT TO ASSESSMENT SUB COMMITTEE AND REVIEW SUB COMMITTEE

At the last meeting, it had been agreed that Mr Frazer, Mr Dykes and Councillors Atkins and Brown should be appointed to the Assessment Sub Committee; with Mr Gill, Mrs Nevinson and Councillor Ayub being appointed to the Review Sub Committee.

The Secretary/Monitoring Officer had also been asked to investigate and report to this 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.

Appointing all Members to both sub-committees could be achieved by appointing a number of sub-committees each consisting of a different membership. The members of the sub-committee (e.g. 4 who were available for a particular meeting) could then constitute the Assessment Sub-Committee for that complaint.

In the event that the complainant requested a review of a decision to take no action, a review sub-committee constituted from the remaining 3 members of the Committee would meet to determine the request.

If considered appropriate, the Committee would need to establish a number of assessment and review sub-committees each consisting of a different membership, and also the basis on which a sub-committee would be convened to deal with a complaint (e.g. the first sub-committee from the list of sub-committees containing 4 named members of the Committee who were available to attend the meeting on the date agreed).

This would be a less straightforward arrangement than the current fixed appointments for the year, but could provide more flexibility over membership of sub-committees.

Members favoured the establishment of a number of assessment and review sub-committees, each consisting of a different membership, and asked the Monitoring Officer to report to the next meeting with a scheme to achieve this, to incorporate a written procedure of selecting the sub committees that would avoid any challenge of random selection.

RESOLVED:

That, the Monitoring Officer report to the next meeting on the establishment of a number of assessment and review sub-committees, each consisting of a different membership, to incorporate a written procedure of selecting the sub committees that would avoid any challenge of random selection.

09-10/cfasc/021 JOINT ARRANGEMENTS

Mr George Dykes declared a personal interest as an Independent Member of Bedfordshire Police Authority Standards Committee.

At the last meeting, Members agreed 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.

The Monitoring Officer advised that he had informally contacted the Clerk to the Bedfordshire Police Authority in this regard as he considered that joint arrangements with another single purpose authority would be more appropriate at this stage.

The Clerk to the Police Authority had agreed to discuss this further with his colleagues, noting that they had some existing arrangements with Hertfordshire Police Authority.

A Member suggested that their vision should be joint working arrangements between the three unitary authorities and the fire and rescue and police authorities in the county.

RESOLVED:

That, the Monitoring Officer report further to the next meeting.

09-10/cfasc/022 ANNUAL REPORT ON REGISTRATION OF INTERESTS AND GIFTS/HOSPITALITY

Under the revised Code of Conduct adopted by the Combined Fire Authority (CFA) on 7 September 2007, gifts/hospitality were required to be entered in the Register of Members' Interests.

When receiving the annual report in 2007, Members requested that future reports should cover interests and gifts/ hospitality.

All Members, including any Members appointed to serve on the CFA since the last annual report, had completed registration of interests forms. There had been no entries for gifts/hospitality during this period.

In addition to the registration provisions, the Code required Members to disclose personal and/or prejudicial interests at meetings of the CFA or any committee meetings.

Members noted that, during the year, personal interests had been declared when discussing the Members' Allowances Scheme, local government reorganisation and the licence of accommodation at Dunstable Community Fire Station to St. John Ambulance. There had been no disclosures of prejudicial interests.

RESOLVED:

That, the report be noted.

09-10/cfasc/023 STANDARDS FOR ENGLAND PUBLICATIONS

Members noted 'Local Standards: National Perspectives' Annual Review 2008-09 and Corporate Plan 2009-2012 published by Standards for England.

The Annual Review gave a statistical summary of the 2008/09 local standards framework 'one year on', which noted that:

- 2863 complaints had been received
- 345 local authorities dealt with at least one complaint
- The average number of complaints received by these authorities was 8
- 3 local authorities received more than 50 complaints
- 128 local authorities received no complaints
- More than half of all complaints were made by the public and over a third by Council Members
- For over half of all complaints received, standards committees decided to take no further action – they referred almost a third for investigation
- In almost 40% of cases where the standards committee decided to take no further action, the complainant asked for the decision to be reviewed
- In 93% of reviews, the original decision was upheld
- 12% of complaints were referred to the monitoring officer for other action
- 6% of complaints were referred to Standards for England
- Standards committees took an average of 20 working days to make initial assessment decisions about complaints

74 of the 128 authorities that received no complaints were police, fire, integrated transport or national park authorities, noting that one in ten single purpose authorities received complaints.

The Review also noted the parts of the Code that were breached together with the sanctions imposed.

The Corporate Plan 2009-2012 noted the following main objectives for Standards for England:

1. Be a strategic regulator adding value to local governance
2. Ensure the local standards framework is a success
3. Continue to improve our business capability and effectiveness

09-10/cfasc/024 STANDARDS FOR ENGLAND BULLETIN 45

Members noted Standards for England Bulletin 45. The Chairman drew Members' attention to the fact that a verbal apology was not a valid sanction, whereas asking a Member to submit a written apology in a form specified was.

The Monitoring Officer advised Members that a revised Code of Conduct, to be adopted by authorities by May 2010, was expected to be published in the Autumn.

Whilst it was probable that the proposals could be published in time for consideration at the next meeting on 5 March 2010, it was possible that a special meeting might need to be convened.

DATE OF NEXT MEETING

10am on 5 March 2010 at Fire and Rescue Service Headquarters.

Following the meeting, Members viewed the Standards for England training DVD entitled 'Assessment Made Clear'