

Minutes

Audit and Governance Committee (Working Group)

Venue:	Committee Room
Date:	Thursday 2 March 2017
Time:	10.30am
Present:	Councillors M Jordan (Chair), Mrs J Chilvers, and B Marshall (sub for R Packham).
Apologies:	Councillor R Packham.
Officers present:	Gillian Marshall, Solicitor to the Council; and Daniel Maguire, Democratic Services Officer.
Others present:	Hilary Putman and Wanda Stables, Independent Persons.
Public:	0
Press:	0

41. DISCLOSURES OF INTEREST

There were no disclosures of interest.

42. REVIEW OF STANDARDS ARRANGEMENTS

The Solicitor to the Council presented the report, which confirmed that the Audit and Governance Committee had asked the Working Group to review the standards arrangements at Selby District Council, and to make recommendations about any changes it considered necessary. It was confirmed that any recommendations would be considered by the Audit and Governance Committee at its meeting on 19 April 2017, and then by Full Council on 16 May 2017.

The Working Group noted the Terms of Reference.

The Solicitor to the Council explained that the Localism Act 2011 had introduced a new standards framework for councils which required councils to introduce their own Code of Conduct, rather than adopt a national Code. The changes also required Council's to introduce their own arrangements for dealing with standards issues. The Solicitor to the Council confirmed that District Councils would remain the responsible body for determining standards matters that relate to Parish Councils and Parish Councillors.

It was noted that the arrangements introduced by Selby District Council in response to the Localism Act 2011 did not include councillor involvement, and required that all matters were determined by the Monitoring Officer with advice from the Independent Persons.

The Working Group considered representations from the Independent Persons, both of whom supported changes to the standards arrangements to include councillor involvement. Both Independent Persons advised the Working Group that a hybrid-model that recognised the need for councillor involvement, but also recognised the merits of maintaining a stream-lined process would be a suitable arrangement.

The Solicitor to the Council advised that there were essentially two models that could include councillor involvement:

- Establish a separate Standards Committee, which would determine all standards matters; or
- A hybrid model, which would require the Monitoring Officer to determine if a complaint was valid, and a hearings sub-committee to consider valid complaints.

In response to questions from the Working Group it was confirmed that a hearings committee could be a sub-committee of the Audit and Governance Committee, and that the revised arrangements could include timescales for the various stages and assessment criteria to guide the Monitoring Officer in deciding which cases should progress to hearing. An example of such criteria from North Yorkshire County Council was provided. It was also noted that under such an arrangement the Monitoring Officer would be able to provide a quarterly report to summarise the volume and nature of complaints received.

The Working Group agreed that a hybrid model would ensure that there would be councillor involvement in standards matters, but would retain the benefits of having an efficient and stream-lined pre-hearing process. The Working Group agreed that a hearings committee should be a sub-committee of the Audit and Governance Committee and that it should be referred to as the Standards Sub-Committee.

The Working Group considered the involvement of Parish Councils, as the District Council is required to determine standards matters relating to parishes. The Working Group agreed that Parish Council involvement was important and recommended that the membership of the Standards Sub-Committee should include two Parish Councillors. The Solicitor to the Council

confirmed that a pool of Parish Councillors would be required, to ensure that at least two would be available and that they would not be from the same Council as the subject of the complaint.

The Solicitor to the Council confirmed that the role of the Monitoring Officer and the Independent Persons would be to advise the Standards Sub-Committee and that an Investigating Officer would be appointed to conduct any investigations.

The Working Group agreed to recommend changes to the arrangements for dealing with standards matters, and requested that the Solicitor to the Council prepared a report (to include Terms of Reference for a Standards Sub-Committee) to be considered by the Audit and Governance Committee at its next meeting on 19 April 2017.

RESOLVED:

- (i) To recommend that changes are made to the Selby District Council Constitution as follows:**
 - (a) to establish a Standards Sub-Committee as a sub-committee of the Audit and Governance Committee with appropriate Terms of Reference;**
 - (b) that the membership of the Standards Sub-Committee be 3 District Councillors from the Audit and Governance Committee and 2 Parish Councillors;**
 - (c) that the Standards Sub-Committee be required to consider the views of the monitoring Officer and an Independent Person before making a decision;**
 - (d) that the arrangements should include target timescales to ensure that investigations in complaints progressed expeditiously; and**
 - (e) that the arrangements include assessment criteria to guide the Monitoring Officer in deciding which cases be brought forward to hearing.**
- (ii) To ask the Monitoring Officer to prepare a report summarising the above, including draft Terms of Reference, to be considered by the Audit and Governance Committee at its next scheduled meeting; and**

- (iii) To request that quarterly standards reports are brought to the Audit and Governance Committee which would include a summary of standards matters considered by the Monitoring Officer.**

The meeting closed at 11.23 am.