

Standards Committee

Monday 23 January 2012 at 6.00 p.m.

at the Council House, Walsall

Present

Mr. R. Meller (Chairman)
Mrs. H. Bashir
Councillor A. Andrew
Councillor D. Shires
Councillor G. Wilkes
Mr. A. Wood

398/12 Apologies

Apologies for non-attendance were submitted on behalf of Councillor R. Carpenter and Miss K. McLeod.

399/12 Minutes

Resolved

That the minutes of the meeting held on 17 October 2011 copies having been sent to each member of the Committee, be approved and signed by the Chairman as a correct record.

400/12 Declarations of interest

There were no declarations of interest.

401/12 Local Government (Access to Information) Act, 1985 (as amended)

There were no items to be considered in private session.

402/12 Access to Information – Annual report 2011

The report of the Head of Business Change was submitted:

(see annexed)

The Corporate Performance Manager (Mrs. H. Dudson) presented the report.

Mrs. Dudson explained that the report covered requests made in 2011 under the Freedom of Information Act 2000, the Environment Information Regulations 2004 and the Data Protection Act 1998, with those totalling 852 being a 26% increase from last year. She advised that the number of requests received by the authority under the Environmental Information Regulations and Data Protection Act remained steady throughout the year with requests made under Freedom of Information increasing to a peak of almost 100 in November. Moving on to breakdown by directorate, Mrs. Dudson confirmed that the highest number of requests received related to multiple service areas with Resources directorate having the highest number of single requests, closely followed by Neighbourhoods.

Mrs. Dudson advised that legislation imposed a 20 day limit when responding to requests under Freedom of Information or Environmental Regulations and 40 days for Data Protection. She added that following a review of the system in August, procedures had been put in place which had made the process more customer focused with delays fully communicated to the requestor. She further advised that there had been occasions during the year when information had been legitimately withheld which totalled 60 requests exempt or partly exempt from release.

Touching on requestor type, Mrs. Dudson confirmed that as in previous years, the highest number of requests came from individual members of the public, with significant numbers received from the press, businesses and special interest groups.

Finally, Mrs. Dudson took time to explain about local developments advising that the authority was planning to make more information available through open data. There were plans to introduce a "disclosure log" for all Freedom of Information requests showing the question and response. An information project was underway to improve the Council's records management processes to make the retrieval of information quicker, easier and cheaper and work was planned to develop a better understanding of the customer and how their needs were being met.

Resolved

- (1) That the content of the report be noted.
- (2) That reports on Access to Information be received on an annual basis.

403/12 The Future of Standards – Localism Act

The report of the Head of Legal and Democratic Services and Monitoring Officer was submitted:

(see annexed)

The Head of Legal and Democratic Services and Monitoring Officer (Mr. T. Cox) presented the report.

Mr. Cox advised that the report covered a brief outline to changes in the standards regime with new provisions coming into force April 2012. He confirmed that he was waiting for secondary legislation which would give more guidance on the provisions of the Act.

He touched on the requirement for the authority to adopt its own Code of Conduct and also to have its own system for hearing complaints against breaches of the code, which he was currently working on. When advising on the role of the "independent person" he made it clear that it would be a different role to current independent members who would not be able to sit on the new Committee. He made reference to sanctions advising that the authority would need to go back to the principles of common law, such as the Monitoring Officer writing to the member regarding their behaviour or offering training to them. He confirmed that training would be arranged on the new regime for all members and that reports would be brought to the Committee in April as well as Council.

Resolved

That the content of the report be noted.

404/12 Appointment of independent members to Standards Committee

The report of the Head of Legal and Democratic Services and Monitoring Officer was submitted:

(see annexed)

The Head of Legal and Democratic Services and Monitoring Officer (Mr. T. Cox) presented the report.

Mr. Meller confirmed that he had written to the Monitoring Officer advising him that he would be stepping down from the Committee at the end of the municipal year. Mr. Cox reported that as the current Standards Committee was to be abolished from 1 July 2012 he requested that independent members serve until that date.

Resolved

- (1) That the content of the report be noted.
- (2) That independent members serve on Standards Committee until the abolition of the Standards Committee in July 2012.

405/12 **Council publicity run up to elections**

The report of the Head of Legal and Democratic Services and Monitoring Officer was submitted:

(see annexed)

The Head of Legal and Democratic Services and Monitoring Officer (Mr. T. Cox) presented the report and answered questions raised by the Committee arising from the report.

Resolved

- (1) That the content of the report be noted.
- (2) That the Monitoring Officer forward a copy of the report to Group Leaders (independent members) to bring the report to the attention of members.
- (3) That the Monitoring Officer write to all Chief Officers informing them of the provisions of the Code.

The meeting terminated at 6.55 p.m.

Chairman:

Date: