

Standards Committee

Monday 7 October 2013 at 6.00 p.m.

at the Council House, Walsall

Present

Councillor Underhill (Chair)
Councillor Martin (Vice-Chair)
Councillor A. Andrew
Councillor Azam
Councillor Burley
Councillor Jeavons
Councillor Murray

In attendance

Dr. A. Sen (independent person)

29/13 Apologies

Apologies for non-attendance were submitted on behalf of Councillors Phillips and Woodruff and Mr. C. Topliss (independent person).

30/13 Minutes

Resolved

That the minutes of the meeting held on 1 July 2013 copies having been sent to each member of the Committee, be approved and signed by the Chairman as a correct record.

31/13 Declarations of interest

There were no declarations of interest.

32/13 Local Government (Access to Information) Act, 1985 (as amended)

There were no items to be considered in private session.

33/13 Protection of Freedom Act

A report was submitted:

(see annexed)

The HR Manager for HR Direct Services presented the report and highlighted the salient points contained therein.

Members held a lengthy debate on the matter and sought clarification on various issues in relation to:

- If Disclosure and Barring Checks (DBS) were transferrable?
- If Councillors who are also school governors required a DBS?
- How long the DBS checks were valid for?
- Who was responsible for keeping copies of the certificate and for how long?
- The difference in requirements between local authority controlled schools and academies which fall outside of local authority control?
- How new posts would be assessed against DBS to ensure that vulnerable people would be properly protected?

Arising from discussions and in view of the DBS system still being in its infancy, the Chair requested the HR Manager for HR Direct Services to keep the Standards Committee informed of any future developments.

At the conclusion of the debate on this matter the Chair moved the recommendation as set out in the report. In addition she also requested that the report be referred to Council for noting with a view to helping members understand the requirements now placed on them under the new DBS system and how it differed from the requirements under the old CRB system.

Resolved

- (1) That the report be noted.
- (2) That the HR Manager for HR Direct Services keep the Committee informed of any future developments with DBS.
- (3) That the report be referred to the Council for noting.

34/13 Committee on Standards in Public Life

A report was submitted:

(see annexed)

The Head of Legal and Democratic Services presented the report and highlighted the salient points contained therein.

Following a lengthy debate on the report, the Head of Legal and Democratic Services informed the Committee that he would keep a watching brief in relation to future progress on this matter and also keep the Committee abreast of any developments.

Resolved

- (1) That the report be noted.
- (2) That the report be forwarded to group leaders for their information.
- (3) That the report be placed in group rooms.

35/13 Review of the Constitution – Part 3 – Responsibility for functions

A report was submitted:

(see annexed)

The Head of Legal and Services and Democratic presented the report and highlighted the salient points contained therein.

Resolved

That the amendments contained in the report be approved for inclusion in the updated Constitution to be recommended to Council at its annual meeting in June 2014.

36/13 Complaints and the Proper Officer

A report was submitted:

(see annexed)

The Head of Legal and Democratic Services presented the report and highlighted the salient points contained therein.

The Head of Legal and Democratic Services also circulated a redacted case to give members an appreciation of the variety of issues being reported and the process followed when undertaking an investigation. In addition, he highlighted that the majority of cases brought against Councillors was due to the fact that the complainants had been unclear of the role of an elected member. In view of this he suggested that it might be worthwhile reviewing the current information that the general public can access in relation to the role of an elected member.

Arising from discussions on this matter, the independent member offered advice to members in relation to his experiences in dealing with complaints when called upon by the Monitoring Officer and what lessons could be learned.

Resolved

That the report be noted.

The meeting terminated at 7. 25 p.m.

Chairman:

Date: