

BIRMINGHAM CITY COUNCIL

STANDARDS COMMITTEE

Wednesday, 8th August 2018 at 14:00 hours in Committee Room 2,
Council House, Birmingham B1 1BB

A G E N D A

1 APOLOGIES

2 DECLARATION OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared, a Member must not speak or take part in that agenda item. Any declarations will be recorded in the Minutes of the meeting.

Attached

3 MINUTES

To agree the Minutes of the meeting held on 17 April 2018.

To Follow

4 PROCEDURE IN DEALING WITH INVESTIGATION COMPLAINTS AND CODE OF CONDUCT

City Solicitor to update.

5 OTHER URGENT BUSINESS

To consider any items of business by reason of special circumstances (to be specified) that, in the opinion of the Chairman, are matters of urgency.

6 AUTHORITY TO CHAIRMAN AND OFFICERS

Chairman to move:-

‘In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee’.

BIRMINGHAM CITY COUNCIL

STANDARDS COMMITTEE 20 JUNE 2018

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD ON WEDNESDAY, 20 JUNE 2018 AT 1400 HOURS IN ROOM 329, COUNCIL HOUSE, BIRMINGHAM

PRESENT: - Mr Peter Wiseman in the Chair;

Councillor Deirdre Alden, Councillor Mahmood Hussain, Mr Steven Jonas and Councillor Shafique Shah.

APOLOGIES

268 Apologies were received from Frankley Parish Councillor Ian Bruckshaw, Sutton Coldfield Parish Councillor Derrick Griffin, Professor Steven Shute and Raymond Tomkinson (Independent Observer).

DECLARATIONS OF INTEREST

269 No interests were declared.

MEETINGS SCHEDULE FOR 2018-2019

The following schedule of meeting dates for 2018/19 was submitted:-

(See document No. 1)

270 **RESOLVED:-**

That the schedule of Standards Committee meeting dates for 2018/19 be approved.

TERMS OF REFERENCE

The following terms of reference of the Standards Committee were submitted:-

(See document No. 2)

Concern was expressed that the Committee did not have a Liberal Democrat representative as a member in the current year and it was questioned whether proportionality should apply. Members expressed a preference for membership not to be determined on proportionality. The City Solicitor/Monitoring Officer advised that a change would probably be needed to the City Council's Constitution, as the Committee's members were appointed by the City Council.

The position regarding independent members was considered and it was noted that some authorities had 'Ethics Committees', with an independent person co-opted as a 'reference point'. The Chairman advised that Professor Shute was no longer at the University of Birmingham and had been at the University of Sussex for some time, which created a difficulty for him with attending meetings. He proposed, and members supported that proposal, that an approach be made to Professor Shute regarding whether he wished to resign from the Committee, with a view to replacing him. There was also a need to fill the vacancy for an independent member created by the death of the former joint Chairman, Philip Richardson.

It was felt that there should be wider representation within the Committee membership, but it was noted that 'party activists' should not be appointed as independent members.

271

RESOLVED:-

That the terms of reference be noted.

MINUTES

272

The Minutes of the meeting held on 17 April 2018, having been previously circulated, were agreed as a correct record.

**COMMITTEE FOR STANDARDS IN PUBLIC LIFE'S LATEST
CONSULTATION: REVIEW OF LOCAL GOVERNMENT ETHICAL
STANDARDS: STAKEHOLDER CONSULTATION**

The following copies of the City Council's response and the response of Lawyers in Local Government were submitted:-

(See document no. 3)

The Chair advised that the Lawyers in Local Government had suggested suspension or even disqualification. It was noted that the City Council's response had to be submitted early in May 2018. Concern was expressed regarding the impact of a Councillor's pay being removed and it was noted that a former Councillor had been suspended for 3 months. It was felt that this action was draconian and that any action taken should be proportionate to the seriousness of the misconduct. There was concern also that a national code would not be appropriate, but that 'core' principles would be beneficial.

273 **RESOLVED:-**

That the responses be noted.

CODE OF CONDUCT

274 Rob Connelly, Acting Assistant Director - Governance, advised the Committee that he had revised the Code of Conduct in response to members' comments, but he wanted to ensure that it worked alongside the procedure in dealing with investigations. He noted concern that a Councillor should be encouraged to state within a specified timescale if they had forgotten to declare an interest.

He undertook to circulate the next draft of the Code of Conduct to members for comment.

275 **PROCEDURE IN DEALING WITH INVESTIGATION COMPLAINTS**

Rob Connelly, Acting Assistant Director - Governance, gave an update on the procedure, advising the Committee that it was proposed to send a copy of decision notices every quarter and to give performance indicators of progress with the procedure. However, there was a need to maintain confidentiality.

The Chairman expressed concern that stage 1 of the procedure seemed to be taking too long and that it was difficult to predict the length of the second stage. He suggested that the Code of Conduct should form part of the full review of the City Council's Constitution.

Members were invited to submit comments on the procedure to the Acting Assistant Director – Governance.

OTHER URGENT BUSINESS

276 No items of urgent business were raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

277 **RESOLVED:-**

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

The meeting ended at 1540 hrs

CHAIRMAN