

BIRMINGHAM CITY COUNCIL

STANDARDS COMMITTEE 10 OCTOBER 2018
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MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD ON WEDNESDAY, 10 OCTOBER 2018 AT 1400 HOURS IN COMMITTEE ROOM 2, COUNCIL HOUSE, BIRMINGHAM

PRESENT: - Mr Peter Wiseman in the Chair;

Councillor Deirdre Alden, Councillor Mahmood Hussain,
Councillor Shafique Shah, New Frankley Parish Councillor Ian
Bruckshaw, Sutton Coldfield Parish Councillor Derrick Griffin
and Steven Jonas.

ALSO PRESENT:-

Rob Connelly, Acting Assistant Director - Governance
Safeena Tonks, Electoral Services Manager, Finance and Governance

APOLOGIES

284 Apologies were received from Professor Stephen Shute, Raymond Tomkinson
(Independent Observer) and Kate Charlton.

DECLARATIONS OF INTEREST

285 No interests were declared.

MINUTES

286 The Minutes of the meeting held on 8 August 2018, having been previously
circulated, were agreed as a correct record, subject to the second sentence of
the second paragraph on page 90 being amended to read: "They wanted to
build in the process going forward greater use of the independent person where
appropriate."

With reference to paragraph 3 on page 91, Rob Connelly, Acting Assistant
Director - Governance, advised that he had been unable to find a copy of the
guidance produced previously, but he would clarify the matter in the new
guidance.

UPDATE ON AMENDMENTS TO STANDARDS COMMITTEE ROLE AND MEMBERSHIP

The following update report on the changes to the Constitution agreed at City Council on 11 September 2018 was submitted:-

(See document No. 1)

Rob Connelly, Acting Assistant Director - Governance, advised the Committee that an amendment had been agreed at City Council, which deleted the words "other than those with Special Responsibility Allowances". Discussions had taken place with Group Leaders regarding equal representation on the Committee and they had been requested to submit nominations for submission to the City Council in November 2018.

287 **RESOLVED:-**

That the report be noted.

ARRANGEMENTS FOR APPOINTMENT OF INDEPENDENT CHAIR AND DEPUTY CHAIR

- 288 Rob Connelly, Acting Assistant Director - Governance, advised that Peter Wiseman had been appointed as Chairman of the Committee. He proposed and Members agreed that Steven Jonas be appointed as Deputy Chairman.

REVIEW OF 2017/18 CASES

- 289 Rob Connelly, Acting Assistant Director - Governance, tabled a spreadsheet of cases for members' information and advised that a full report would be submitted to the next Committee meeting. He advised that he would review the Annual Report in order to provide more information and analysis and to identify trends.

Mr Connelly informed the Committee that a Freedom of Information request had been received from a member of the public seeking details of a complaint, but that the request had been refused in the light of the regulations.

He gave a general overview of the cases and an update on those that were on-going. The Chairman expressed concern that action needed to be taken more quickly in response to complaints and suggested that a 14-day deadline should be accepted for mediation where a referral was made to an independent person.

UPDATE OF CASES APRIL - SEPTEMBER 2018

- 290 Rob Connelly, Acting Assistant Director - Governance, tabled a spreadsheet of 'in year' complaints for members' information and advised that a full report

would be submitted to the next Committee meeting. He gave an update on the general position.

Councillor Deirdre Alden drew attention to concern raised by a member of the public that they had not been informed of progress with a complaint submitted. Mr Connelly acknowledged that better communication was needed with the member of the public. He explained that the original communication had not been submitted as a complaint, but it had been escalated to that level because of a failure to respond. He confirmed that he would pursue that matter.

New Frankley Parish Councillor Ian Bruckshaw expressed concern regarding a serious verbal attack made by a Councillor against a member of the public. Mr Connelly confirmed that it was the correct action to refer that matter to the Monitoring Officer and advised that he was aware of that incident.

OTHER URGENT BUSINESS

Discussions with the Independent Improvement Panel

291 The Chairman advised the Committee that he had been invited to meet with the Independent Improvement Panel in August 2018. The Panel expressed concerns regarding the City Council's governance, in which it had seen signs of improvement, but it wanted to sign cultural change driven forward quickly. The Panel felt that the Standards Committee, while peripheral, would be vital in effecting change and wanted to see evidence of that being undertaken. It wanted the Committee's profile to be high and to be in the minds of all Councillors. It had suggested that regular meetings should be held by the Chairman with the Chief Executive, the Monitoring Officer and Group Leaders at least twice each year, but he believed that quarterly meetings might have to be agreed.

With officers, he would be introducing a training programme for new Councillors and refresher sessions for experienced Councillors. It had been noted that a significant number of complaints involved to Councillors against Councillors and the Panel wanted to see those matters being dealt with by Group Secretaries.

A new Committee membership had been agreed at City Council with equal Group representation and more independent members, which should be implemented prior to the next meeting. He asked current members to promote the Committee and its role. He believed that new guidance might need to be produced on some aspects of the Member Code of Conduct. In response to a question from Councillor Deirdre Alden, he advised that the changes may be needed in the light of the Committee's developing role and recommendations in the Kerslake report. The Committee's role had been complaints led, but it needed to be more proactive in future and to ensure that Councillors were aware of their obligations.

Rob Connelly, Acting Assistant Director - Governance, advised that the revised training programme would be rolled out following work undertaken with Group Secretaries and Group Whips. There was concern that they should be involved at an earlier stage. He informed members that the Government's response to its recent consultation on the Review of Local Government Ethical Standards was due to be published in December 2018. It was expected to respond to concerns regarding openness and transparency, sanctions and consistency in Codes of Conduct. He undertook to notify members of details when it was published.

Attention was drawn to the position of Parish Councils, which was noted.

AUTHORITY TO CHAIRMAN AND OFFICERS

292

RESOLVED:-

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

The meeting ended at 1450 hours.

CHAIRMAN