



North East Combined Authority, Governance Committee

Friday 11th December, 2015 at 2.00 pm

Meeting to be held: Gateshead Council, Civic Centre, Regent Terrace, Gateshead, Tyne and Wear NE8 1HH

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SUPPLEMENTAL AGENDA (3)

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4. Regional Meeting of Chairs and Deputy Chairs of Standards and Governance Committees - 9 October 2015	1 - 6
Appendix 1 was omitted from this item in the Agenda Pack. Please find a full copy of the report and Appendix 1.	

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To: All Members

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North East Combined Authority

Governance Committee

Date: 11 December 2015

Subject: Regional Meeting of Chairs and Deputy Chairs of Standards and Governance Committees - 9 October 2015

Report of: Interim Monitoring Officer

Executive Summary

The purpose of this report is to update the Committee on the most recent regional meeting of the Chairs and Vice Chairs of Standards Committee and Independent Persons held on 9 October 2015.

Recommendations

It is recommended that the Committee notes this report.

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1 Background Information

1.1 As the Committee will recall, the first regional meeting of Chairs and Deputy Chairs of Standards Committees and Independent Persons was held in June 2013. The fifth and most recent meeting was hosted by Gateshead Council on 9 October 2015. Most local authorities in the region were represented. The Minutes of the Meeting are attached at Appendix 1.

1.2 The discussion included the following items:

(i) Dealing with persistent complainants

One authority reported that it had received a substantial number of complaints from the same person and was keen to explore how other authorities dealt with that issue.

Some of the other authorities confirmed they had had a similar experience. It was generally agreed that each complaint should be dealt with in accordance with the authority's assessment criteria and these should generally "filter out" those complaints which had no merit so that they could be disposed of quickly. If a complainant continued to make purely vexatious complaints, then it would be for the Monitoring Officer and the Authority to decide how to deal with that complainant in the same way as it would deal with any other person who made vexatious complaints (ie not necessarily under the standards regime).

(ii) Dealing with "persistent offenders"

Some authorities reported that some members had had a number of complaints against them upheld but the current sanctions regime did not deter them from committing further breaches of the code of conduct. It was acknowledged that the lack of effective statutory sanctions had been an issue of concern since the new regime was implemented. It was agreed that the Monitoring Officer Group would liaise to make joint representations to DCLG. Those present agreed to supply evidence (anonymised where required) of the problems experienced to support these representations. It was also agreed that the letter to DCLG could be copied to local MPs in an effort to seek their support.

(iii) Training for Standards Committee Members/Independent Persons

It was proposed that there should be regional training for standards committee members to deliver a common approach and economies of scale. Any such training would, of course, need to note the differences in the code of conduct adopted by each authority. This proposal was welcomed. Similarly, it was also proposed that regional training for Independent Persons would be beneficial. This training could be largely combined with the training for standards committee members, given that it would relate to similar issues and would also help committee members to gain a better insight into the role of independent persons and *vice versa*, although the training would obviously need to recognise the specific responsibilities of each role.

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The Monitoring Officer Group will bring a proposal to the next regional meeting.

The next meeting will be held in approximately six months' time in Sunderland.

2 Proposals

2.1 There are no proposals in this report. It is for information only.

3 Next Steps

3.1 There are no proposals in this report. It is for information only.

4 Potential Impact on Objectives

4.1 There is no direct impact on Objectives.

5 Finance and Other Resources

5.1 There are no direct financial implications arising from the report.

6 Legal

6.1 There are no direct legal implications arising from the report.

7 Other Considerations

7.1 Consultation/Community Engagement

No external consultation or community engagement required.

7.2 Human Rights

There are no implications under the Human Rights Act 1998 (or as amended).

7.3 Equalities and Diversity

There are no equalities and diversity implications directly arising from this report.

7.4 Risk Management

There are no risk management implications directly arising from this report.

7.5 Crime and Disorder

There are no crime and disorder implications directly arising from this report.

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7.6 Environment and Sustainability

There are no environment and sustainability implications directly arising from this report.

8 Background Documents

8.1 None.

9 Links to the Local Transport Plans

9.1 There is no direct link to the Local Transport Plans

10 Appendices

Minutes of the Meeting of Regional Standards Committee Chairmen and Independent Persons Meeting on 9 October 2015

11 Contact Officers

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12 Sign off

- Head of Paid Service✓
- Monitoring Officer✓
- Chief Finance Officer✓

Regional Standards Committee Chairmen and Independent Persons Meeting

Minutes

9 October 2015, Civic Centre, Gateshead

The following attended the meeting:

Councillor Brian Coates, Martin Harrison, Neil Porteous (Gateshead)
Bryn Roberts (Middlesbrough)
Councillor P. G. Earley and Stephen Ballantyne (North Tyneside)
Councillor Mac Williams, K Shaw, Claire Burrows (Durham)
R Staward (South Tyneside)
H Trueman, Elaine Waugh (Sunderland)
M Garry, Arlene Ainsley, Helen Wilson, John Softley (Newcastle)
Joe Jackson (Northumberland)
Claire Wilson (Hartlepool)
Norman Rollo (Hartlepool and Stockton)
George Clark (North Tyneside and Newcastle)

1. Introductions and apologies for absence

Councillor Brian Coates welcomed everyone to the fifth regional meeting.

Apologies were received from Anne Darke, Sheila Joseph, Anthony Atkinson, Jeff Bell, Liam Henry, Judith Common and Councillors Culley, Wiley and Williams.

2. Minutes

The minutes of the regional meeting at Durham on 3 March 2015 were agreed as a true record, subject to amendments to those shown as in attendance.

3. Matters arising

None reported.

4. Dealing with persistent complainants (Durham)

The group was asked to share its views on how best to manage persistent complainants.

It was commented that the monitoring officer has an important role in determining the validity of complaints. Joe Jackson added that Northumberland are currently exploring the legislation surrounding vexatious complaints.

It was reported that the inclusion of a time limit (of 6 months) for the reporting of complaints, within Middlesbrough's code of conduct, has had a positive effect. North Tyneside has included a time limit for the reporting of complaints (of 3 months) along with a 'tit for tat' provision in its policy.

The group was satisfied that once legitimate complaints have been investigated, authorities have the right to explain to the complainant that the process has been exhausted and therefore refuse to accept the re-submission of the complaint.

5. Dealing with persistent offenders

There was acknowledgment amongst the group of the lack of effective sanctions, and the issues surrounding independent Councillors who are not subject to political group discipline.

It was agreed that the region's monitoring officers would, at their next meeting, discuss the content of a letter to the Department for Communities and Local Government (DCLG) requesting effective sanctions. John Softley, Newcastle agreed to co-ordinate the response and called for evidence to support the request.

6. Taking action against former members

The item was included on the agenda at the request of Durham. It has decided not to pursue a complaint against a former member as it does not consider it to be in the public's interest.

The group was informed that North Tyneside is proceeding with an investigation in relation to the conduct of a former member, as its investigations were at an advanced stage when the member failed to retain their seat at the election.

7. General issues

Regional training for standards committee members and independent persons

Representatives of North Tyneside commented that the delivery of training at a regional level may be beneficial. Therefore it was agreed that at the monitoring officers meeting they explore existing training and that a proposal be made (at the next regional meeting) on shared or combined training, as appropriate.

8. Time and date of next meeting

Sunderland volunteered to organise and host the next meeting.