

Council

18 July 2013

Agenda Item 24

Brighton & Hove City Council

Subject: Extract from the Proceedings of the Audit & Standards Committee Meeting held on the 25 June 2013 - Substitution on Audit & Standards Committee and Composition of Standards Panels

Date of Meeting: 18 July 2013

Report of: Head of Law

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Wards Affected: All

Action Required of Council:

To receive the item referred from the Audit & Standards Committee for approval:

AUDIT & STANDARDS COMMITTEE

4.00 pm 25 June 2014
COUNCIL CHAMBER, HOVE TOWN HALL

DRAFT MINUTES

Present: Councillors Hamilton (Chair), A Norman (Opposition Spokesperson), Deane, Smith, Summers, Sykes and Wealls

Independent Persons & Co-opted Members: Dr David Horne

PART ONE**8. SUBSTITUTION ON AUDIT & STANDARDS COMMITTEE AND COMPOSITION OF STANDARDS PANELS**

- 8.1 The Committee considered a report of the Head of Legal & Democratic Services in relation to Substitution to the Audit & Standards Committee and Composition of Standards Panels. The current Council procedure prohibited substitutions onto the Audit & Standards Committee, and this had recently resulted in less than full attendance at some meetings of the Committee; the report proposed that Full Council be recommended to amend the rules so as to allow substitution. The report also sought

approval for a change to the arrangements for convening a Standards Panel so that the membership could include an Independent Member.

- 8.2 Councillor Wealls expressed concern that the proposed changes to the composition of Standards Panel could result in less political diversity, and Panels should not be made up of Members from only one political group. The Head of Legal & Democratic Services noted that in practical terms this would not be the case; and Panels would continue to be operated on a cross party basis, but the report now allowed an Independent Member to sit on the Panel.
- 8.3 Councillor Ann Norman agreed that Panels should always be cross party, and she stated that Officers always reflected this makeup when putting Panels together. She went on to say that she welcomed the representation of the Independent Member on Panels, and that it was important the Committee allow substitutions at meetings of the full Audit & Standards Committee. Councillor Ann Norman also suggested that membership of the Standards Panel be offered to all Members of the Audit & Standards Committee, subject to them being suitably trained.
- 8.4 Councillor Hamilton stated that there were training sessions on the Code of Conduct in July which he hoped more Members would be able to attend, and he hoped there could be a situation where more Members were trained to sit on Standards Panels as cross party representation was so important.
- 8.5 In response to a query from Councillor Pissaridou it was confirmed that Members needed to be trained before they could sit on Standards Panel in a similar way to Personnel Appeals or Licensing Panels.
- 8.6 The Head of Legal and Democratic Services confirmed that the Code of Conduct training sessions would be open to all Members, but it was not the intention to allow all Members to substitute on Standards Panels who were not on the parent Audit & Standards Committee as they needed to be very familiar with the relevant procedures. He confirmed that if a member of Audit & Standards Committee wished to serve on a Standards Panel but had no prior experience or the necessary knowledge or skills, appropriate training would be arranged. He suggested that the composition of the Panel could be increased to a maximum of four elected Members and one independent person to help address Members concerns in relation to cross party representation. Councillor Summers asked how this would impact on and what provision there was if a vote were tied; in response it was clarified that the Panel appointed a Chair who would be able to exercise a casting vote in the event of a tie.
- 8.7 Before Members voted the Chair clarified the recommendation would be amended to allow Standards Panel of up to four elected Members – with a minimum of three, and one independent Member.
- 8.8 **RESOLVED:**
- (i) That the Committee recommend to Full Council that Procedure Rules be amended as set out in paragraph 3.7 of the report.

- (ii) That the Committee approve the amendment to the Council's arrangements for dealing with allegations of breaches of the Members Code of Conduct as set out below:

"9. Who are the Standards Panel?

The Standards Panel is a Sub-Committee of the Council's Audit & Standards Committee, and only Members of that Committee may be appointed to a Standards Panel. Panel membership will consist of a minimum of three, and a maximum of four, elected Members appointed on a cross-party basis, plus one Independent Person who will attend the hearing in his/her statutory advisory capacity."

