

**HUMBERSIDE POLICE AUTHORITY**

**STANDARDS COMMITTEE**

**17 April 2007**

**PRESENT:-**

**Elected Members:-** Councillors Brady and Rudd

**Independent Members:-** Mr J Goolden, Mr S Hooper and Mr K Robinson

**Officers:-** Mr N Kingston, Assistant Chief Executive.

The Committee met at Pacific Exchange, Kingston upon Hull.

- 12 **ELECTION OF CHAIR** – **Resolved** – It was moved by Cllr Brady and seconded by Cllr Rudd that Mr Hooper be appointed to the Chair.

Mr Hooper then took the Chair.

- 13 **DECLARATIONS OF INTEREST/OFFERS OF GIFTS OR HOSPITALITY** – The Chair reminded Members of the need to record any personal or prejudicial interest in items on the agenda and to disclose any relevant receipt or offering of gifts or hospitality.

No interests were declared or disclosures made.

- 14 **APOLOGIES** – No apologies for absence were submitted.

- 15 **MINUTES** – **Resolved** – That the minutes of the meeting held on 7 November 2006 having been printed and circulated amongst the Members, be taken as read and correctly recorded and be signed by the Chair.

- 16 **UPDATE ON THE MINUTES** – Minute 11 was referred to and a Member advised that he sat on the Regional Forum on behalf of Hull City Council. He believed that the Forum provided a wealth of experience on matters such as investigations and recommended Members attend. The Assistant Chief Executive advised Members that an APA Officer had expressed concern with the development of the Association of Independent Members (AIMs). A Member advised that AIMs had appeared to be targeted towards South/South West England and that many Members had left half way through the last meeting. It was agreed that the Assistant Chief Executive explore the aims and objectives of the Association to allow the Committee to make an

informed decision with regards to membership.

**Resolved** – That the updates and actions be noted.

**17 (6) ACTION SCHEDULE** - Members received a rolling schedule of actions arising from previous meetings of the Committee.

The Assistant Chief Executive referred to minute 1777(iii) and suggested that the issue be revisited following the introduction of the revised code when the practicalities and potential use of sub or joint committees to handle local filter systems could be considered. A discussion took place on the changes to the ethical governance framework and the impact this would have on Standards Committees. Following suggestions from Members that (i) Standards Committees may have to increase their numbers to be able to convene hearings and make decisions on when to refer cases and when to hear them and (ii) investigations be conducted jointly, a Member queried the number of Members on other Standards Committees. Members discussed the possible introduction of a pool of people who could be contacted on an 'as and when' basis. Following a query from a Member, the Assistant Chief Executive explained to Members that the Yorkshire and Humber Joint Police Authority Committee (JPAC) were working to collaborate on issues other than Protective Services. He advised that the issues within Standards Committees may be appropriately raised through JPAC. Discussion took place regarding the desirability of appointing someone external to the Police Authority and the likelihood that the Police Authority's Standards Committee may need to get bigger to accommodate the potential widening role of Standards Committees. The issues were summarised as (i) The need for the person/firm to carrying out the investigation and any proposals to work practically – this could be the Monitoring Officer, Deputy Monitoring Officer, a local law firm or a local government officer, and (ii) How would investigations be handled and would we need a sub-committee structure to handle appeals etc? The Assistant Chief Executive agreed to present to the Standards Committee options on the conduct of investigations. It was agreed that this matter be discussed after the Standards Board for England Roadshow on 7 June.

The Assistant Chief Executive referred Members to minute 19 and advised that Police Authority Members would need training following the introduction of the revised Code but that it was not a mandatory requirement. It was agreed that the Secretariat obtain dates of Code of Conduct training being held by other Authorities in an attempt to share information to allow Authorities to offer alternative dates to their own. It was agreed that although Members be encouraged to attend the training being conducted at their own Authority, if they were not able to attend, it should be possible for them to attend external training. Members suggested staggering the dates for the Code of Conduct training in an attempt to increase attendance.

The Assistant Chief Executive updated Members on minute 10 and advised

that matters arising from the Assessment and Improvement Framework had been included within the Work Programme (minute 20). Following a query from a Member as to the powers of the Standards Committee, the Assistant Chief Executive advised the Terms of Reference for all committees were being looked at and he would ensure Members were notified of any developments. The Chair was invited to attend the Police Authority AGM in June to update Police Authority Members on the work of the Standards Committee and its plans for the future.

**Resolved** – That the Action Schedule and updates be noted.

- 18** **(7) REVISED MODEL CODE OF CONDUCT** – The Chief Executive and Monitoring Officer submitted a report that provided Members with an overview of the general and specific aspects of the draft code that had been published for consultation by the Department for Communities and Local Government (DCLG) in January 2007. Attached as annexes to the report were a copy of the code and Humberside Police Authority's response to the consultation.

The Assistant Chief Executive advised Members that since the circulation of the papers, the Code of Conduct had been published and would come into force on 3 May 2007. He provided Members with an updated report, Report 7a and informed Members that public authorities (including police authorities) had six months to adopt the revised code and notify the Standards Board for England when they had adopted the revised code. Detailed at Annex A to the report were the principal changes to the Code of Conduct affecting Police Authorities. Members were provided with the new Model Code of Conduct published by the Department for Communities and Local Government (DCLG) and were advised that their duty was to recommend to the Police Authority at its Annual General Meeting on 19 June 2007 the form of the Code the Authority should adopt.

Members discussed the option of including or deleting the section on the Local Authority Publicity Code highlighted at paragraph 6(c).

Following a debate on the content of the Code of Conduct, Members agreed that the Code be accepted in its entirety but to avoid confusion, be accompanied by a covering statement to outline the paragraphs that did not apply to police authority Members (for example the Local Authority Publicity Code). This was to be subject to the content and relevancy of the Local Authority Publicity Code and the Assistant Chief Executive agreed to circulate a copy of this Code to Members for their views.

Following a query from a Member, the Assistant Chief Executive advised that the Standards Board for England had not yet published guidance on the Code. It was agreed that a meeting of the Committee be held following publication of the Guidance prior to the Police Authority AGM in June.

**Resolved** – (a) That the report be noted (b) that Members receive a copy of the Local Authority Publicity Code and (c) that subject to the content and relevancy of the Local Authority Publicity Code to Authority business, a recommendation be made to the Police Authority AGM that the Code be accepted in its entirety with an accompanying statement to outline the paragraphs not applicable to Police Authority Members.

- 19      **(8) LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH BILL** – The Chief Executive and Monitoring Officer submitted a report that provided Members with a summary of the key ethical standards changes that had been incorporated into the Local Government and Public Involvement in Health Bill (LGPIH).

**Resolved** – That the proposed changes to the ethical framework highlighted within the report be noted.

- 20      **(9) HUMBERSIDE POLICE AUTHORITY STANDARDS COMMITTEE WORK PROGRAMME 2007-08** - The Chief Executive and Monitoring Officer submitted a report that provided Members with suggestions for the introduction of a work programme.

A Member referred to Paragraph 5(iv) of the report and commented that although the Standards Committee Members could ensure that work such as an audit of Members Allowances be undertaken, this work would not be completed by Standards Committee Members although Members would receive feedback on the outcomes.

Members queried the existence of current policies affecting Members and the Assistant Chief Executive agreed that Standards Committee Members should be sighted on any policies affecting Members of the Police Authority. The Assistant Chief Executive agreed to compile a matrix of the policies for Members' perusal.

The Assistant Chief Executive agreed to undertake an audit of Members Allowances on behalf of the Standards Committee. He referred to minute 17 and advised that the subject of the work programme would be included within the Chair's presentation to the Police Authority at the AGM once finalisation of the new Committee Structure had been agreed.

**Resolved** – (a) That the report be noted and (b) that an audit of Members' Allowances be undertaken on behalf of this Committee.

- 21      **(10) THE COLLINS JUDGEMENT** – The Chief Executive and Monitoring Officer submitted a report that informed Members of a recent appeal against a decision of the Adjudication Panel for England concerning the behaviour of 'off-duty' local authority councillors.

A Member commented on the unique power of police authorities to remove a Police Authority Member should their behaviour in their private life be thought unacceptable. He referred to Schedule 2 Paragraph 19(1)(d) of the 1986 Police Act, "A Police Authority may remove a Member from office by notice in writing if the Police Authority is satisfied that the Member is unable or unfit to discharge his functions as a Member".

**Resolved** – That the report be noted.

- 22** **(11) STANDARDS BOARD FOR ENGLAND – ANNUAL ASSEMBLY 2007 – ‘DOWN TO DETAIL – MAKING LOCAL REGULATION WORK’** – The Chief Executive and Monitoring Officer submitted a report that advised Members of the Sixth Annual Assembly of Standards Committees and invited Members to nominate appropriate delegates to attend.

**Resolved** – (i) That the report be noted and (ii) that Mr Goolden and either the Chief Executive or Assistant Chief Executive attend the Standards Board for England Annual Assembly 2007 in Birmingham on 15 and 16 October.

- 23** **(12) STANDARDS BOARD ROADSHOWS – SUMMER 2007** – The Chief Executive and Monitoring Officer submitted a report that informed Members of a series of roadshows to be hosted by the Standards Board in June 2007 and invited Members to nominate appropriate delegates to attend.

**Resolved** – (i) That the report be noted and (ii) that Mr Hooper and the Assistant Chief Executive attend the Standards Board Roadshow in Leeds on 7 June 2007 with a further two places to be reserved with attendees to be confirmed at a later date.