

## Devon and Cornwall Police Authority

### MINUTES

A meeting of the **Standards Committee** was held on Monday 11<sup>th</sup> November 2009 in the Conference Room, Devon and Cornwall Police Authority, Endeavour House, Woodwater Park, Exeter, starting at 10:00hrs.

#### Present:

Chairman Mr M Harvey

Members: Mr B Jenkin, Mrs A Mayes, Mr D Money, Mrs V Pengelly.

#### Officers:

Miss J Norris (Assistant Chief Executive), Ms G Bishop (Policy Officer), Mrs G Clifton (Administrator).

#### SC/97 Chairman's Announcements

The Chairman welcomed the new members to the Committee and announced that a DVD from Standards for England called "Assessment Made Clear" would be shown following the meeting.

#### SC/98 Apologies for absence

An apology for absence had been received from Sir Simon Day.

#### SC/99 Declarations of Interest

No declarations of interest were made in respect of any item on the agenda.

#### SC/100 Minutes

**RESOLVED** that the minutes of the meeting held on 21<sup>st</sup> July 2009 be confirmed as a correct record.

#### SC/101 Joint Working with other Standards Committees

The Assistant Chief Executive provided an oral update regarding the possibilities of joint working.

Issues discussed during consideration of this item included:

- Legislation was introduced in July with the intention of enabling joint working with other Standards Committees. There is some dispute however about the legality for Police Authorities of joint working as under the Police Act Police Authorities are unable to delegate any of their functions to another Police Authority. A statement was expected from Standards for England within the next two weeks clarifying their position regarding the issue.
- In the interim, discussions had taken place with neighbouring Police Authorities about the possibilities of joint working. Avon and Somerset required time for further consideration before agreeing to a joint committee but was interested in working together for joint training. Dorset was interested in drawing up a model for full joint working for assessments and hearings provided a local member was always present at hearings.
- Until the legal position was clarified little further work would be done towards setting up a joint committee for hearings etc. but the possibility of joint training would be explored. Standards for England suggests that these types of 'soft' partnerships were both popular and successful. The Authority had in the past organised training and invited other authorities (police authorities, fire authority and councils) to participate. Local Authority Monitoring Officers had in the past provided training for individuals and would be happy to continue this.
- Depending upon future ways of working, consideration may need to be given to amending the Authority's Constitution to allow an increase in the number of members on the Standards Committee to enable there

to be sufficient number of Members to deal with the various parts of the assessment and hearing processes.

**RESOLVED** that joint working would be put on hold until the legal position was clarified but opportunities for "soft partnering" would be explored.

### **SC/102 Ethical Standards Training**

This agenda item provided the opportunity for the Committee to discuss future training for authority members and more specialist training for members of the Standards Committee.

Issues discussed during consideration of this item included:

- Induction training for new Police Authority members included training in the Code of Conduct and all Members are sent the Register of Interests form for completion when they are first appointed.
- In future training of independent members consideration may be given to offering a different level of training for new independent members to that given to councillor members; the latter have considerable ethical framework training and only need to get a Police Authority 'slant' on it. Independent members generally do not have this background so member training is not one size fits all.

**RESOLVED** that the Committee Chair should discuss member training with the Monitoring Officer.

### **SC/103 Standards Board Annual Assembly 2009**

The Committee Chair and Vice-Chair attended the Assembly and updated the Committee on the following points of interest:

- If there is a change of Government at the next election the Conservatives intend to abolish Standards for England.
- Various statistics were announced among which was that 50% of complaint assessments are dismissed.
- A revised Code of Conduct for members was due to be published at the end of November for implementation in April 2010.
- Standards Committees should be proactive and guiding authorities regarding ethical standards matters they should not be passive or purely reactive.
- The conferences were geared mainly to Local Authorities rather than single purpose authorities (SPAs) such as police authorities. Local authorities get many more complaints than SPAs particularly over planning issues.

**RESOLVED** to note the report.

### **SC/104 Report on the South West Independent Members Group Meeting**

Twice a year the independent members of Standards Committees meet to discuss issues such as how to deal with vexatious complaints. It was a useful exchange of views and interesting to engage with other SPAs and Standards for England. Mr Harvey gave a brief update on the latest meeting.

**RESOLVED** to note the report.

### **SC/105 Standards Committee Best Practice/Compliance Checklist**

A compliance / best practice checklist, based upon an Audit Commission diagnostic tool, was presented to the Committee for information.

Issues discussed during consideration of this item included:

- A report would be submitted to the full Authority in December regarding the recruitment of Independent members of the Standards Committee.
- The Nolan Principles recommend that people holding public appointments should serve no more than 10 years. The current Chairman is coming to the end of his second term of four years and could serve another two years.

- It was preferable to have an overlap of experience and not replace all the independent members at one time.
- A two-year extension to the current Chairman's appointment might be sensible to cover the possible change of Government and possible review of Standards for England.
- Item 14 – "Has the Standards Committee undertaken an assessment of the standards of conduct within the Authority?" is still tabled as "No". This issue would be discussed at the next meeting.
- To help proactively promote high standards of ethical behaviour amongst members it had previously been agreed to include encouragement for the Vice-Chair of the Standards Committee to attend Police Authority meetings (item 20).
- The checklist needs updating in respect of members understanding of the difference between personal and prejudicial interests (item 29)

**RESOLVED** to note the report.

### **SC/106 Standards for England Publications Checklist**

The following publications had been received since the last meeting of the Committee. .

- Corporate Plan 2009 – 2012 ( held in the PA Library)
- Local Standards; national perspectives - The Standards For England Annual Review 2008-09: (held in the PA Library)
- DVD "Assessment Made Clear" (held by the Assistant Chief Executive)
- The Bulletin - No 45 ( circulated to all Members of the Authority)

**RESOLVED** to note receipt of the publications.

The meeting closed at 11.15hrs and members retired to the Chief Executive's office to watch the video from Standards for England – "Assessment Made Clear".