

THE STANDARDS BOARD FOR ENGLAND

Board Meeting

Board Room
1st Floor, Cottons Centre
Cottons Lane, London SE1 2QG
13 July 2005
10.00am –2.20pm

Meeting Minutes

- Present: Patricia Hughes, CBE, Deputy Chair (Chair)
John Bowers QC
Celia Cameron, CBE
Peter Chalke, CBE
Margaret Pratt
Paul Sabapathy, CBE
- Apologies: Sir Anthony Holland, Chair
Cllr Louise Bloom
Professor Alan Doig
Roger Taylor
- In attendance: David Prince, Chief Executive
Tim Bogan, Communications Manager
Chris Boothman, Head of Legal Services
Allister Duncan, Head of Corporate Services
Kathy Farrand, Head of Referrals Unit
Paul Hoey, Head of Policy and Guidance
Lisa Klein, Head of Investigations
Alan Lawton and Michael Macauley, Teesside University (item 05/83 only)
Sterl Greenhalgh, PWC (item 05/94 only)
- Observers: Anne Rehill, Senior Policy Adviser
Emmanuel James-Oteng, Records Officer

ACTION

- 05/78 Apologies**
Sir Anthony Holland, Louise Bloom, Alan Doig and Roger Taylor.
- 05/79 Minutes of Board Meeting held on 18 May 2005 (Open Session)**
The Board agreed that minute 05/59(a) should be amended to read: "...retain the policy of referring anonymous complaints for investigation only in ...". The minutes were then approved and signed by the Deputy Chair.
- 05/80 Matters Arising**
Minute 05/54: Matters arising: the Deputy Chair advised that her term with SOLACE as Interim Chief Executive of the London Borough of Sutton is likely to be for six months.
- 05/81 Declaration of Board Member interests and forthcoming engagements**
John Bowers advised that he is advising Bradford City Council on various industrial relations issues not related to the Standards Board for England.
- 05/82 Team Briefing**
The Board noted the report.
- 05/83 Code Review Consultation**
The Board thanked officers for the effort put into this paper. Those Board members present noted that while the comments reflected the personal views of the Chair

they nevertheless wished to record that they wanted to disassociate themselves from the views expressed in paragraphs Ai and Aiv of Annex C.

The Board had a full discussion about the lines that they wished to take on the broad issues set out in the paper as below:-

1. Para 11: the Board endorsed as a recommendation that the general principles be included as a preamble to the code as a way of defining aspirational standards;
2. Paras 15 and 17: Disrespect/bullying: the Board agreed that this provision should be kept broad but that greater guidance is made available on the type of cases that have and have not been investigated in the past to give better examples of what the Standards Board and tribunals have considered to be disrespectful. The Board understood the difficulties but endorsed the proposal that bullying be made a specific offence under the code.
3. Para 21: Public Interest: the Board agreed that such a provision should be made explicit in accordance with the proposals in the paper. Officers would liaise with the Information Commissioner as appropriate.
4. Paras 25/27: Disrepute and private conduct: the Board endorsed the recommendation that certain aspects of private conduct should continue to be regulated but with some narrowing.
5. Para 30: Misuse of resources: the Board agreed that model protocols should be developed and circulated as a suggestion.
6. Paras 37/38: Whistleblowing: the Board agreed that this provision should be removed.
7. Para 39: Whistleblowing: this recommendation was not agreed and officers were asked to look into further and consider whether it should be included with bullying or as a separate clause.
8. Para 42: Personal and prejudicial interests: the Board agreed not to contain a definition of "friend".
9. Paras 43/45/46/50: personal and prejudicial interests: The board agreed that:
 - a. The definition of a personal interest should be restricted so that members do not have to declare an interest where it is merely something that affects them no more than a wide community.
 - b. Interests which arise solely because a member serves on another public body should be treated differently from interests which arise from a member's private life. Such public service interests should only be required to be declared when a member speaks on a related subject, unless the interest is also prejudicial. It would only be prejudicial if it related directly to the public body (for example, a grant application on its behalf) or was a regulatory decision which directly affected that body or its aims. In such cases, the member should be invited to address the meeting and answer questions on behalf of the body but then withdraw before the substantive discussion so that they are not seen to be influencing the debate.
 - c. Prejudicial interests where the member is advocating on behalf of an outside body, such as a charity or local pressure group, should be treated in the way outlined in b) above.
 - d. The Government should also give local authorities broader powers to grant exemptions to members with prejudicial interests who nevertheless are speaking on behalf of their constituents.
 - e. They also agreed with the proposals in para 48 vi and vii.
10. Para 52: Personal and prejudicial interests: the Board did not agree with the recommendation to explore this option with key stakeholders.
11. Paras 53/54/55: Registers of gifts and hospitality: the Board agreed with the recommendation to make membership of private clubs registerable but to limit them geographically and they further agreed that certain sensitive information could be registered by not publicly. They also agreed that the register of gifts should be public, that the limit should remain the same and there is no need to register gifts declined or small amounts of cumulative

hospitality although the monitoring officer should be notified.

The Board agreed that parishes should continue to be covered by the same code.

The Board noted and agreed with the Chief Executive's proposal that these decisions will now form the basis of a paper which will be circulated to Board members for further comments before being presented to the Minister at the Annual Conference in September.

05/84 Referrals Unit – Select Committee Recommendation – Notification of members

The Board agreed with the Board Referrals' Panel recommendation made in Option A that the existing policy continues.

05/85 Policies on unacceptable behaviour and disruptive, unreasonably persistent complainants

The Board approved the recommendation that the policies of the Parliamentary and Health Service Ombudsman should be adopted. Paragraph 3 (second line) under the paper headed "Policy on disruptive, unreasonably persistent complaints" was amended to include the words "... *nature and* frequency of their contact"

05/86 Freedom of Information – Publication Scheme revision

The Board agreed:

1. The changes to the Publication Scheme and its Schedule;
2. that the revised schedule be forwarded to the Office of the Information Commissioner; and
3. that the revised Publication Scheme be placed on the website.

05/87 Accounts for the year ended 31 March 2005

The Board approved the accounts. They also agreed that the actuaries of the Greater Manchester Fund should be approached to ascertain what increase to contributions should be made to make up the liability of £485,000 and ODPM advised.

05/88 Draft Corporate Plan 2006-09

The Board endorsed the comments of the Quality and Strategy Panel on the draft Corporate Plan.

05/89 September Board Away Day Agenda

The Board agreed with the agenda subject to allocating more time to discuss the "bigger picture".

05/90 Referrals Unit – Chief Executive's Review Process – changes to the Scheme of Delegation

The Board approved the amended Scheme of Delegation regarding the power for the Chief Executive to review a decision, made by the Referrals Unit, not to refer a case for investigation. They asked for a paper to be taken to the next meeting of the Board Referrals Panel with details of how the process works, particularly with regard to the review of self-referrals.

05/91 Chief Executive's Report

1. The Board received the Report.
2. The Board registered their concern about the lack of a decision from ODPM on the relocation submission, to be discussed at the forthcoming civil service and ministerial meetings.
3. The Board noted that, with regard to the meeting with Sir Allister Graham, relations with partnerships are to be emphasised.
4. Those Board members who have not been able to attend any roadshows asked for thanks to be passed to their Board colleagues who had attended roadshows.

- 05/92 Performance against the Operational Plan**
The Board noted the report and welcomed the new format focussing on variances.

- 05/93 Corporate Services Report**
The Board noted the report and received the minutes of the Audit Committee Meeting held on 14 June 2005.

- 05/94 Review of the Investigation Process**
The Board noted the report and presentation from the lead consultant and asked for a report to be made on the progress of implementation to the next meeting of the Board Investigations Panel.

- 05/95 – Closed Items**
- 05/100** The Board then went into closed session to consider confidential matters.

The next meeting will be held on Thursday, 22 September 2005 at 9.30am

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Chair