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**KIRKLEES COUNCIL**  
**STANDARDS COMMITTEE**

**Tuesday 17 November 2009**

Present: Councillors Hardcastle, Ridgway, C Smith and K Smith

Co-opted Members: Mr D J Binns, Councillor M Barlow, Mr P Blythe (Chair), Councillor C Kaye, Prof A Kitson and Councillor P Cunnington

Apologies for absence were received on behalf of Councillor Patrick.

**1 Minutes**

**RESOLVED** - That the Minutes of the meeting held on 30 September 2009 be approved as a correct record.

**2 Interests**

No interests were declared.

**3 Admission of the Public**

It was noted that all agenda items would be considered in public session.

**4 Deputations/Petitions**

No deputations or petitions were received.

**5 Public Question Time**

No questions were asked.

**6 Indemnifying Members for Standards Complaints**

The Committee received a report which provided details regarding indemnities and asked that consideration be given as to whether Joint Cabinet/Personnel Committee should be asked to reconsider whether Members should be offered an indemnity or insurance in relation to Standards matters.

The report advised that the Council's insurers did provide a policy to cover Members for the cost of defending Standards proceedings at a premium of £29.50 per annum. The report indicated that, in the absence of such insurance cover, Members against whom Standards complaints are made are put in a potentially difficult decision of having to decide whether to incur the expense of legal advice. It also provided a summary of advantages and disadvantages of obtaining this specific level of insurance

cover. The Committee asked that if a Member was to be insured, but subsequently was found to be in breach of the Code of Conduct, it would be necessary for the insurer to be reimbursed.

**RESOLVED** - That Joint Cabinet/Personnel be asked to consider whether the Indemnity Scheme for Members should be extended to cover complaints relating to Standards issues for a trial period of three years.

## **7 Annual Assembly of Standards Committee**

The Committee received a report which provided details of the Annual Assembly of Standards Committees which had taken place on 12 and 13 October 2009. It was noted that both the Chair, Mr P Blythe, and Prof A Kitson had attended the Conference. The report set out a number of key points that had been identified at the Conference. These included:

- The length of time taken to undertake and conclude investigations;
- Potential assistance to offset costs on investigations/provide external investigations;
- Sources of advice available to Members facing Standards complaints.

A summary of notes provided by Mr Blythe and Prof Kitson were attached as an Appendix to the report.

The Chair advised the Committee of an approach that had been made by Wakefield MBC with regards to working with Kirklees to share ideas. The Committee agreed that discussions with regard to a reciprocal agreement could be scheduled for the next meeting.

**RESOLVED** -

(1) That the Conference feedback be noted.

(2) That the possibility of establishing a reciprocal agreement with Wakefield MBC be explored further at the next meeting.

## **8 Any Other Business**

The Committee considered several matters arising at the conclusion of the meeting whereby it was

**RESOLVED** -

(1) That there was a need to review the Committees Terms of Reference to identify whether objectives were being achieved.

(2) That the Acting Head of Legal Services would provide details to the Committee by email on the status of current complaints.

(3) That the Minutes of the six monthly Yorkshire and Humber Independent Members Meeting be brought to this Committee for information.