

## APPENDIX 1A - CONSTITUTION FOCUS GROUP

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### MINUTES EXTRACT OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 20 MARCH 2019 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

#### 9 Protocol 12: Arrangements for dealing with Code of Conduct complaints

As requested by the Standards Committee the Focus Group discussed the arrangements for dealing with Code of Conduct complaints, in particular in relation to delays in processing complaints and the extent to which these were resourcing issues or a consequence of the process itself and if a more efficient and effective arrangement was possible and preferred.

After a lengthy discussion it was agreed to explore proposal to replace the two opportunities for review sub-committees in the process with standing, regularly scheduled assessment sub-committees. This would enhance the role of members in determining the outcome of all complaints, not only those which were requested to be reviewed, would provide clarity for public and members on dates for decisions, and be administratively simpler.

It was requested these and other amendments in relation to strengthening the requirement to submit details by certain timescales or else a complaint should fall, should be brought back for consideration at a future meeting.

### MINUTES EXTRACT OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 10 APRIL 2019 AT SALISBURY ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

#### 16 Assessment Sub-Committees

The Focus Group discussed proposals raised at the last meeting to replace the existing review sub-committee procedure with assessment sub-committees, which would determine all code of conduct complaints after receiving and considering a recommendation from the Monitoring Officer, rather than the Monitoring Officer making the decision, which could be reviewed.

The Focus Group discussed potential aspects to the new procedure with a view to receiving revised drafts of all relevant documentation at its next meeting. Issues discussed involved pre-assessment management and screening of complaints against jurisdictional matters outlined in the arrangements such as a complaint being out of time, how these should be reported to the Assessment Sub-Committee for decision, and the stages and time frames for any investigation.

It was agreed that complainants and subject members should receive the opportunity to make a statement at any Assessment Sub-Committee on initial assessment, but that they should not when the Sub-Committee received the outcome of an investigation report upheld by the Monitoring Officer, on the grounds that all parties at that point had received ample opportunity for comment.

Other matters agreed were that Independent Persons would attend the Sub-Committee and not be required to consult with the Monitoring Officer as the latter formed their recommendation, that the membership of the Sub-Committee would be appointed by the Standards Committee and that timeframes for responses to various stages should be adhered to as rigidly as was practicable and reasonable.

**Resolved:**

**To receive draft revisions to appropriate documentation implementing the proposed changes at the next meeting**

**MINUTES EXTRACT OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 24 MAY 2019 AT NORTH WILTSHIRE ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.**

24 **Protocol 12 of the Constitution**

The Focus Group considered proposed changes to Protocol 12 of the Constitution, arrangements for dealing with Code of Conduct complaints, and associated documents such as the procedure for sub-committees and assessment criteria. Further to previous meetings these changes would establish an assessment sub-committee to undertake decisions in respect of complaints rather than the present system of ad hoc review sub-committees.

The Focus Group agreed that all investigation reports would receive a recommendation from the Monitoring Officer to the Assessment Sub-Committee to determine. Other wording changes were agreed, subject to that amendment.

**Resolved:**

**To request the Standards Committee recommend the proposed changes to Full Council.**

**MINUTES EXTRACT OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 14 JUNE 2019 AT SALISBURY ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN**

31 **Protocol 12: Arrangements for dealing with Code of Conduct complaints**

The Focus Group considered the final version of the revised Protocol 12 and associated documentation to give effect to the new assessment sub-committee process that had been agreed previously. Further amendments were suggested

in relation to requests of extension to the process being unnecessary as this was already possible under the arrangements, and there were other changes to make clear that comments would be received by the investigating officer on their report, who would make changes or incorporate them, prior to providing the report to the monitoring officer.

**Resolved:**

**To recommend Standards endorse the proposals to Full Council.**