

**Annual Update
of the
Standards
Committee**

Introduction

The Standards Committee oversees several important functions for the council, most critically in promoting and maintaining high standards of conduct for elected members. Whilst recognising the rights of elected members to robustly speak for their communities, it is important that those members adhere to their Codes of Conduct when acting in their capacity as a councillor.

At the unitary level or for city, town, or parish councils, when unacceptable behaviour takes place this can cause considerable problems for local governance. Ultimately it is for the voters to make a final determination on who will represent them, but between elections it is contingent on us all to encourage high standards of conduct.

The Committee has reviewed the Code for Wiltshire Council, and closely monitored the administration of any complaints received in order to improve the process in a fair a way which also assured the public those members who fail to conduct themselves appropriately are held to account.

The Committee also continues to monitor and review the types of complaints received, including complaints against the council itself, and to improve the processes of the council through continual review of its constitution.

Cllr Paul Oatway QPM Chairman - Standards Committee

Voting Standards Committee Members

Cllr Paul Oatway (Chairman)
Cllr Allison Bucknell (Vice-Chairman)
Cllr Andrew Davis
Cllr Matthew Dean
Cllr Ruth Hopkinson
Cllr Bill Parks
Cllr Sam Pearce-Kearney
Cllr Pip Ridout
Cllr Mike Sankey
Cllr Derek Walters

Non-voting Standards Committee Members

Gordon Ball (Co-opted Member)
Kathy Barnes (Co-opted Member)
Joanne Cetti (Co-opted Member)
Julie Philips (Co-opted Member)

Lead Officers

Perry Holmes – Director, Legal and Governance (Monitoring Officer)
Henry Powell – Democracy and Complaints Manager
Kieran Elliott – Democracy Manager (Democratic Services)

Assessment Sub-Committee Members

Cllr Ruth Hopkinson (Chairman)
Cllr Ernie Clark (Vice-Chairman)
Cllr Richard Britton
Cllr Gordon King
Cllr Sam Pearce-Kearney

2023/24 Standards Committee Meetings

[20 June 2023](#)

[3 October 2023](#)

[18 April 2024](#)

2023/24 Standards Assessment Sub-Committee Meetings

[20 June 2023](#)

[24 August 2023](#)

[28 September 2023](#)

[18 January 2024](#)

[21 March 2024](#)

[14 May 2024](#)

2023/24 Standards Hearing Sub-Committee Meetings

[11 October 2023](#)

[16 November 2023](#)

[8 February 2024](#)

2023/24 Standards Dispensation Sub-Committee Meetings

[3 October 2023](#)

[8 February 2024](#)

Functions of the Standards Committee

[Part 3B](#) Paragraph 2.5 of the Constitution, including but not limited to:

- promoting and maintaining high standards of conduct by elected and co-opted Members and officers;
- monitoring and advising the Council about the operation of its code of conduct in the light of best practice and any changes in the law;
- overview of corporate complaints handling and Ombudsman investigations;
- oversight of the constitution

Examples of business discussed and determined during 2023/24

- Regular monitoring of Code of Conduct complaints, including number, distribution, type, outcome, and adherence to timeframes for determination
 - 59 Code of Conduct complaints were received in 2023-24. Since 2019 the annual number has ranged from 36-72.
 - 11 of the complaints were regarding Wiltshire Councillors
 - 48 Complaints against parish/town/city Councillors
 - 4 complaint investigations, with breaches found in two cases. Two investigations are ongoing with one scheduled to be heard by the Hearing Sub-Committee.
 - 95% of complaints were acknowledged and provided to the subject member for comments within timescales.
 - Complaints were assessed in an average of five working days (five working day target).
 - 76% of subject member responses received within timescales.
- In accordance with best practice, in October 2022 a review of the newly adopted Code and its operations was undertaken. The Committee recommended revisions to simplify the process for seeking dispensations, clarifications

regarding voluntary declarations in absence of any disclosable interest and setting different requirements if declaring membership of a city, town, or parish council, noting that the high frequency of such interests previously impeded business at Area Boards.

- Receiving and commenting on the Annual Report on Wiltshire Council complaints.
 - The number of complaints received increased by 12% since 2021/22.
 - The number of 'service requests' received (complaints resolved outside of the formal procedure) increased by 35% since 2021/22.
 - 10% more complaints about Wiltshire Council were reported to the Local Government and Social Care Ombudsman (LGSCO) than in 2021/22.
 - The percentage of complaints about the council upheld by the LGSCO decreased by 2%.
 - The council paid £8,750 in financial remedies following recommendations from the LGSCO, £6,900 of which related to delays in the issuing of Emotional Health and Care Plans (EHCPs).
- Approving recommendations from the Constitution Focus Group on proposed changes to the Constitution, including the Code of Conduct, Police and Crime Panel Procedure, Access to Information Procedure Rules, Overview and Scrutiny Procedure Rules, and Cabinet Procedure Rules.
- Considering proposed updates to the Complaints Procedure following new complaint handling codes published by the LGSCO and the Housing Ombudsman.

Sub-Committees

The Standards Committee has the power to appoint such sub-committees as may from time to time be necessary for the efficient discharge of its functions. In particular, the Committee will appoint:

- An Assessment Sub-Committee to assess complaints in respect of complaints regarding the conduct of Members of Wiltshire Council, or Members of city, town or parish councils under the Council's arrangements.
- A Hearing Sub-Committee to determine Member misconduct complaints under the Council's arrangements.
- A Dispensation Sub-Committee to determine requests for dispensation from the requirements relating to interests.

Assessment Sub-Committee

The Assessment Sub-Committee (ASC) is scheduled on a monthly basis and makes decisions on all Code of Conduct complaints in accordance with the Council's arrangements under Protocol 11 of the Constitution.

- 6 ASC meetings took place in 2023/24.
- 18 complaints against elected members were assessed by the ASC. These were presented in 10 separate incident reports due to the grouping of multiple complaints where they related to the same alleged incident or behavior.
- The ASC referred 5 complaints to the Monitoring Officer for Investigation.

- 5 complaints were resolved by the ASC as requiring no further action.
- Complaints included but are not limited to allegations of bullying, failure to declare interests, bringing their role or council into disrepute, improperly conferring an advantage or disadvantage on another person.

Hearing Sub-Committee

The Hearing Sub-Committee (HSC) make decisions where an investigation into a Code of Conduct Complaint makes a finding of a breach, in accordance with the Council's arrangements under Protocol 11 of the Constitution.

- 3 Hearing Sub-Committee meetings took place in 2023/24.
- A further Hearing Sub-Committee has also been arranged for 15 May 2024 but at the time of this report had not yet taken place.
- Of the 3 HSC meetings which had taken place in 2023/24, the HSC found one or more breaches of the Code of Conduct in all of the complaints considered.
- Breaches related to bullying, respect, and bringing a council into disrepute.
- In one case where there was a finding of a breach, no sanctions were recommended or imposed by the HSC.
- Sanctions agreed in the other two cases included censure, publication of the decision in the minutes of the council, recommended training, and not being appointed to particular bodies until training had taken place.

Dispensations Sub-Committee

The Dispensation Sub-Committee shall make decisions on requests for dispensations relating to Disclosable Pecuniary Interests in accordance with the Council's Dispensations Policy, which is to be approved by the Standards Committee.

- 20 requests for dispensations were made in 2023/24 from 19 different Members;
- 2 related to Disclosable Pecuniary Interests and were decided by the Dispensation Sub-Committee. Both requests were granted to enable Members to remain the room during discussion relevant to the interest, but not to participate or vote.
- 18 related to Other Registerable Interests (ORIs) and were therefore decided by the relevant officer.
- 15 of the requests were granted in full, and 3 were granted in part. Most were granted due to business otherwise being impeded, for example a meeting was at risk of being inquorate without the dispensation.
- 10 of those requests related to membership of a city, town, or parish council, which following changes to the Code of Conduct would not in future require dispensations in order to remain in the room or participate.
- Other requests related to the holding of trusteeships or other positions.
- Depending on the request some dispensations were granted to the conclusion of the council term, others for a single meeting.

Contact Lisa Alexander, Senior Democratic Services Officer,
lisa.alexander@wiltshire.gov.uk for more information regarding the committee.