

## STANDARDS COMMITTEE

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### MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 17 JANUARY 2018 AT THE WEST WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Paul Oatway QPM (Chairman), Cllr Howard Greenman (Vice-Chairman), Cllr Derek Brown OBE, Cllr Allison Bucknell, Cllr Anna Cuthbert, Cllr Peter Evans, Cllr Peter Fuller, Cllr Russell Hawker and Cllr Fred Westmoreland

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#### 1 Apologies

Apologies for absence were received from Councillors Ruth Hopkinson and Bob Jones MBE

#### 2 Minutes

The minutes of the Standards Committee meeting held on 7 June 2017, and the Standards Review Sub-Committee meetings held on 28 March, 6 June, 17 August and 23 August 2017, were presented.

#### Resolved:

**To approve and sign as a correct record the minutes of the Standards Committee held on 7 June 2017.**

**To receive and note the minutes of the Standards Review Sub-Committee meetings held on 28 March, 6 June, 17 August and 23 August 2017.**

#### 3 Declarations of Interest

There were no declarations.

#### 4 Chairman's Announcements

It was announced that Mr Paul Neale, a longstanding co-opted member of the Committee, had passed away since its last meeting in June 2017. On behalf of the Committee the Chairman formally noted their condolences.

#### 5 Public Participation

No questions or statements were submitted.

## 6 **Appointment of Co-Opted Members**

As detailed in the agenda Full Council on 16 May 2017 delegated to the Standards Committee the appointment of four non-voting co-opted members to the Standards Committee, two of whom must be serving parish, town or city councillors from within the Council's area. The arrangements for selection of such members were delegated to the Monitoring Officer in consultation with the Chairman of the Standards Committee.

Ian Gibbons, Monitoring Officer, informed the committee that advertisements for the four positions would soon be placed and detailed the proposed selection process to be undertaken, and that the Committee would be in a position to appoint to the positions in 18 April 2018.

The Committee discussed the update, confirming that at least two of the four positions must be filled by serving town or parish councillors, but that more than two could be appointed. Methods to publicise the positions beyond town and parish councils were also discussed, such as through the area boards and 'our community matters' websites.

### **Resolved:**

**To note the update.**

## 7 **Review of the Constitution**

A report from the Monitoring Officer was presented detailing a proposed work programme for the Constitution Focus Group, including reviews of the councillor-officer relations protocol and to clarify the process for publication and scrutiny review of officer decisions.

Additionally details were provided on ongoing amendments to be made under the Monitoring Officer's delegated powers to correct errors, clarify ambiguities and give effect to decisions of Full Council. Other than minor corrections, these would be taken the Focus Group prior to amendment, and reported to the Standards Committee.

At the conclusion of discussion,

### **Resolved:**

- 1) **To approve the proposed work programme for the Constitution Focus Group, together with any further items the Committee may wish to include; and,**
- 2) **To note the work that is underway in updating the Constitution under the Monitoring Officer's delegated powers, and any changes to be reported to the Committee.**

## 8 **Status Report on Code of Conduct Complaints**

A report from the Monitoring Officer was presented detailing the status of complaints submitted regarding alleged breaches of Codes of Conduct of town and parish councils, and Wiltshire Councillors.

It was detailed that the total number of complaints received for 2017 was 37 vs 59 in 2016. Details were provided on the type of complaints received and the outcomes.

The Committee discussed the update, requesting further details on complaints that had been subject to review requests, as well as the officer time input administering the complaints process.

### **Resolved:**

**To note the update.**

## 9 **Training for Parish Councils on the Code of Conduct**

Ian Gibbons, Monitoring Officer, provided a verbal update on training for parish councils. As part of a wider parish council networking session he had delivered some initial information to representatives of around 100 parishes, out of 253 in Wiltshire as a whole. The Wiltshire Council Monitoring Officer has an obligation to maintain the register of interests for parish councils, as well as promote high standards of conduct.

The views of the Standards Committee were sought on the level of support that could and should be offered in the light of concerns both on the level of compliance of parish councils in adopting Codes of Conduct and properly registering their interests, as well as general understanding of their own obligations.

The Committee discussed the situation, noting that while very few parish councils had adopted no Code of Conduct at all, this was a statutory obligation and it was vital that all do so. In particular it was noted Wiltshire Council was unable to properly conduct its own statutory obligation to deal with Code of Conduct complaints where a Code was absent. It was also raised that the level of understanding of parish councillor obligations and compliance with registration of interests was highly varied, and that the experience and knowledge of the clerks of a parish council was an important factor.

While supporting the need to assist parish councils in meeting their obligations, some concerns were raised that it was not an obligation of Wiltshire Council to provide training and free resources for parish councils, and it was questioned whether such matters could most appropriately be provided through the Wiltshire Association of Local Councils (WALC), in concert with or without occasional regional training sessions from the Monitoring Officer.

At the conclusion of discussion it was proposed that the Monitoring Officer write to parish council clerks and chairman seeking, in the first instance, confirmation of whether their council had adopted a Code of Conduct, and providing information on the necessity to properly register councillor interests, and for confirmation if such registers had been completed and were up to date. It was also requested that WALC be contacted to inquire as to the level of support and guidance they were able to offer parish councils.

**Resolved:**

**For the Monitoring Officer to contact all parish councils to seek details of their compliance with adopting Codes of Conduct and registering disclosable pecuniary interests; and**

**For a report on the responses to be provided at the meeting on 18 April 2017, along with details of support able to be provided by WALC.**

10 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 3.15 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115