

## Wiltshire Council

### Standards Committee

4 February 2021

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#### Appointment of Co-opted Members of the Standards Committee

##### Purpose of Report

1. To ask the Standards Committee to review the role, number and arrangements for the appointment of non-voting co-opted members to the Committee and make such recommendations as it considers appropriate to Council at its Annual Meeting on 18 May 2021.

##### Background

2. The terms of reference for the Committee as detailed at **Appendix A** provide for the appointment of up to 8 non-voting co-opted members, 50% of whom must be serving town, parish or city councillors from within the Council's area who are not councillors or officers of the Council.
3. In May 2013 and May 2017 Council resolved that four non-voting co-opted members should be appointed for the remainder of the council term and delegated the appointment of those members to the Standards Committee.
4. Following a selection process overseen by the Standards Committee four non-voting co-opted members were appointed at the meeting of the Committee on 18 April 2018 – Mr Richard Baxter; Miss Pam Turner; Mr Michael Lockhart and Mr Philip Gill MBE.
5. A number of other authorities in the South West appoint non-voting co-opted members to their Standards Committee, for example:
  - Cornwall Council - 18 Member committee (8 unitary councillors, 4 independent lay members, 5 town and parish councillors and 1 employed parish clerk);
  - Swindon Borough Council – 17 Member committee (13 councillors, 2 independent members, 2 parish representatives. 2 Independent Persons as observers not members)
  - Bath and North East Somerset – 11 Member committee (5 councillors, 3 independent members one of whom will chair, 3 parish representatives. 2 Independent Persons as observers not members)
  - Bournemouth Christchurch and Poole – 10 Member committee (7 councillors, 3 independent members)

##### Main Considerations

6. Co-opted members provide valuable input to the work of the Standards Committee, enhancing objectivity, both real and perceived, and providing common sense and sound judgment and a parish council perspective on matters involving parish and

town councillors.

7. As well as attending meetings of the Standards Committee non-voting co-opted members may serve on Assessment, Hearing and Dispensation Sub-Committees. Co-opted members may also attend the Constitution Focus Group but have not been appointed at this time for all such meetings.
8. Since the appointment of the current co-opted members in April 2018 there have been 10 meetings of the Standards Committee, 18 Review Sub-Committees (under the pre-2020 arrangements); 1 Hearing Sub-Committee, 7 Assessment Sub-Committees and 14 meetings of the Constitution Focus Group.
9. Under the current arrangements for dealing with Code of Conduct complaints adopted with effect from January 2020, it is anticipated that there will be 10-12 Assessment Sub-Committees per year, or 40-48 per council term, each to be attended by up to 2 of the co-opted members.
10. As co-opted members must include at least 50% serving town, city or parish councillors, arrangements for the selection and confirmation of appointments will take place after elections scheduled for 6 May 2021.
11. In order to avoid delay in the appointment of non-voting co-opted members it is recommended that the Committee requests Council at its meeting on 23 February 2021 to delegate arrangements for the appointment of co-opted members to the Standards Committee with the selection process delegated to the Monitoring Officer, in consultation with the Chairman of the Standards Committee. This would include convening a selection panel to interview applicants.
12. The Monitoring Officer would therefore be able to begin advertisement for the positions in advance of the elections in May 2021 with councillors, clerks and the public so that non-councillor candidates can be shortlisted and to enable candidates for election to be aware of the positions becoming available. Where the election is uncontested, it would enable those who would become councillors to indicate if they wished to apply for the co-opted member positions.
13. The advertisement would then be recirculated after the elections to determine which further serving councillors wished to apply for the positions.
14. Interviews and appointment could then take place around July 2021.

### **Safeguarding Implications**

15. There are no safeguarding issues arising from this report.

### **Equalities Implications**

16. There are no equalities impacts arising from this report.

### **Risk Assessment**

17. There are no significant risks arising from this report

### **Public Health Implications**

18. There are no public health impacts arising from this report.

### **Environmental Implications**

19. There are no environmental impacts arising from this report.

### **Workforce Implications**

20. There are no workforce implications arising from this report.

### **Financial Implications**

21. The allowance for a non-voting co-opted member on the Standards Committee is currently £1,262 per year, as approved by Council on 10 July 2012. Therefore, the total annual cost for the four co-opted members has been £5,048.

22. This allowance is subject to review by the Council after considering any recommendations of the Independent Review Panel.

### **Legal Implications**

23. The Council has a discretion under the Localism Act 2011 to establish a standards committee to discharge its duty to promote and maintain high standards of conduct of elected and co-opted members and a further discretion to include non-voting co-opted members on any committee so established.

### **Recommendation**

24. The Standards Committee is therefore asked to consider recommending to Council:

- a. whether it wishes to retain the role of non-voting co-opted members on the Standards Committee; and, if so,
- b. how many non-voting co-opted members should be appointed within the maximum of 8 provided for in the Committee's terms of reference;
- c. subject to a. and b. above, to delegate the appointment of any non-voting co-opted members to the Standards Committee and the arrangements for selection of such members to the Monitoring Officer in consultation with the Chairman of the Standards Committee.

**Ian Gibbons**

**Director, Legal and Governance (and Monitoring Officer)**

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**Appendices**

Appendix A - Terms of reference of Standards Committee

**Background Papers**

None