

# AGENDA SUPPLEMENT (1)

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**Meeting:** Standards Committee  
**Place:** Kennet Room - County Hall, Trowbridge BA14 8JN  
**Date:** Friday 25 April 2014  
**Time:** 2.00 pm

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**The Agenda for the above meeting was published on 15 April 2014. Additional Documents are now available and are attached to this Agenda Supplement.**

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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8 **Update on Review of the Effectiveness of Code of Conduct Complaints Procedure** (*Pages 1 - 4*)

To receive a update from the Monitoring Officer on the Review of the Effectiveness of Code of conduct Complaints Procedure and a status report on complaints.

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DATE OF PUBLICATION: 17 April 2014



## Wiltshire Council

### Standards Committee

25 April 2014

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#### Update on review of the effectiveness of the Council's arrangements under the new standards regime

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#### Purpose of Report

1. To inform members of the current position on code of conduct complaints and to receive a further update on the review of the effectiveness of the council's arrangements under the new standards regime.

#### Background

2. At its meeting on 9 October 2013 the Committee considered a report by the Monitoring Officer reviewing the effectiveness of the arrangements adopted by the council under the new standards regime introduced on 1 July 2012 under the Localism Act 2011. A copy of the report and minutes may be found at agenda item 7 of that meeting on the following link:  
  
<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=1128&MId=7819&Ver=4>
3. At the meeting on 9 October concerns were expressed that the absence of clear provisions on the expected standards of behaviour of elected councillors in the code of conduct was resulting in cases being rejected that might otherwise have been put forward for investigation, with the risk of potentially undermining public confidence in the process. The committee, however, felt that it was too soon to give any proper assessment of the effectiveness of the council's code and arrangements and that more time was needed to allow these to bed down.

#### Main Considerations for the Committee

4. The table attached at Appendix 1 provides an overview of all code of conduct complaints received since 1 July 2012, together with details of their assessment and outcome.
5. The Committee will see that the position remains that no complaint received under the new standards regime has proceeded to investigation.
6. The previous report of 9 October 2013 included two discussion papers on the code of conduct and case handling, prepared by Hoey Ainscough Associates Ltd, who provide consultancy services on

standards issues. These contained some useful information on the practice adopted in other authorities and can be found on the above link. Apart from this, however, there is very little information available dealing with national trends on this subject.

## **Proposal**

7. In order to explore the efficacy of the council's standards arrangements in more depth it is suggested that a seminar is arranged as soon as possible for members of the Committee and any other Wiltshire Councillors who wish to attend, together with the council's three independent persons, Caroline Baynes, Colin Malcolm and Stuart Middleton. I would propose to invite Mr Paul Hoey of Hoey Ainscough Associates Ltd. to speak on the operation and effectiveness of the standards regime from his experience of working with other authorities.
  
8. The Committee is asked to consider this proposal as a way forward and, if agreed, to ask the Monitoring Officer to make the necessary arrangements.

**Ian Gibbons**

**Associate Director, Legal and Governance and Monitoring Officer**

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Report Author: Nina Wilton, Head of Governance and Deputy Monitoring Officer  
Date of report: 15 April 2014

Appendix 1 – Code of Conduct Complaints since July 2012

### **Background Papers**

The following unpublished documents have been relied on in the preparation of this report: None

AS AT 10 APRIL 2014 - Code of Conduct Complaints - Status Report

Complaints received and progressed under new arrangements

	Cases received	Cases open (cumulative)	Assessed investigation	Assessed no further action	Assessed alternative resolution/complaint withdrawn	Pending assessment	Cases closed	Appeals received
<b>2012</b>								
May - December	25	11	1	24	0	0	14	4 (not upheld)
<b>2013</b>								
January	5	13	0	4	1*	0	3	4 (not upheld)
February	1	12	0	1	0	0	2	1 (not upheld)
March	1	4	0	1	0	0	9	0
April	2	6	0	1	1**	0	0	1 (not upheld)
May	2	5	0	1	1***	0	3	1 (refused)
June	0	4	0	0	0	0	1	0
July	3	3	0	1	2 (1** & 1****)	0	4	0
August	1	2	0	1	0	0	2	0
September	2	4	0	1	1 (not CoC)	0	0	0
October	1	5	0	0	1***	0	0	0
November	3	8	0	3	0	0	0	0
December	3	11	0	2	0	1	0	2 (not upheld)
<b>2014</b>								
January	5	12	0	3	2 (1** & 1 referral to Police)	0	4	1 (not upheld)
February	5	16	0	4	1****	0	1	5 (not upheld)
March	10	19	0	2	0	8	7	1 (not upheld)
<b>Totals</b>	69	n/a	1	49	10	9	50	20

\*request by complainant for anonymity refused – complaint withdrawn

\*\* clarification not supplied within time limit

\*\*\*withdrawn following informal resolution prior to assessment

\*\*\*\* withdrawn by complainant

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