

AGENDA

Meeting: **STANDARDS COMMITTEE**
Place: **Council Chamber - Council Offices, Browfort, Devizes**
Date: **Wednesday 25 January 2012**
Time: **2.30 pm**

Please direct any enquiries on this Agenda to Pam Denton, of Democratic Services, County Hall, Trowbridge, direct line 01225 718371 or email pam.denton@wiltshire.gov.uk

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

All public reports referred to on this agenda are available on the Council's website at www.wiltshire.gov.uk

Membership:

Wiltshire Council Members

Cllr Nigel Carter, Cllr Ernie Clark, Cllr Peter Fuller, Cllr Julian Johnson, Cllr Howard Marshall and Cllr Ian McLennan

Town/Parish Council Co-opted Members

Mr William Bailey, Mr Craig McCallum, Mr Paul Neale, Mr Robert Oglesby JP, Mr John Scragg, Miss Pam Turner, Mr Keith Wallace and His Hon David MacLaren Webster QC

Independent Co-opted Members

Mrs Jane Bayley, Mr Michael Cronin, Mr Philip Gill MBE JP, Mrs Isabel McCord (Chairman), Mr Stuart Middleton and Mr Gerry Robson OBE (Vice Chairman)

Part 1

Items to be considered when the meeting is open to the public

1. **Apologies**

2. **Minutes of previous meeting** (*Pages 1 - 6*)

To confirm and sign the minutes of the Committee meeting held on 23 November 2011 (copy attached).

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests.

4. **Chairman's announcements**

5. **Public Participation and Questions from Committee Members.**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of the agenda no later than 5pm on Wednesday 18 January 2012. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6. **Acceptable Usage policy - for email, Internet and computer use** (*Pages 7 - 18*)

A report referred by the Staffing Policy Committee is attached.

7. **Framework for the new Code of Conduct**

To follow

8. **Minutes of the meeting of the Focus Group on the Review of the Constitution held on 16 January 2012**

To follow

9. **Status Report on Complaints made under the Code of Conduct** (*Pages 19 - 24*)

To consider the attached report

10. **Minutes of Sub Committees** (*Pages 25 - 28*)

The Committee is asked to receive and note the minutes of the following Sub-Committee:

Dispensations Sub Committee – 20 December 2011

11. **Forward Plan** (*Pages 29 - 30*)

12. **Urgent Items**

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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STANDARDS COMMITTEE

DRAFT MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 23 NOVEMBER 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, DEVIZES.

Present:

Wiltshire Council Members

Cllr Ernie Clark, Cllr Peter Fuller, Cllr Julian Johnson, Cllr Howard Marshall and Cllr Ian McLennan

Town/Parish Council Co-opted Members

Mr William Bailey, Mr Craig McCallum, Mr Paul Neale, Mr John Scragg, Miss Pam Turner, Mr Keith Wallace and His Hon David MacLaren Webster QC

Independent co-opted Members

Mrs Jane Bayley, Mr Michael Cronin, Mr Philip Gill MBE JP, Mrs Isabel McCord (Chairman), Mr Stuart Middleton and Mr Gerry Robson OBE (Vice Chairman)

Also Present:

Cllr Allison Bucknell, Cllr Laura Mayes and Cllr Francis Morland

71. Apologies

Apologies were received from Cllr Nigel Carter and Mr Robert Oglesby

72. Minutes of previous meeting

The minutes of the meeting held on 21 September 2011 were presented

Resolved:

To approve the minutes as a correct record.

73. **Chairman's announcements**

There were no announcements

74. **Declarations of Interest**

There were no declarations of interest

75. **Public Participation and Questions from Committee Members.**

There were no members of the public present

76. **Report on Behaviours Framework**

With the agreement of the Chairman this item was taken first.

Cllr Laura Mayes, Portfolio Holder with responsibility for Organisational Culture introduced the presentation by the HR Project Officer and explained where the ideas for the behavioural framework came from and how it would be used.

The committee were asked to consider how it could be linked to the new Code of Conduct which will be developed following the publication of the Localism Act.

Following a debate it was

Resolved:

To support the behaviours framework for Wiltshire Council in order to ensure that it is consistent with the Code of Conduct for members to be developed under the Localism Act.

77. **The Localism Bill - Update and Implications for Wiltshire Council**

The Monitoring Officer introduced the report which had been written prior to publication of the Act and added that a note outlining the provisions would be circulated to committee members.

Details of the highlights of the Act were summarised and the committee were asked to consider how to take these issues forward. It was suggested that this could be achieved through a Task and Finish Group and the membership was agreed as follows;

Town and Parish Council Co-opted Members

Mr John Scragg

Miss Pam Turner

Independent Co-opted Members

Mr Gerry Robson OBE
Mr Michael Cronin
Mr Philip Gill MBE JP

Wiltshire Councillor
Mr Julian Johnson

Members considered the recommendation made in the report and

Resolved:

- 1. To require the Monitoring Officer to draft a local Code of Conduct for Wiltshire Council that meets the anticipated statutory requirements for local codes, and to bring the draft to the next Standards Committee meeting for consideration. The draft should have regard to previous work and consultation that has taken place in anticipation of the need to introduce a local Code;**
- 2. To require the Monitoring Officer to draft a person specification and job description for the role of independent person and bring it to the next meeting for consideration;**
- 3. To require the Monitoring Officer to draft a report on the proposed composition of and terms of reference for a new Standards Committee and the steps to be taken to dissolve the current Standards Committee for Wiltshire Council and bring it to the next meeting for consideration;**
- 4. To require the Monitoring Officer to consult with parish councils about the implementation of local codes and the desirability, in principle, of adopting a single code of conduct for all of the councils within the area of Wiltshire Council and to provide a briefing note to town and parish councils on this issue;**
- 5. To require the Monitoring Officer to identify resources required to meet the provisions of the Bill as those affect the standards regime in Wiltshire Council;**
- 6. To require the Monitoring Officer to prepare a draft procedure for the receipt, assessment, investigation and determination of complaints under a local code of conduct and permitted sanctions and bring the draft to the next meeting for consideration. The draft should have regard to previous work and consultation that has been carried out in anticipation of a local code;**

7. **To require the Monitoring Officer to bring a further report on the standards provisions of the Localism Bill to this committee after the Bill has received Royal Assent.**
8. **To require the Monitoring Officer to consider training for Town, Parish and Wiltshire Council Councillors.**
9. **To agree to set up a Task and Finish Group to consider the implications of the Localism Act.**

78. **Report on Corporate Complaints**

The Chairman thanked the Head of Governance for her report.

After a short discussion it was,

Resolved:

To note the contents of the report.

79. **Standards Committee Plan**

The Committee noted the revised Standard Committee Plan.

80. **Status Report on Complaints made under the Code of Conduct**

The Head of Governance introduced the Status Report on Complaints made under the Code of Conduct. The Committee noted the challenging workload.

Resolved:

To note the report.

81. **Outcome of two Standards Hearing Sub Committees**

The Monitoring Officer drew the Committees attention to the outcome of two Hearing Sub Committees. He explained that these two cases had involved significant time delays. Every effort has now been made to follow the imposed deadlines and in general deadlines are met where feasibly possible. He also went on to explain that subject members were now invited to participate in the pre hearing meetings and this had been seen as a positive development and would be used in subsequent hearing procedure.

Resolved:

To note the report.

82. Forward Plan

The Committee's forward plan was presented.

Resolved

To note the forward plan.

83. Urgent Items

There were no urgent items.

(Duration of meeting: 2.00pm – 5.10pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services,
direct line 01225 718371, e-mail pam.denton@wiltshire.gov.uk

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

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WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE

11 January 2012

Acceptable Usage policy – for email, internet and computer use

Purpose of Report

1. This report presents changes to the existing email, internet and computer use policy.

Background

2. The current email, internet and computer use policy is a contractual policy which all users have to agree to before they can access the Wiltshire Council computer network.
3. Following a recent review of the whole suite of information security policies, Wiltshire Council's information assurance team found that a number of the policies are too long and technical. This is believed to be at least partially responsible for low levels of awareness amongst staff.

Main considerations

4. The Information Assurance team, with support from the policy team has revised the policy to make it more accessible.
5. The name of the former "email, internet and computer use policy" has been changed to "Acceptable Usage policy – for email, internet and computer use" which is the standard policy title used across large organisations for this type of policy.
6. The policy has been put into the standard HR policy format, is in plain English and appropriate to the audience whilst still containing the key elements required to comply with security standards which we are audited against as a council.
7. The revised policy is much shorter, with specialist technical areas such as networking, firewalls etc. being moved into sub policies which can be accessed by employees who specifically require information about these areas.
8. The information assurance team are reviewing the way in which this policy is communicated to employees.

9. The aim is for the policy to be included in the corporate induction and for employees to be required to complete a short e-learning module (similar to the one currently used for fire/bomb and DSE training) prior to signing up to the policy.

Consultation

10. These policies have been reviewed by key stakeholders including IT, HR na the HR Stakeholder panel
11. The unions agreed this policy via the Joint Consultative Committee on 21 December 2011.

Environmental Impact of the Proposal

12. None

Equalities Impact of the Proposal

13. No negative impacts have been identified.

Risk Assessment

14. None

Financial Implications

15. None

Recommendation

16. To recommend that Staffing Policy Committee approve the changes to the policy and procedure.

Barry Pirie
Service Director
HR & OD

Report Author: Keir Eaton, Information Assurance Team & Paula Marsh, Human Resources Policy & Reward team

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

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Wiltshire Council Information Assurance

Acceptable Usage Policy for email, internet and computer use

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

Information, like people, money and tangible assets, is a valuable commodity, and therefore Wiltshire Council takes information security very seriously.

We must and will protect the data we hold relating to members of staff, service users and members of the public, as well as data held for the purpose of providing services to the people and businesses of Wiltshire.

This policy is designed to:

- prevent abuse or misuse of computer, internet and email facilities and paper files;
- to protect users, the council's equipment and the data we hold; and
- to ensure compliance with legislation

This is a high level policy covering basic principles and must be read in conjunction with specific detailed policies if they are relevant to your working practices or system use:

- Information Security Policy
- Protective Marking Policy
- Social Media Policy
- Data Transfer Procedures
- Information Security Incident Reporting Procedures

Who does it apply to?

This policy applies to employees, elected members, contractors and third parties who handle any paper or electronic data or are users of any of council's computer systems or equipment.

You must read, understand and formally accept this policy before you can use the council's computer systems and equipment.

You will be asked to re-confirm acceptance annually with updates being sent out throughout the year.

Main points

1. ICT equipment, including hardware, software and devices, email and access to the Internet is provided to you to enable you to conduct the council's business.

2. You must make sure that at all times you use this equipment appropriately, securely, for the purpose for which it was issued to you without reconfiguration and in compliance with relevant legislation such as the Computer Misuse Act 1990 and Data Protection Act 1998.
3. Use Wiltshire's ICT systems respectfully and not for inappropriate, offensive or indecent purposes; for example do not create, send or forward email that is offensive, defamatory, harassing, discriminatory, intimidating, which breaches confidentiality or contract requirements, or could be described as unsolicited, such as chain letters, spam or jokes.
4. Keep your passwords secret (do not write them down) and do not share them or your login accounts – if you believe your account or password has been compromised, then please reset your password and inform Information Assurance.
5. Be aware that the council monitors email and internet use

Security Incidents

6. Security incidents include:
 - theft or loss of data or any equipment;
 - transfer/disclosure of sensitive data to those who are not entitled to receive it;
 - compromised passwords;
 - attempt (either failed or successful) to gain unauthorised access to data or systems;
 - connection of equipment that has either not been approved by Information Assurance and/or equipment that is not owned by Wiltshire Council;
 - non-compliance with Wiltshire information security policies and associated procedures including this policy;
 - hacking attempts, virus attacks, phishing etc;
7. If you become aware of a security incident you must follow the procedure outlined in the incident reporting policy [ADD LINK](#).
8. Contact the Information Assurance team and seek advice if you are in any doubt about the correct process or procedure that should be followed;

Virus Discovery: -

You must:

9. Immediately report any virus, or suspected virus incidents to the ICT Helpdesk;
10. Stop using the PC/laptop and disconnect from the network by removing the cable at the back of the machine and/or switching off your wireless connection.
11. Secure all media, USB drives and CDs that have been used on the machine and above all do not attempt to ignore or hide the suspected virus infection.

Systems Access

You must:

12. Use only your own unique UserID and password. Do not log on as other users.
13. Access only systems or data for which you have both a business requirement and appropriate authorisation.
14. Use Wiltshire Council's systems appropriately and with consideration for others in line with our dignity at work policy.
15. Never allow your user account to be used by anyone else.
16. Never write down or share your password(s) with other users, including IT Help desk staff.
17. Not allow family members or anyone else to use your council equipment when it is in your home.

Internet Use

18. You should use the Internet primarily for official council business.
19. You must not use council facilities (including work e-mail addresses) for private business or commercial purposes.
20. Occasional and reasonable personal use is permitted (for example during lunch breaks), as long as this does not interfere with the performance of your duties or the work of other staff. Confirm with your line manager if you are in doubt.
21. You must not deliberately visit, view, download or circulate material from any website which is offensive, obscene or indecent in any way e.g. pornographic, sexist, and racist, etc.
22. If you unintentionally access an offensive, obscene or indecent website you must disconnect from the site immediately and inform Information Assurance.
23. Certain websites or categories of websites will be blocked in order to protect the user and/or network e.g. gambling sites or pornographic sites.
24. Personal online banking and credit card usage is conducted at your own risk.
25. You must not post inappropriate material on the Internet. See the [social media and blogging policy](#) for more information.
26. You must not download, install or run unauthorised software (including full products, trial software, games, fonts, shareware, freeware, and screensavers).

Equipment and Software

27. You must obtain all of your ICT equipment (hardware/software/devices) via the Wiltshire Council ICT unit and only use Wiltshire Council approved and supplied hardware, software and devices.

28. Do not use your own personal IT equipment to store or process Wiltshire Council data; the only exception is if you are using “GOOD” on a Smart Phone.
29. Screen-lock computers if unattended (by pressing the ‘Windows’ + ‘L’ keys simultaneously) and keep laptops and other mobile devices safe.
30. Use only Wiltshire approved and supplied devices, e.g. cameras, secure USB memory sticks (also known as pen drives), printers, mobile phones, etc.
31. Return all ICT equipment to Wiltshire Council ICT unit when it is no longer required, or at the end of your employment.
32. Lock your laptop to the docking station, or store it in a lockable cabinet or drawer when not in use. If you are travelling by car, keep your laptop locked out of sight in the boot, but ensure you do not leave it in there overnight.

Data Creation and Storage: -

You must:

33. Always save data onto your network server, and not onto your local C: drive. If you are not connected to the network you can temporarily save data to the local C: drive because they have encryption software installed but you must move the data to a network server at the earliest opportunity.
34. Use the protective marking scheme for processing all council data in electronic or hardcopy; see the “INSERT PROTECTIVE MARKING POLICY” for more information.

Email and Other Data Transfer Methods: -

You must:

35. Only send sensitive or business confidential data to an external agency or person when you have a data sharing protocol with the external party.
36. All external email transfers of sensitive information must be password protected or sent via GCSx email; see the [data transfer procedure](#) for more information.
37. Conform strictly to the council’s data transfer procedures for the movement of large files and information; see the [data sharing procedure](#) for more information.
38. Conform to any department specific procedures for the transfer of data.
39. Not email any council data, whether sensitive or not, to ‘external’ personal email addresses in order to work on it from home, e.g. hotmail, yahoo etc.
40. Not upload any council data to internet storage sites, whether sensitive or not.

41. Not auto-forward emails to any mailboxes unless you have a valid business reason that has been endorsed by Information Assurance - this includes third parties and personal email addresses (hotmail.com etc).
42. Not send email containing personal information outside the European Economic Area (EEA). If in doubt check with the data protection officer;
43. Think before you open emails from unknown external senders or click on suspicious links within emails;
44. Note that in the event of a long absence, sickness and/or a disciplinary or non-compliance issue your manager and other authorised officers will, when necessary, have corporate data forwarded to them from your mailbox; forwarding of such emails will be strictly controlled and logged and the manager will ensure that measures are taken to protect the confidentiality of users' 'personal emails'.
45. Use normal standards of business courtesy when writing emails as with any other communication undertaken on behalf of the council i.e. be courteous, polite and succinct;
46. Consider what you say about other people or organisations; never use aggressive, abusive or deliberately anti-social language and never email hastily in anger;
47. Be aware that legal action may be taken against the council if you send an email which is defamatory or which breaches confidentiality or contract; emails of this kind can be used in litigation or the public's right of access to information under the Data Protection Act 1998 or Freedom of Information Act 2000;
48. Report it to your manager or an HR advisor if you receive an email which you believe to be offensive, defamatory, harassing, discriminatory or intimidating.
49. Adhere to good email practice i.e. regularly delete your old emails, keep distribution lists accurate and up-to-date, and use an 'out-of-office' message if you are going to be out of the office for half a day or longer;
50. Not read other people's emails without their permission; if you receive an email in error, you must not use or disclose any confidential information it contains and you should redirect the message to the correct person;
51. Not create or forward chain letters, spam, jokes or similar unsolicited emails e.g. hoax virus warning messages.

Data protection

You must not:

52. Share personal data about someone without their consent unless it is covered by one of the exemptions in the Data Protection Act 1998. If in doubt check with the data protection officer.
53. Leave sensitive data unattended, either on-screen or on your desk, that may be seen by unauthorised people including paper records or printed information;

General points

54. Council employees are expected to behave in accordance with the Council's behaviours framework at all times whilst undertaking work for the Council. Further information can be found on HR Direct, from your manager or by contacting an HR advisor.
55. Failure to accept this policy, or if inappropriate use of equipment or data is suspected or discovered, could lead to further investigation.
56. Breach of this policy may lead to disciplinary action which could result in dismissal. Please refer to the disciplinary policy and procedure for more information.
57. Where sanction is necessary with respect to councillors, a complaint may be made against the councillor by an officer under the Member Officer Relations Protocol. This complaint will be heard by the Wiltshire Council Standards Committee as detailed in the Wiltshire Council constitution.
58. No employee will receive less favourable treatment or be disadvantaged by policies, procedures, conditions or requirements which cannot be shown to be justifiable, because they have a protected characteristic. These can include, but are not limited to race, gender, disability, age, sexual orientation, religion or belief, pregnancy and maternity, marriage or civil partnership or gender reassignment

Employee responsibilities

- You must return any equipment when it is no longer required or your employment ends
- You should inform your line manager if you become aware that this policy is not being adhered to. If this is not appropriate due to the nature of your concern you should contact the Information Assurance team directly.

Line manager responsibilities

- You should set an example and ensure your staff are adhering to this policy
- ensure all leaver processes for the safe return of equipment are followed if an employee leaves your team

Further information

If you need any more information or advice, or have comments about this or any other Information Security related policy, then please contact the Information Assurance Team (01225 718863) **add email address** who will be happy to assist.

Extract from the Minutes of the Staffing Policy Committee

dated 11 January 2012

110. Acceptable Usage Policy for Email, Internet and Computer Use

Consideration was given to a report by the Service Director, HR & OD which presented changes to the existing email, internet and computer use policy.

The Chairman explained that this Committee was being requested to consider this updated policy in respect of staff and, as it was planned that the policy would also apply to members of the Council, it would be necessary for the Standards Committee approve the changes.

After some discussion,

Resolved:

- (1) To strongly endorse the changes to the Acceptable Usage Policy & Procedure for Email, Internet and Computer Use as it applies to staff, subject to the following amendment:-**

Point 17 of the Policy to read “Not to allow anyone without a valid Wiltshire Council login account to use your council equipment.”

- (2) To recommend the Standards Committee to adopt the Policy & Procedure as regards Members of the Council, subject to:-**

(a) Point 17 of the Policy to read “Not to allow anyone without a valid Wiltshire Council login account to use your council equipment.”

(b) Point 57 being amended so as to bring the Policy in line with the current updated Standards regime.

- (3) To urge that the Policy & Procedure be implemented as soon as possible.**

- (4) To request that explanatory notes be prepared and circulated when the Policy & Procedure is implemented.**

(Cllr Francis Morland, having declared a prejudicial interest, left the meeting for consideration of this item.)

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Code of Conduct Complaints - Status Report

	Cases received	Cases open (cumulative)	Assessed by Committee – investigation	Assessed by Committee – no investigation	To be assessed by Committee/other	Cases closed
April 2009 to December 2009	44	23	18	10	16	21
January 2010 to December 2010	33	18	4	27	2	38
January 2011 to December 2011	67	20	18	49	0	65

Appeals received
1 (original decision overturned)
9 (original decision upheld)
9 (7 original decision upheld & 2 pending)

Hearings

		Type of Hearing	Outcome	
2009		Assessment sub-committees - 27	Investigations – 14 Alternative action – 2 No further action – 11	
2010		Assessment sub-committees – 29 Review sub-committees – 10 Consideration sub-committees - 11 Determination sub-committees - 6	Investigations – 4 Alternative action – 4 No further action – 21 Original decision upheld – 9 Original decision overturned – 1 Referral for determination – 7 Finding of no breach accepted – 4 No breach – 2 No breach & breach (training) - 1 Breach – 3 = 1(censure), 1(training) & 1(no further action)	

Hearings

		Type of Hearing	Outcome
2011		<p>Assessment sub-committees – 71</p> <p>Review sub-committees – 9</p> <p>Consideration sub-committee – 7</p> <p>Determination sub-committee – 7</p>	<p>Investigations - 19</p> <p>Alternative action - nil</p> <p>No further action – 52</p> <p>Original decision upheld – 9</p> <p>Referral for determination - 6</p> <p>Finding of no breach accepted – 1</p> <p>No breach – 6</p> <p>No breach & breach (no sanctions) - 1</p>

Investigations – closed

Case reference	Date of Assessment hearing	Outcome
WC 06/09	13/05/09	Determination Sub-Committee 13 May 2010 – failure to comply (sanction – training)
WC 14/09	23/06/09	Consideration Sub-Committee 15 April 2010 – no failure to comply
WC 15/09	23/06/09	Consideration Sub-Committee 15 April 2010 – no failure to comply
WC 18/09	13/05/09	Determination Sub-Committee 6 October 2010 – no failure to comply
WC 19/09	13/05/09	Determination Sub-Committee 6 October 2010 - no failure to comply
WC 20/09	23/06/09	Determination Sub-Committee 17 March 2011 – no failure to comply
WC 24/09	07/07/09	Determination Sub-Committee 12 April 2010 – failure to comply (sanction- censure)
WC 30/09	07/07/09	Determination Sub-Committee 19 May 2011 – no failure to comply
WC 31/09	07/07/09	Determination Sub-Committee 19 May 2011 – no failure to comply
WC 32/09	07/07/09	Determination Sub-Committee 19 May 2011 – no failure to comply
WC 33/09	07/07/09	Determination Sub-Committee 14 October 2010 – 1 no failure to comply & 1 failure to comply (sanction – training)
WC 38/09	19/11/09	Determination Sub-Committee 5 July 2010 – failure to comply (no further action)
WC 42/09	03/02/10 (Review Sub-Ctte)	Consideration Sub-Committee 7 September 2010 – no failure to comply
WC 09/10	25/05/10	Consideration Sub-Committee 14 December 2010 – no failure to comply
WC 10/10	25/05/10	Determination Sub-Committee 30 March 2011 - 1 no failure to comply & 4 failures to comply (no sanction)
WC 12/10	19/08/10	Consideration Sub-Committee 24 February 2011 – no failure to comply
WC 43/09	02/12/09	Determination Sub-Committee 2 September 2011 - no failure to comply
WC 45/09	02/12/09	Determination Sub-Committee 2 September 2011 - no failure to comply
WC 38/11	07/06/11	Investigation concluded 16/09/11 due to resignation of subject member

Investigations – open

Case reference	Date of Assessment hearing	Progress	Estimated date of final report
WC 33/11	13/05/11	Determination Sub-Committee – 21 February 2012	N/A
WC 34/11	07/06/11	Consideration Sub-Committee – 31 January 2012	N/A
WC 36/11	07/06/11	Consideration Sub-Committee – 31 January 2012	N/A
WC 37/11	07/06/11	Consideration Sub-Committee – 31 January 2012	N/A
WC 39/11	13/07/11	Report being drafted	January 2012
WC 42/11	02/08/11	Interviews completed	February/March 2012
WC 43/11	02/08/11	Interviews ongoing	February/March 2012
WC 47/11	09/08/11	Report being drafted	February 2012
WC 48/11	09/08/11	Report being drafted	February 2012
WC 49/11	09/08/11	Report being drafted	February 2012
WC 53/11	09/08/11	Report being drafted	February 2012
WC 50/11	09/08/11	Report drafted	January 2012
WC 51/11	09/08/11	Report drafted	January 2012
WC 52/11	09/08/11	Report drafted	January 2012
WC 55/11	13/10/11	Investigation underway	Spring 2012
WC 56/11	13/10/11	Report being drafted	February 2012
WC 58/11	07/11/11	Investigation underway	Spring 2012
WC 67/11	20/12/11	Investigating Officer appointed	Spring 2012

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STANDARDS DISPENSATION SUB-COMMITTEE

DRAFT MINUTES OF THE STANDARDS DISPENSATION SUB-COMMITTEE MEETING HELD ON 20 DECEMBER 2011 AT COMMITTEE ROOM III - COUNTY HALL, TROWBRIDGE.

Present:

Mrs Jane Bayley, Cllr Ernie Clark and Mr Robert Oglesby JP

Also Present:

Frank Cain – Deputy Monitoring Officer

14. Declarations of Interest

There were no declarations of interest

**15. Consideration of a dispensation request - Councillor Richard Colthorpe of
Langley Burrell Parish Council**

The Deputy Monitoring Officer introduced the report and explained that Langley Burrell Parish Council, from time to time, makes financial grants to Langley Burrell Village Hall, which is a Registered Charitable Trust. Councillor Colthorpe is one of three members of the parish council who also hold positions on the Langley Burrell Village Hall Management Committee and he is therefore a Trustee of the Charity.

The Deputy Monitoring Officer explained the law and guidance relevant to this request and advised that Councillor Colthorpe had a personal and prejudicial interest in grants relating to the Village Hall arising from his position as a trustee.

He reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England and to the public interest.

Resolved:

To grant a dispensation to allow Councillor Colthorpe to participate in the meeting and vote. The dispensation to run until the next election in May

2013, subject to their being no material change in the circumstances under which this dispensation is granted.

16. Consideration of a dispensation request - Councillor Allen Franklin of Langley Burrell Parish Council

The Deputy Monitoring Officer introduced the report and explained that Langley Burrell Parish Council, from time to time, makes financial grants to Langley Burrell Village Hall, which is a Registered Charitable Trust. Councillor Franklin is one of three members of the parish council who also hold positions on the Langley Burrell Village Hall Management Committee and he is therefore a Trustee of the Charity.

The Deputy Monitoring Officer explained the law and guidance relevant to this request and advised that Councillor Franklin had a personal and prejudicial interest in grants relating to the Village Hall arising from his position as a trustee.

He reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England and to the public interest.

Resolved:

To grant a dispensation to allow Councillor Franklin to participate in the meeting and vote. The dispensation to run until the next election in May 2013, subject to their being no material change in the circumstances under which this dispensation is granted.

17. Dispensation request - Councillor Brian Mifflin of Langley Burrell Parish Council

The Deputy Monitoring Officer introduced the report and explained that Langley Burrell Parish Council, from time to time, makes financial grants to Langley Burrell Village Hall, which is a Registered Charitable Trust. Councillor Mifflin is one of three members of the parish council who also hold positions on the Langley Burrell Village Hall Management Committee and he is therefore a Trustee of the Charity.

The Deputy Monitoring Officer explained the law and guidance relevant to this request and advised that Councillor Mifflin had a personal and prejudicial interest in grants relating to the Village Hall arising from his position as a trustee.

He reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England and to the public interest.

Resolved:

To grant a dispensation to allow Councillor Miflin to participate in the meeting and vote. The dispensation to run until the next election in May 2013, subject to their being no material change in the circumstances under which this dispensation is granted.

(Duration of meeting: 14.30 – 14.45)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line 01225 718371, e-mail pam.denton@wiltshire.gov.uk

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

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COMMITTEE'S WORK PLAN

<u>Meeting Date and Time</u>	<u>Name of Report</u>	<u>Scope of Report</u>
7 March 2012 - Council Chamber, Monkton Park, Chippenham SN15 1ER	Status Report on Complaints made under the Code of Conduct	
	Minutes of Sub-Committees	
	Review of the Standards Committee Plan 2010 - 2014	

Future meeting dates:

2 May 2012 – Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU

4 July 2012 - Council Chamber Bradley Road, Trowbridge BA14 0RD

5 September 2012

7 November 2012

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