

STANDARDS COMMITTEE

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 10 MARCH 2010 AT COMMITTEE ROOM III - COUNTY HALL.

Present:

Wiltshire Council Members

Cllr Nigel Carter, Cllr Ernie Clark, Cllr Peter Fuller, Cllr Malcolm Hewson, Cllr Julian Johnson 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 Ian McGill CBE, Mr Stuart Middleton and Mr Gerry Robson OBE (Vice-Chair)

Also Present:

Cllr Francis Morland

16. Apologies

Apologies were received from Mr Keith Shipman.

17. Minutes of previous meeting

The minutes of the previous meeting were approved and signed by the Chairman as a correct record.

18. Chairman's announcements

Actions arising from the minutes

The Chairman asked the Head of Governance to update members on actions taken following the last meeting.

The Head of Governance reported that the leaflet on complaints which had been produced by the Communications sub-committee had been printed and issued. The other leaflet on the work of the Standards Committee was now ready for printing and would be issued shortly.

Town and Parish training dates had been decided and the first pilot session would take place on 8 April with Hankerton and Charlton Parish Councils.

The e-training package was ready to be rolled out.

A briefing note on Officers Code of Conduct would be issued shortly.

New Chief Executive

The Chairman welcomed the appointment of the new Chief Executive, Andrew Kerr, and said that she looked forward to meeting with him in the near future.

Keith Shipman

Keith Shipman, Independent member of the committee, was due to retire at the end of March. He had been Chairman of the committee during its move to the new Council and had been involved in the development of local determination procedures. The Chairman said that she would write to him wishing him well for the future and thanked him for all his work for the committee.

Update on review of the Constitution

The first meeting of the Review Group will be held on 15 March and the committee will be updated at its next meeting.

Council decision on publication of Registers of Interest

The Council had adopted the Standards Committee recommendation on the online publication of interests. Councillors could opt in to this method of publication.

Comprehensive Area Assessment briefing - 17 February

This had been a very useful briefing. It was noted that Wiltshire County Council and the new Wiltshire Council had been awarded the Green Flag for involving people in decision making that affected their local community. This Green flag puts Wiltshire ahead of many other authorities in the area. Further details could be found on the Audit Commission website.

Training on the Code of Conduct for Wiltshire Councillors

This would be undertaken by Nick Holden and members of the Standards Committee will be kept informed and invited to attend. Dates are still being agreed.

Meeting Handling

In order to make it easier for members of the public to understand what was happening at meetings and to assist them in following discussions the

Chairman said that she would use titles and surnames when addressing speakers and requested that all speakers keep to the point and be concise.

19. **Declarations of Interest**

Councillor Peter Fuller declared a personal interest in item 6 – Minutes of sub-committees as he was a subject member.

20. **Public participation**

None

21. **Minutes of Sub-committees**

The minutes of the Dispensation Sub-committee meetings held on 11 November 2009, 26 November 2009 and 8 January 2010 were noted.

22. **Standards Committee Plan 2010-14**

The Monitoring Officer presented the Standards Committee Plan for 2010 – 14 and explained that this contained both Wiltshire Council's goals and the goals of the Standards Committee, together with the committee's actions and targets for evaluating performance against the outputs specified in the plan. It was still a work in progress and would continually evolve as new items were added and goals achieved.

There was a request for a Task and Finish Group to be set up to produce a presentation and supporting materials to take to the Council's 18 area boards promoting the role of the Standards Committee and the local standards framework. Nominations were sought and the membership of the group was agreed as:

Mr Bill Bailey
Mr Gerry Robson
Councillor Nigel Carter

The group would report back to the July Standards committee meeting.

The Chairman thanked the Monitoring Officer, Mr Ian McGill and Mr Gerry Robson for their work in developing the plan.

Resolved:

- 1. To note the work in progress in developing the plan, including targets for evaluating performance against the outputs specified in the plan;**

2. **To agree to set up a task and finish group to prepare a presentation and supporting materials to take to the Council's 18 area boards promoting the role of the Standards Committee and the local standards framework, membership as above.**
3. **To ask the task group to report back to the Committee at its July meeting with its proposals with a view to commencing the programme of briefings to area boards in the Autumn term.**
4. **To agree that presentations to Area Boards would provide a good platform to inform and engage the Town and Parish representatives and the public on standards in local government.**

23. **Size and composition of the Standards Committee**

The Chairman explained that the Committee has previously undertaken to review the size of the Committee in the light of experience and the term of office of its Independent members, however it was agreed in September 2009 to defer consideration of a report on the term of office of Independent members until members had served a year in office, given that the first meeting of the Committee has only taken place in July 2009.

Officers would be preparing a report on the composition of the Committee dealing with both the size of the Committee and the term of office of its Independent members for the September 2010 meeting and the committee were invited to make any comments prior to the production of the report. The possibility of using the same people for the Consideration sub-committee and the Hearing was raised. The Monitoring Officer replied that although there were advantages and disadvantages it was possible.

24. **Venues of Standards Committee Hearings**

The Chairman explained that Trowbridge was not always the most appropriate venue for the local determination of complaints and the report recommended that hearings in respect of town and parish councillors could be held locally to enable local residents to attend the hearings should they choose to do so. It also recommended that hearings in respect of Wiltshire Councillors should still be held in County Hall unless there were any exceptional circumstances.

A debate ensued during which it was agreed that both town and parish member and Wiltshire Council member hearings should be held locally in the interest of openness and transparency.

Resolved:

1. **Subject to availability of "hub" venues within the statutory timescales, to conduct local determination hearings, for both Town and Parish and**

Wiltshire Councillors, in the Wiltshire Council “hub” office most local to where subject member has been elected.

2. **To allow flexibility in these arrangements to accommodate exceptional circumstances, such as the special needs of the subject member or key witnesses.**

25. **Timescales for Local Investigation and Determination**

The Committee considered a report on proposals to introduce target timescales for the completion of local investigations and determination of complaints brought under the Members Code of Conduct.

The report was accepted subject to the following amendments to paragraphs 14 and 15 of the report:

To delete the word ‘of’ at the end of the first line of each paragraph and replace it with the word ‘within’.

Resolved:

1. **That the Standards Committee requires the Monitoring Officer to set a target time of 6 months from the Assessment Committee’s referral of a complaint for investigation to the completion of the investigation and issuing of a final report.**
2. **That the Standards Committee requires the Monitoring Officer to set a target time of 3 months from the issuing of his final report to the conclusion of a Determination Sub-Committee hearing.**
3. **That the Monitoring Officer brings reports to each Standards Committee meeting setting out the progress of each case (in anonymised form using the alpha-numeric identifiers already in use by the Governance Service to identify cases) against these two targets, using a “traffic light” system. Cases that are on target will be shown as green, those about which the Monitoring Officer has concerns will be shown as amber, and those that have exceeded the target will be shown as red. Red and amber cases should be accompanied with a brief explanation of their amber or red status.**
4. **That the report should show, where applicable, the alpha-numeric identifier for each complaint, the date it was received by the Monitoring Officer, the date it was considered by the Assessment Sub-Committee, the date it was referred for investigation (which will usually be the same date unless the Sub-Committee adjourned for further information), the date the final report was issued, the date of the Consideration Sub-Committee meeting, and the date of the Determination Sub-Committee hearing.**

26. **Draft Annual Report of the Standards Committee 2009/10**

The Chairman explained that this report was for the public and it would therefore be published on the Council website.

This was a draft report and it was agreed that it needed to be more user-friendly with the removal of any overly legal terminology and more use made of bullets.

A request was made for the number of complaints received to be incorporated into the report and that an executive summary be added to the front.

On the subject of costs being included it was agreed that this was not possible on this occasion but it could be looked at in future annual reports.

Resolved:

To note the report and request that the above amendments be incorporated.

27. **Culture Change Programme**

The Chairman announced that Councillor Laura Mayes, Portfolio Holder with responsibility for Cultural Change, would be attending the next meeting of the committee.

The Monitoring Officer had met with her and they had discussed ways that the Standards Committee could support her role.

Councillor Mayes was preparing an action plan which would be circulated to all Standards Committee members and she would speak to it at the next meeting.

The leaflet 'What Will We be Like' will be re-launched. This sets out values for both members and officers to apply in their work and actions and it was agreed that this links to the Code of Conduct training in which the committee is involved.

28. **Report of the Task and Finish Group on Training Needs Analysis**

Mr Gerry Robson, OBE updated the committee on the first meeting of the Task and Finish Group on Training Needs Analysis.

He explained that at the last meeting of the Training sub-committee concerns had been raised that some Town and Parish Council Chairmen were unfamiliar with some aspects of the Code of Conduct and of chairing a meeting.

The Task and Finish Group had particularly looked at the possibility of training in chairing skills for Town and Parish Chairmen with a view to reducing the numbers of complaints received. The Group had asked the Governance team

and Human Resources to see if there was evidence of any training needs from Town and Parishes and what measures could be taken to address them.

The Group would meet again in April and report back to the Standards Committee in May.

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

The status report on complaints was noted.

30. **Anonymous Digest of Code of Conduct Cases**

The Chairman explained that at the last meeting it had been requested that the annual, anonymous digest of Code of Conduct cases mentioned in the Communications sub-committee action plan be produced and themed so that the most common issues were highlighted.

The report detailed cases that had been recently considered by the Adjudication Panel.

Following a discussion it was agreed that, in future, these bulletins would be produced as and when any items or cases of interest were published.

Resolved:

To produce an anonymous digest of complaints as and when issues of interest were published.

31. **Standards for England Bulletin No. 47**

The Chairman drew attention to the next Annual Assembly meeting due to take place in October 2010 and said that, as in previous years, two places would be booked for an officer and a member of the committee to attend.

It was agreed that the article in the Bulletin on social networking be sent out to all members of the Council via the Elected Wire together with the links to Standards for England online guidelines detailed on page 7 of the Bulletin.

It was noted that the new Code of Conduct would be delayed until after the elections.

32. **Urgent Items**

There were no urgent items

(Duration of meeting: 2.00pm – 3.55pm)

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

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