

**THESE MINUTES WILL BE PRESENTED TO THE NEXT STANDARDS  
COMMITTEE MEETING FOR APPROVAL AS A CORRECT RECORD**

**WEST WILTSHIRE DISTRICT COUNCIL**

**MINUTES**

Minutes of the: **STANDARDS COMMITTEE**

Held on: **WEDNESDAY 26 JANUARY 2005**

Held in: **OCTAGON SUITE, BRADLEY ROAD  
TROWBRIDGE**

Present:

District Council  
Representatives: Ernie Clark and Russell Hawker

External  
Representatives: Tony Frost (Chair), Margaret Ellwood and Keith West  
(Vice Chair)

Town/Parish  
Representatives: Horace Prickett and Mary Stacey

Also Present Sarah Content

Officers: Legal & Democratic Services Manager and Member  
Support Officer (M.S)

**109. APOLOGIES AND CHANGES OF MEMBERSHIP**

Apologies were received from Cllr Farkas and Manasseh

**110. MINUTES**

The minutes from the meeting on 8<sup>th</sup> December 2004 were approved as a correct record and signed by the Chairman subject to the deletion of the highlighted text and amendment to minute number 105 – Review Of The Constitution – Constitutional Review Group Meeting Notes To Date. The amendment should read 'Councillor Manasseh stated that the Labour group were asked to provide a representative, Gordon Cox, however he declined due to political imbalance which he wrote to Peter Woodcock explaining the situation' and not 'Councillor Manasseh stated that there

are no representatives from the Labour group sitting on the Constitutional Review Group’.

**111. DECLARATIONS OF INTEREST**

Cllr Hawker declared both a personal and prejudicial interest, after seeking the advice of the Legal and Democratic Services Manager; on agenda item number 6 – Standards Board for England – Complaints Update. Cllr Hawker informed the committee that he would leave the room when this item was discussed.

**112. CHAIRMAN’S ANNOUNCEMENTS**

The Legal and Democratic Services Manager, with permission of the Chairman, announced that the Standards Board for England had informed him of some new courses which members of the committee may be interested in attending, such as, the Annual Conference scheduled for June in Bristol. Members of the Committee were encouraged to attend and it was agreed that Member Support would circulate the details of the courses to the committee.

Sarah Content enquired if the compilation of current Standard Board guidance booklets had been arranged. The Legal and Democratic Services Manager informed the Committee that a member of the legal team had contacted the Standards Board to organise this on the 9 December, the day after the previous Standards meeting and the booklets had only just arrived. Therefore the booklets had not yet been distributed.

**113. REVIEW OF THE WORK OF THE CONSTITUTIONAL REVIEW GROUP**

The Constitutional Review Group has to date met twice where consideration has been given for the changes to the constitution. Two very different approaches as to how the constitution should be changed were discussed. One option was to make improvements to the existing constitution; another was to completely rewrite a new constitution or see the Constitution shortened to a set of principles. After discussion it has been decided to make improvements and rewrite parts of the Constitution.

The Chair asked what level of involvement the Standards Committee would have in the reviewing of the Constitution. The Legal and Democratic Services Manager informed the committee that anything decided at the Constitutional Review Group would have to come before the Standards Committee before Full Council could approve the changes.

Currently it is proposed that an external solicitor be sourced to complete the work of the constitution review however this has not yet been confirmed.

Sarah Content informed the Committee that Section 2 and parts of Section 4 and Section 5 were being considered by the Group for review. The changes would only be minor, such as, changing the name of the Overview Committee to the Scrutiny Committee and recommending that the MIS include details of PPG meetings.

Russell Hawker stated that some viewed the constitutional review as a way of removing some of the power from Officers. Sarah Content said this was not an issue that had been discussed at the Constitution Review Group meeting.

Ernie Clark asked if all members could receive a copy of the minutes from the meetings of the Constitutional Review Group, not just the Standards Committee. It was therefore

**RESOLVED:**

**That:**

- (i) All members receive formal papers and minutes of any Constitutional Review Group meeting**

**114. STANDARDS BOARD FOR ENGLAND – COMPLAINTS UPDATE**

A long outstanding complaint, 7016.04 remains outstanding and one additional complaint is now under investigation.

The Legal and Democratic Services Manager informed the committee that when the Standards Board for England receives a complaint it can write to staff and members asking for information and assistance. The Standards Board for England should inform anyone it contacts that disclosure of information or questions is not allowed and an investigation must not be confirmed or denied.

The SBE is aware of the urgency of this complaint and is trying to accelerate the investigation. The SBE has employed more staff and divided the staff into two teams. The new recruits are dealing with all new complaints and the previous staff is dealing with the backlog, therefore new complaints are being dealt with quicker than the backlogs. The one other outstanding complaint is a new complaint so is likely to be dealt with quite quickly.

**RESOLVED:**

**That:**

- (i) To note the contents of the report**
- (ii) To ask group leaders to encourage restraint within their groups, at all levels, on discussing this matter in the event that correspondence has been received by any of their group members concerning this investigation until the SBE has made its' findings public.**

**115. REVIEW OF CHANGES TO THE COMPLAINTS PROCEDURE**

The Legal and Democratic Services Manager informed the Committee that the Chair had asked for an investigation to why Stage 3 complaints are often not resolved satisfactorily. The Head of Legal and Democratic Services deals with all stage 3 complaints. Half of the Stage 2 complaints are resolved at this level and involved the Service Manager managing the complaint. By the time the complaint has progressing to stage 3 the complainant maybe very angry and irritated. These are often the most difficult complaints to resolve, as the complainant does not want simple answers and harbours unrealistic expectations of the outcome to the complaint.

Some stage 3 complaints can be followed by a further complaint to the Ombudsman. It is interesting to note that from examining the Ombudsman decisions of 2004 complaints the Council had also reached the same conclusion. However this does not mean that the Council does not have improvements to make to customer service or the way complaints are handled. The new Complaints Monitoring Procedure is being welcomed, especially by the Performance Scrutiny Team as a positive improvement to raise the delivery of customer service.

Russell Hawker replied that some people are awkward by nature therefore nothing will ever please them. The Legal and Democratic Services Manager agreed but also added that the Council may not have done everything right.

It was noted that the planning, revenues and benefits departments seem to generate the highest number of complaints.

**RESOLVED:**

- (i) That the report be noted
- (ii) A further report be brought to Committee upon the introduction of the new Complaints Monitoring Procedure to explain to members of the Standards Committee how the new procedure will work and seek views upon any appropriate revisions

**116. WORK PROGRAMME**

The Work Programme was considered and suggestions made for inclusion in a revised work programme. The Legal and Democratic Services Manager suggested a mock local determination for the next meeting, which all members considered a good idea.

**RESOLVED:**

**That the work programme be noted**

**DATE OF NEXT MEETING**

The next meeting was scheduled for Wednesday 23<sup>rd</sup> March but is now Wednesday **16 March 2005** at 7pm in the Octagon Suite at the Council Offices, Bradley Road, Trowbridge

(7.00pm – 8.04pm)

These minutes were prepared by Melanie Stimpson; Member Support Officer who can be contacted on 01225 770322 or email [mstimpson@westwiltshire.gov.uk](mailto:mstimpson@westwiltshire.gov.uk).