

STANDARDS COMMITTEE

MINUTES of a MEETING of the STANDARDS COMMITTEE held at COUNTY HALL, TROWBRIDGE on THURSDAY 6 MAY 2004.

PRESENT:

Mr R Tickell (Chairman), Mr A Gooch and Mrs P Rugg.

Mr C Newbury also attended the meeting.

14. **Apologies**

Apologies for absence were received from Mr P Coleman, Mr P McGuigan and Mr G Thompson.

15. **Minutes of Previous Meeting**

Resolved: To confirm and sign the minutes of the meeting held on 1 April 2004.

16. **Chairman's Announcements**

Appointment of New Independent Member

The Chairman informed the Committee that the 22 applications for the vacancy had been reduced to a shortlist of six. The interviews had taken place on 30 April and an appointment had now been made. The appointment would be formally approved at the County Council meeting in May and the new member, if approved, would attend the next meeting on 10 June.

17. **Independent Members' Forum**

The notes from the meeting of the Independent Members' Forum held on 11 March 2004 were circulated for information. Members confirmed that they were keen to support this Forum and would be happy to host a future meeting.

18. **Internal Audit Plan 2004-05**

The Committee received a report by the Chief Auditor which set out the Audit Plan for 2004-05. It was noted that a further audit report would be submitted in September.

19. **Delegations to Officers**

The Committee considered a report by the Monitoring Officer which gave details of the proposed revised scheme of delegation to officers for insertion in the Constitution.

It was noted that the revised delegations had moved away from a list of statutory provisions and conferred a more generic power. Assistant Directors would be directly responsible for day to day operations and budgets, leaving Directors to focus on strategic issues affecting the whole organisation. The Panel noted that as a result Assistant Directors would be more likely to attend the Complaints Panel hearings than the Directors themselves.

It was explained that officers making decisions under delegated powers would ultimately be accountable to the County Council members.

Under the section entitled "Taking Decisions" it was suggested that the point relating to considering the views of local members should be moved higher up the list.

Members noted that this completed the current review of the Constitution but acknowledged that due to the changing nature of the County Council the process would be ongoing.

***Resolved:** To recommend the County Council to approve the new Scheme of Delegation as set out in Appendix 1 of the report for inclusion in the Constitution subject to the following amendment:*

Paragraph 15 – point (i) to be deleted and the last sentence in point (c) be amended to read:

In such cases, consultation with officers, relevant Cabinet Member(s) or Committee Chairman from any affected portfolio and local members, where the issue relates to a specific area, should take place.

20. **Corporate Complaints Procedure**

Members noted that the Overview and Scrutiny Management Committee had considered the proposal from the last meeting to set up a sub committee to deal with complaints in the event of officers not accepting a Review Panel's findings. The Overview and Scrutiny Management Committee had resolved as follows:

“To inform the Standards Committee that this Committee does not feel it is appropriate for it to act as a final arbiter in the corporate complaints procedure on the basis that this role would not sit easy with its existing responsibilities.”

It was noted that the current complaints procedure includes a provision that if the chief executive, department director and monitoring officer do not accept the findings of the Review Panel the report will be referred to full council for a final decision. It was felt that this provision was inappropriate and that generally this situation could be resolved by discussion between the chairman of the Panel and officers. However, members acknowledged that there needed to be a final course of action so that a solution could be found in the unlikely event of an impasse.

Resolved: *To inform the County Council:*

- (1) *That, in the light of the comments from the Overview and Scrutiny Management Committee, this Committee wishes to withdraw its recommendation no. 2 set out in Minute No. 13 of the meeting held on 1 April 2004.*
- (2) *That the Committee will consider how to take this issue forward at a future meeting having taken time to consult further on the complaints procedure.*

21. Frequency of Meetings

Resolved: *To defer discussion of this item until the next meeting.*

22. September Meeting

The Chairman explained that unfortunately he was unable to attend the September meeting.

Resolved: *To cancel the meeting scheduled for 2 September 2004.*

(Duration of meeting: 3.00pm – 4.20pm)

The Officer who has produced these notes is Marie Todd, of Democratic & Members' Services, direct line (01225) 713011, e-mail

marietodd@wiltshire.gov.uk

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