

STANDARDS COMMITTEE

MINUTES of a MEETING of the STANDARDS COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 18 APRIL 2007.

PRESENT:

Mr P McGuigan (Chairman), Mr, Mr P Lefever, Ms C O'Sullivan, Mrs P Rugg and Mr K Shipman.

Also in attendance: Group Leaders – Mrs JA Scott and Mrs MSN Taylor

17. **Minutes of Previous Meeting**

Resolved: To confirm and sign the minutes of the meeting held on 24 January 2006.

18. **Matters Arising from the Minutes**

(a) Attendance by Ombudsman

It was noted that the Council was still awaiting the Annual Letter of the Ombudsman and that once received, the Ombudsman would be invited to a future meeting of the Standards Committee.

(b) Register of Members' Interests/Gifts and Hospitality

It was noted that arrangements were in hand to remind Members every six months of their responsibility to update their interests and any gifts or hospitality received over the value of £25.

(c) Induction Programme for New Independent Members

The Chairman explained that an induction programme for new Independent members on the Committee would be arranged following the appointment of a new member. The recruiting process for a new member was underway.

(d) Staff Survey

It was noted that as agreed at the last meeting, details of the staff survey results had been circulated to all members of the Standards Committee.

19. **Chairman's Announcements**

(a) Mr Peter McGuigan

The Chairman pointed out that his term of office was coming to an end and that this would therefore be his last meeting. He had re-applied for the position of Independent member and interviews would be held on 23 April. The interviewing panel would make a recommendation on the appointment to Annual Council on 8 May.

(b) Link to the Intranet

At the last meeting, it was noted that officers were looking into the possibility of Independent members of this Committee being given access to the Council's intranet site. Arrangements have been made for the members to receive Crypto tokens and they will be advised when this happens together with instructions on how to gain access to the intranet.

(c) Standards Board for England (SBE) Roadshow 2007

The Chairman announced that there were two places for members of the Committee to attend the SBE Roadshow which would be held on 26 June. Details were given of the subjects that would be discussed at the Roadshow. The Chairman asked members who were interested in attending to contact Yamina Rhouati.

(d) The Sixth Annual Assembly of Standards Committees – 15 – 16 October 2007

The Chairman sought a volunteer to attend the Sixth Annual Assembly of Standards Committee in October. Details of the subjects that would be covered were given. The Committee requested that two places be booked, one for a member of the Committee and one for an appropriate officer. Members wishing to attend were asked to let Yamina Rhouati know.

(e) Annual Report of the Standards Committee

The Chairman explained that the Committee's Annual Report would be drawn up and presented to the next meeting for approval before publication.

20. **Members' Interests**

No interests were declared.

21. **Public Participation**

None

22. **Review of Arrangements For Involvement of Members in the Decision Making Process**

The Head of Democratic and Member Services presented a report which summarised the background and findings of a workshop held on 27 March on the above mentioned review. The workshop had been held at the request of the Standards Committee at its last meeting.

The purpose of the workshop was to give all members an opportunity to contribute to the discussions on identifying any difficulties being experienced with the current system and ways of improving their involvement in the decision making process. Members of the Standards Committee had facilitated at the workshop to gain a better understanding of the issues involved with a view to making appropriate recommendations to Annual Council following this meeting.

Group leaders had been invited to this meeting and Mrs Scott and Mrs Taylor attended and gave their views.

The key outcome of the workshop was the aspirations expressed by members about what they wanted to achieve from the decision making process and how such aspirations could be met. These aspirations focussed on more effective use of the Council's existing systems rather than some innovative new solution which would require fundamental changes to the constitution.

This exercise had been a significant step in the review, but not the end of it. Some of the aspirations would also need detailed consideration by Cabinet and the Overview and Scrutiny Management Committee (OSMC) in terms of shaping up any proposals. It was noted that the Chairman of the OSMC had also expressed a wish for such involvement by his Committee. This was echoed by the Leader in terms of the involvement of her Cabinet. Should Council be minded to take forward the suggestions from the workshop, an action plan would be presented to the next meeting of this Committee. The action plan would outline progress on the implementation of the agreed recommendations.

The Chairman circulated suggested recommendations for the Committee's consideration which picked up points made by members of the Committee following the workshop.

A discussion ensued on whether or not there should be a requirement on Cabinet members to brief all members on the activities within their respective portfolios. It was also accepted that members should also be proactive in obtaining information from Cabinet members. A consistent theme was to improve support to members in their community leadership

role particularly under the terms of the Local Government White Paper 'Stronger and Prosperous Communities'.

Resolved:

1. That the recommendations set out in the report detailed at paragraphs (a) and (b) below, be endorsed for consideration by the full Council; it being noted that the implementation of these measures will require further work by both members and officers alike.
 - (a) That the Standards Committee recommends to Council that it agrees the suggestions outlined in Appendix 1 (as amended by the inclusion of the following in the last section on 'Briefing of Members') of the report presented, to help increase the engagement of members in the decision making process:

"To consider specifically what information and support members need to have to enable them to engage and inform their parish and town councils and residents".
 - (b) That subject to the Council agreeing (a) above, the Standards Committee receive an action plan at its next meeting on the progress towards implementing these revised proposals.
2. That in addition, the Council be:
 - (i) asked to consider the following additional suggestion:

that arrangements be made to enable officers to better understand the needs of members and what is required to facilitate the discharge of their responsibilities
 - (ii) informed that there was a consistent theme of concern expressed at the workshop regarding members' attendance and the Council be invited to comment on those concerns.

23. Revised Members' Code of Conduct

The Corporate Standards Manager presented this Council's response to the consultation on the revised Code of Conduct for Members. The Committee was advised that the final version of the Code had been laid before Parliament on 4 April with an effective date of 3 May 2007, timed to coincide with the forthcoming local government elections.

Councils had up to six months to adopt the Code. The Committee noted and agreed with the comments of the Final Accounts and Audit Committee that the Council should not rush into adopting the new Code, but to take time to consider and evaluate its implications. This would also allow time to provide training for Members. The Head of Legal and Democratic Services

circulated a Local Government briefing note on the new Code for the Committee's information.

Resolved:

- (a) That subject to legal requirements, Council be recommended to delay the adoption of the new Code of Conduct for Members to allow time for careful consideration of it before being recommended for adoption.
- (b) That a report on the implications of the new Code of Conduct for Members be presented to the next meeting on 4 July before being recommended to Council on 10 July. In the meantime, the existing Code will continue to apply.

24. Audit Commission: Annual Audit and Inspection Letter

The Committee was asked to examine any issues regarding standards, conduct and probity arising from the latest Annual Audit and Inspection Letter.

The Corporate Standards Manager referred the Committee to paragraph 14 of the Letter regarding public satisfaction which stated that '...people were much less satisfied with the way the Council deals with their complaints.....'. The Corporate Standards Manager explained that she had obtained the data on which the findings had been based on. She commented that this was a harsh conclusion to arrive at, given that over half of the complaints received, related to non county council functions. A breakdown of the data obtained was presented which illustrated this point.

The Committee expressed its frustrations with the way in which the overly generic data was collected, but accepted that this was outside the Council's control. It was hoped that the new Complaints BPR system would generate data which would enable the Council to distinguish with statistical evidence, between complaints relating to this Council and those relating to other organisations.

Resolved:

That the Audit and Inspection Letter be noted.

25. Complaints BPR

The Corporate Standards Manager gave a verbal update on the current situation with the Complaints BPR project. Progress on the project had been very slow due to various IT related problems. However, the Corporate Standards Manager was pleased to report that these problems had now been overcome. It was hoped to move ahead with implementation, subject to the successful completion of testing which would take place over the next few weeks.

Resolved:

That the position be noted.

26. Ethical Governance Improvement Project

The Corporate Standards Manager invited the Committee to reconsider the Council's Code of Corporate Governance as previously approved by this Committee and Council in 2004.

As the Project had met its objectives it was felt that it could now be signed off as completed. However, the Committee agreed that there was no cause for complacency and that over the next year, the Ethical Governance Programme should focus on the Staff Code of Conduct, looking for evidence that the Code was clearly articulated to and understood by all staff. This would be linked to the outcomes of the whistleblowing investigations reported on in the confidential report taken later in the meeting (minute no. 32 refers).

Resolved:

That the Committee notes the completion of the Ethical Governance Project and concerns itself over the next year with the following aspect of the Code of Corporate Governance:

Evidence that the Staff Code of Conduct is clearly articulated to and understood by all staff.

27. Independent Members of the Standards Committee

At its last meeting, the Committee resolved to review the person specification for Independent members of the Committee. Accordingly, details of the current person specification together with the job description were presented for the Committee's consideration.

The Committee considered that the current person specification was quite vague and open to different interpretations. It was felt that it should be updated to enable potential applicants to demonstrate experience of the attributes required for the position, examples of which were given.

Officers undertook to obtain examples of person specifications for the role from other authorities.

Resolved:

That the person specification be revised and presented to the Committee in October for further consideration.

28. Digest of Adjudication Panel Cases

The Corporate Standards Manager presented a digest of Adjudication Panel Cases for the Committee's information.

Resolved:

That the cases be noted with interest.

29. Freedom of Information Act – Implementation Update

The Corporate Standards Manager presented a report previously considered by the Corporate Management Board which gave an update on the implementation of the Freedom of Information Act 2000.

Resolved:

That the report be noted.

30. Urgent Items

No urgent items.

31. Exclusion of Press and Public

Resolved:

To agree that in accordance with Section 100 A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute no. 32 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 2 of Part 1 of Schedule 12 A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

32. Whistleblowing Investigations – 6 months Update

The Committee considered a confidential report of the Corporate Standards Manager which gave an overview of investigations she had conducted since the introduction of the new whistleblowing policy.

The Solicitor to the Council explained that the report demonstrated the effectiveness of the policy, that concerns were being addressed and appropriate action taken. The Chairman asked whether the Dignity at Work policy which was nearing completion, should be considered by this Committee. The Head of Legal and Democratic Services suggested that this Committee's input on it could be linked to reviewing the Staff Code of Conduct to ensure a consistent and uniform approach.

Resolved:

That the report be noted.

33. **Date of Next Meeting**

Resolved: To agree that the next meeting should take place on Wednesday 4 July 2007.

(Duration of meeting: 2.30pm – 5.07pm)

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line (01225) 718024, e-mail yaminarhouati@wiltshire.gov.uk

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