

AGENDA ITEM NO. 15

Independent Members' Forum

Berkshire, Oxfordshire and Wiltshire Standards Committees

Notes of a meeting of the Forum held at South Oxfordshire District Council Offices, Crowmarsh Gifford, Oxfordshire on Friday 29 February 2008.

Present:

Gordon Anderson	Independent Member	Bracknell Forest
Albert Gregory	Independent Member	Royal Berkshire Fire Authority
Michael Field	Independent Member	Slough
Paul Lipscomb	Independent Member	Slough
John Bingham	Independent Member	West Berkshire
Roger Sparrow	Independent Member	Windsor & Maidenhead
David Comben	Independent Member	Wokingham
David Soane	Independent Member	Wokingham
Anita Grosz	Independent Member	Wokingham
Colin Lawley	Principal Solicitor	Wokingham
Douglas Frewer	Independent Member	Cherwell
Sadie Reynolds	Independent Member	Cherwell
John Lay	Independent Member	Oxford City
Jeremy Thomas	Monitoring Officer	Oxford City
Tony Clarke	Monitoring Officer	Oxfordshire County
Ann Griffiths	Independent Member	Oxfordshire County
Margaret Reed	Monitoring Officer	South Oxfordshire
Malcolm Butler	Independent Member	South Oxfordshire
Kathy Fiander	Democratic Services Officer	South Oxfordshire
Caroline Redzikowska	Monitoring Officer	West Oxfordshire
Margaret Thompson	Independent Member	West Oxfordshire
James Carine	Independent Member	North Wiltshire & Wilts Fire
Rodney Job	Independent Member	Salisbury
Trevor Davies	Independent Member	Swindon
Tony Frost	Independent Member	West Wiltshire
Keith Shipman	Independent Member	Wiltshire County
Isabel McCord	Independent Member	Wiltshire County
John Adams	Independent Member	Wiltshire Police
John Williams	Standards Board	
Josephine Simpkins	Standards Board	

Apologies for absence:

John Hicks	Independent Member	Reading
Frederick Ashmore	Independent Member	Slough
James Rees	Independent Member	West Berkshire
Tracey Allen	Monitoring Officer	Windsor & Maidenhead
Helal Stephan	Independent Member	Windsor & Maidenhead
Karnail Pannu	Independent Member	Windsor & Maidenhead
Chris Ballinger	Independent Member	Oxford City
Meryll Dean	Independent Member	Oxford City
Martin Gardner	Independent Member	Oxford City

Ann Gwinnett	Independent Member	Oxford City
Fred Mogridge		Oxford City
William Reed	Democratic Services Manager	Oxford City
Stuart Harrison	Independent Member	West Oxfordshire
Gordon Halliday	Independent Member	West Oxfordshire
Keith Butler	Deputy Monitoring Officer	West Oxfordshire
Alan Savill	Independent Member	Kenet
Bob Philpott	Independent Member	North Wiltshire
Peter McGuigan	Independent Member	Wiltshire County (& Berks Fire)
Catherine O'Sullivan	Independent Member	Wiltshire County
Anthony Hadfield	Independent Member	Wiltshire Police
P Cleasby	Independent Member	Thames Valley Police

1. Welcome

Mrs Sylvia West, Independent Chairman of the South Oxfordshire District Council Standards Committee, welcomed participants to the meeting.

2. Notes of the previous meeting

The Forum received the notes of the previous meeting held on 19 October 2007.

3. Standards Board for England

John Williams and Josephine Simpkins, policy advisors at the Standards Board for England updated the Forum on current issues.

The Department of Communities and Local Government (DCLG) had just finished consulting on new regulations for the implementation of the local assessment framework. The Standards Board had submitted a response as a consultee. They had also worked with the government on making the regulations as user-friendly as possible. The DCLG should be preparing the regulations to lay before Parliament, but the Board had received no information about any changes or when the regulations would come into force.

It was possible that the implementation date for local assessment would now be 1 May, especially as the regulations had not been published yet. The Standards Board had a dedicated local assessment section on their website and would update it once they had more information. This section would also disseminate guidance, information about best practice and sample complaints. Advice on mediation would form part of the guidance.

Forum members felt that 1 April was too soon and a three month delay might be preferable to allow for recruitment and training of new committee members.

Consultation on the code of conduct had been put back to May at the earliest because of the work on local assessment and the ethical framework.

The Board's role would change under the new arrangements. Standards committees were able to undertake their role effectively now. They needed to have arrangements in place to deal with complaints as soon as local assessment started. The Board would provide strategic support and guidance, monitoring and quality control, a helpline, networking contacts, and consideration of cases referred by committees. Monthly bulletins would still be produced, and the annual assembly held.

The Board would not automatically investigate cases referred to them and expected only 'too hot to handle' cases and those where there was a conflict of interest to be referred.

There were a number of sanctions open to the Board in cases where standards committees were not operating effectively, but it was unlikely these would be needed.

Standards committees would have to produce an annual report for the Standards Board and the public in a format yet to be agreed. Copies of the Slough Borough Council annual review were circulated by Paul Lipscombe for information.

Initially, complaints from the public would still go to the Board. These would not be passed on but referred back to the complainant to re-send to their local committee. At this stage, committees needed to remember they were not investigating the case but simply whether the allegation disclosed a breach of the Code of Conduct. If the committee decided that it did, then it had a number of options including mediation, training, referral or investigation.

Committees must keep to the statutory timescales. Memberships of the initial sub-committee considering the complaint and the appeals sub-committee must not overlap, but membership of the committee considering an investigation could overlap with either. Authorities might want to consider joint arrangements, especially for the appeal stage.

Some complaints may seem trivial at the initial stage, but if more information were provided with an appeal, the committee may decide to investigate. In the pilots, committees were more inclined to refer 'grey area' cases than the Board.

The Board had suggestions for recruiting independent members, including articles in local papers, radio adverts and new items, or recruiting from the police or fire authority independent members.

The meeting broke up into three groups to determine whether to refer for investigation four of the sample cases provided by the Board for training on the local assessment process. After discussion, Mr Williams and Ms Simpkins led the discussion and feedback.

4. Open Forum

The meeting thanked Mr Williams and Mr Simpkins for their input, South Oxfordshire District Council for hosting the meeting, Mrs Kathy Fiander for the administration, and Mrs West for chairing the meeting.

5. Date and venue for the next meeting.

26 September 2008 at Cherwell District Council offices.