



## STANDARDS COMMITTEE

---

MINUTES of a MEETING of the STANDARDS COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 18 JUNE 2008.

PRESENT:

- |                        |   |  |
|------------------------|---|--|
| Independent Members    | - | Mrs I McCord, Mr P Lefever,<br>Mr P McGuigan and Mr KR Shipman |
| Members of the Council | - | Mrs P Rugg, Mrs M White, Mr Hewson and Mr<br>Clark             |
- 

12. **Election of Chairman**

In the absence of the Chairman, the Vice-Chairman, Mr P Lefever called for nominations for the position of Chairman of the Committee for 2008/09. On being proposed and seconded and there being no other nominations, it was

**Resolved:**

**That Mr Keith Shipman be elected Chairman of the Standards Committee for 2008/09.**

Mr Shipman thanked and paid tribute to Mrs Catherine O'Sullivan for her previous chairmanship of the Committee.

13. **Election of Vice-Chairman**

The Chairman called for nominations for the position of Vice-Chairman of the Committee for 2008/09. On being proposed and seconded and there being no other nominations, it was

**Resolved:**

**That Mrs Isabel McCord be elected Vice-Chairman of the Committee for 2008/09.**

14. **Apologies and membership of the Committee**

An apology for absence was received from Mrs O'Sullivan.

The Chairman referred to the resignation of Mrs Liptrott which had occurred since the last meeting of the Committee and thanked her for her contribution to the Committee.

The Chairman welcomed Mr Ernie Clark as a new member of the Committee following his appointment by Council on 13 May. Mr Clark had been appointed in lieu of an independent member as a transitional measure as previously advised to Members.

15. **Minutes of Previous Meeting**

**Resolved:**

**To confirm and sign the minutes of the meeting held on 23 January 2008.**

16. **Announcements from the Chairman**

(a) **Standards Joint Training**

The Chairman reminded Members that training for the Wiltshire Standards Committee members had been arranged for the following day (19 June 2008) at the Corn Exchange, Devizes. John Williams, Senior Policy Advisor from the Standards Board for England would be providing the training on the new local assessment regime.

(b) **Notes of Meeting – 29 April 2008**

Notes of a meeting held between the Chairmen and Vice-Chairmen of the Wiltshire Standards Committees held on 29 April 2008 were circulated for the Committee's information.

(c) **New Constitution**

The Chairman advised the Committee that work had commenced on providing a new Constitution for the new Council. Ian Gibbons was leading on this work with Yamina Rhouati as Project Manager assisted by Janine Gassman also of Democratic Services.

Liaison with other Councils in a similar position was taking place with input from the various workstreams and Wiltshire Heads of Legal.

The aim was to present a report on the draft Constitution to the Implementation Executive in the Autumn with Council approval being sought in February 2009. The new Constitution would then be presented at

the Annual Meeting of the new Wiltshire Council for adoption. In response to a question from Mr Hewson, the Deputy Monitoring Officer assured the Committee that Members would be consulted as part of the process. It was accepted that it was more than likely that the new Council would wish to review the Constitution at some point in the future.

(d) Dignity at Work for Staff

It was noted that the Staffing and Policy Committee had at its meeting held on 23 May 2008 approved a Policy on Dignity at Work for Staff.

(e) Complaints Against Members

The Chairman advised the Committee that a complaint against a Member of the Council had been received. It appeared that the complaint did not come under this Council's jurisdiction although clarification was being sought on this point. The Committee would be kept informed should it become a matter for this Council.

17. **Members' Interests**

None.

18. **Public Participation**

None.

19. **Re-Appointment of Sub-Committees**

As this was the start of a new municipal year, the Committee's approval was sought for the re-appointment of the three Sub-Committees which the Committee had established at its meeting on 23 January 2008.

The Sub-Committees' remit would be to deal with the Committee's responsibilities under S.54 of the Local Government Act 2000 as amended by S.188 of the Local Government and Public Involvement in Health Act 2007 (new local assessment regime).

**Resolved:**

(a) **To re-appoint three sub-committees of the Standards Committee as follows:**

- (i) **An Assessment Sub-Committee – to assess complaints**
- (ii) **A Review Sub-Committee - to review assessments if requested to do so by the complainant and**
- (iii) **A Hearing Sub-Committee - to conduct hearings into alleged breaches of the Code of Conduct.**

- (b) That each sub-committee be chaired by an independent member of the Standards Committee.
- (c) That the composition of each sub-committee be determined by the Monitoring Officer in consultation with the Chairman of the Committee on the basis of member availability, save that no member should serve on more than one sub-committee for any one allegation or set of allegations.

20. **Draft Annual Report 2007/08 of the Standards Committee**

The draft Annual Report was presented for the Committee's approval prior to publication.

**Resolved:**

**That the Annual Report as presented be approved for the purposes of publication and that the Chairman present the report at Council as a means of raising awareness of the work of the Committee.**

21. **Local Assessment of Complaints**

The Deputy Monitoring Officer presented a report which advised the Committee of the implementation of The Standards Committee (England) Regulations 2008 on 8 May 2008 and related guidance issued by the Standards Board on the local assessment of complaints. A copy of the Regulations and Guidance had been circulated to Members for their information and future reference.

The Deputy Monitoring Officer sought authority to undertake all necessary action, in collaboration with the Monitoring Officers of the other authorities in Wiltshire, to ensure as far as possible, that common procedures and standard documentation were adopted. Consistency in approach would be very important particularly when dealing with dual hatted Members and preparations for One Council for Wiltshire.

A discussion ensued on the location of venues of Assessments and Hearings and it was recognised that this would be left to the Monitoring Officer to determine on a case by case basis depending on the location of those involved.

**Resolved:**

- (a) To note the Regulations and Guidance:
- (b) To authorise the Monitoring Officer, in consultation with the Chairman, or in his absence, the Vice Chairman, to take all necessary action to implement arrangements in accordance

**with the Regulations, having regard to Guidance from the Standards Board for England and to do so in collaboration with the other Monitoring Officers in Wiltshire with a view to agreeing a standard approach for all Wiltshire authorities.**

**22. Finding of Maladministration – Report by the Local Authority Ombudsman**

For its information, the Committee received the Local Government Ombudsman's report into and investigation into complaint no. 06/B/06454 against the Council. The Ombudsman's report together with a report from the Corporate Standards Manager which was also presented, had been presented to Cabinet on 20 May 2008 where Cabinet had resolved as follows:

- “(a) To note the report and findings of the Local Government Ombudsman.
- (b) To agree that following the meeting of the Chief Executive and Director, Department for Children and Education with the Ombudsman, the Leader and Cabinet Members for Children and Families and Education and Youth Development be informed of the measures to be put in place to address the issues raised within the Ombudsman's report”.

**Resolved:**

**That the reports be noted.**

**23. Local Government Ombudsman Complaints – Status Report**

The Committee considered a report by the Monitoring Officer. The report provided an update and case summaries on the Local Government Ombudsman complaints which the Council had dealt with and resolved, during the period between July 2007 and June 2008.

**Resolved:**

**That the report be noted.**

**24. Register of Interests and Gifts and Hospitality**

The Committee was advised that all Members and co-opted Members of the Council had submitted completed register of interest forms made under the new Code of Conduct.

In accordance with the Committee's previous request, a letter would be issued to Members shortly to remind them to update their Register of Interest forms if appropriate and of the obligation to complete the relevant

form in respect of gifts and hospitality worth £25 or over and received in connection with their official duties.

The Corporate Standards Manager reported that officers were now able to enter gifts and hospitalities details online which had streamlined the process for officers immensely.

The question on whether the Register of Members' Interests should be made available online was raised as a matter to be considered in drawing up the new constitution.

**Resolved:**

**That the position be noted.**

25. **One Council For Wiltshire Progress Report**

A report to the Implementation Executive on 17 June 2008 detailing progress with preparations for One Council for Wiltshire was presented.

It was noted that progress reports and other associated reports to the Implementation Executive could be accessed on the following link:

<http://194.72.162.210/documents/dscqi/ds.py/View/Collection-1477>

The Deputy Monitoring Officer explained that the first tier corporate directors had been appointed and that the appointments process was underway for the appointment of service directors. These appointments were however subject to the Staffing Regulations which were expected to come into force shortly. The Deputy Monitoring Officer also explained that once the heads of service were in post, there would be greater clarity over the structure of teams and design of services.

The Corporate Standards Manager gave a brief summary of the Business Management Programme system which would simplify and streamline the work of finance, payroll and HR.

**Resolved:**

**That the progress report on One Council for Wiltshire be noted.**

26. **Minutes of the Independent Members' Forum**

The minutes of the Independent Members' Forum held on 29 February 2008 were received and noted. It was noted that the next meeting would be held on 26 September 2008 at Cherwell District Council Offices in Banbury, Oxfordshire. Mr McGuigan and Mrs McCord indicated that they hoped to attend the next meeting of the Forum.

**Resolved:**

**That the minutes of the Independent Members' Forum held on 29 February 2008 be received and noted.**

27. **The Bulletin – No.s 37 & 38**

Details of The Bulletin issued by the Standards Board for England were presented. The Deputy Monitoring Officer referred to in particular Bulletin No. 38 which included some very useful information and guidance on the new local assessment regime.

**Resolved:**

**That The Bulletin from the Standards Board for England be received and noted.**

28. **The Committee's Work Plan**

The Committee was invited to consider its work plan for its next 3 meetings. The Committee had previously identified a number of areas it wished to include in its work plan, details of which were presented.

The Deputy Monitoring Officer advised that other than the usual standing items (including annual report on complaints, Ombudsmans annual letter, annual review of whistle-blowing policy; Annual Governance Statement and Annual Audit and Inspection Letter), the Committee should concentrate its efforts on transitional issues such as

- overseeing the preparations for a new Constitution
- continuing to work with the district councils over harmonisation of documentation and procedures to ensure a consistent approach within Wiltshire and
- the shaping of the Committee in the new Council

**Resolved:**

**That apart from the usual standing items, the Committee directs its attention to transitional issues as detailed above.**

29. **Date of Next Meeting**

The Committee's approval was sought to bring the date of the next meeting forward from 1 October to 24 September 2008. This would allow the Committee to comment on the Draft Annual Governance Statement before being presented for approval to the Final Accounts and Audit Committee on 30 September 2008.

**Resolved:**

**That the date of the next Standards Committee be held on 30 September 2008.**

30. **Urgent items**

None.

(Duration of meeting: 2.30pm – 3.40pm)

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

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