

STANDARDS COMMITTEE

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 25 APRIL 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Desna Allen, Cllr Trevor Carbin, Mr Philip Gill MBE JP, Cllr Julian Johnson (Chairman), Mr Paul Neale, Cllr Paul Oatway, Cllr Sheila Parker (Substitute), Cllr Horace Prickett, Cllr Pip Ridout (Substitute), Cllr Ian Tomes and Miss Pam Turner

11 **Apologies for Absence**

Apologies for absence were received from Councillors Allison Bucknell, Howard Greenman, Howard Marshall, John Noeken and Mr John Scragg.

Councillor Bucknell was substituted by Councillor Sheila Parker.

Councillor Noeken was substituted by Councillor Pip Ridout.

12 **Minutes of the Previous Meeting**

The minutes of the meeting held on 20 January 2014 were presented for consideration, and it was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

13 **Declarations of Interest**

There were no declarations.

14 **Chairman's Announcements**

There were no announcements.

15 **Public Participation and Questions**

There were no questions or statements submitted.

16 **Recommendations and Update from the Constitution Focus Group**

The Monitoring Officer introduced the reports and recommendations from the Constitution Focus Group on Part 4 of the Constitution in relation to Petitions, Part 9 - Financial Regulations and Procedure Rules - and Part 12A in relation to the Safeguarding Children and Young People Panel.

In discussing Petitions it was explained that with the repeal of the underpinning Act of Parliament, the Council's statutory petition scheme had lapsed, and the Constitution Focus Group had considered what details should be retained or added to the discretionary petition scheme. The Focus Group had recommended that once petitions reach a specific threshold they should be able to trigger specific actions such as a council debate, and that the previous thresholds had been too high. The Focus Group had therefore recommended new thresholds, as well as clarifying the rules on e-petitions and who was eligible to sign a petition.

It was clarified that the changes to Part 9 were largely to remove duplication with other parts of the Constitution and updates to reflect council practice, management structure and legislative changes.

The changes to Part 12A of the Constitution were stated to incorporate details of the Safeguarding Children and Young People Panel established by Cabinet as part of its acceptance of the recommendations of the Safeguarding Task Group. This provides consistency in approach as this Panel runs parallel to the Corporate Parenting Panel.

The Committee discussed the proposed changes, requesting details of how population would be determined for the community areas and the associated thresholds for petition actions. In relation to Part 9 members were assured that with removal of information from Part 9 that other parts of the Constitution contained the relevant details on Overview and Scrutiny.

The Monitoring Officer then updated the Committee on progress of the work to revise Part 3 of the Constitution - Responsibility for Functions and Scheme of Delegation - which would be brought forward for the Committee's approval at a future date.

At the conclusion of debate, it was,

Resolved:

To recommend that Council adopt the proposed revisions to Part 4, Part 9 and Part 12A of the Constitution.

17 **Review of Whistleblowing Complaints Procedure**

The Head of Governance presented a report on the review of the Whistleblowing Complaints Procedure, noting the current procedure had been in place for 8 years, with minor amendments in 2012 and 2013 following internal

reviews and requests from the Care Quality Commission, such as the inclusion of external regulator contract details.

In 2013 a Whistleblowing Commission was established to examine the effectiveness of whistleblowing policies, recommending the introduction of a statutory code of practice for whistleblowing arrangements. The Head of Governance explained that the recommendations made by the Commission, including the maintenance of confidentiality where requested and clear assurance to staff about protection from reprisal, formed part of the Wiltshire arrangements for many years, and it was not anticipated that a statutory code would result in any significant changes to the council's existing policy.

The Committee discussed the report, requesting further details about contact information for whistleblowing, and the difference between reporting a grievance and the need to blow the whistle. In response to queries it was stated that while despite assurances some staff might fear reprisal for whistleblowing, the council's policy made it a disciplinary offence to victimise a whistleblower.

At the end of debate, it was,

Resolved:

To note the report.

18 Update on Review of the Effectiveness of Code of Conduct Complaints Procedure

The Head of Governance introduced a report on the review of the effectiveness of Code of Conducts Complaints procedure, with details in the report on the number of complaints received and the actions taken.

The Committee discussed the report, and noted that since the implementation of the new standards regime, no complaint in Wiltshire taken under the new system had been referred for investigation. The Committee felt that this could result in public perception of the new system as ineffective, and further work was required to look at the system operation in depth to properly assess its effectiveness.

At the end of discussion, it was,

Resolved:

To arrange a seminar as soon as possible for members of the Committee and any other Wiltshire Councillors who wish to attend, together with the council's three Independent Persons and Mr Paul Hoey of Hoey Ainscough Associates Ltd. to review the operation and effectiveness of the standards regime and consider whether any changes to the current system are appropriate.

19 **Forward Plan**

The proposed forward plan was noted, with the addition that an update would be provided to the Committee following the meeting proposed under minute 18.

It was also noted that a briefing on the constitutional changes recommended to Council would be held on 6 May.

20 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 2.50 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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