

## STANDARDS COMMITTEE

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### MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 9 JULY 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Rosemary Brown, Cllr Howard Greenman, Cllr Julian Johnson (Chairman), Howard Marshall (Substitute), Mr Paul Neale, Cllr John Noeken (Vice Chairman), Cllr Paul Oatway, Cllr Sheila Parker, Cllr Horace Prickett, Mr John Scragg and Miss Pam Turner

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#### 21 **Membership Changes**

The Membership changes following the meeting of Council on 13 May 2014 were noted.

#### 22 **Apologies for Absence**

Apologies for absence were received from Cllrs Allison Bucknell and Desna Allen, and Mr Phillip Gill JP MBE.

Cllr Allen was substituted by Cllr Howard Marshall.

#### 23 **Minutes**

The minutes of the meeting held on 29 April 2014 were presented for consideration and it was,

#### Resolved:

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

#### 24 **Declarations of Interest**

There were no declarations.

## 25 **Chairman's Announcements**

Through the Chairman, it was announced that as agreed at its meeting in April 2014, a Standards Seminar on the Effectiveness of the Code of Conduct Complaints Procedure had been organised for all councillors and independent persons on 23 July at 1000 in the Council Chamber at County Hall.

It was also announced that should the Committee recommend to Council that the proposed revisions to the Constitution be adopted at its July meeting, a briefing session for all councillors had been arranged for 1400 on 24 July in the Council Chamber at County Hall.

## 26 **Public Participation and Questions**

There were no questions or statements submitted.

## 27 **Draft Annual Governance Statement 2013/14**

The Deputy Monitoring Officer presented a report on the draft Annual Governance Statement, as drafted by the Governance Assurance Group which is comprised of senior officers who have lead roles in corporate governance and a representative from the Audit Committee, to review the effectiveness of the council's governance arrangements.

It was reported that the council was meeting its obligations in adhering to the six principles of good governance in its Code of Corporate Governance, and that the draft report had been assessed by the Audit Committee at its meeting on 24 June 2014, with comments attached to the report in the agenda. Following comments from the Standards Committee, final approval for the draft statement would be sought from the Audit Committee at its meeting on 31 July 2014.

Members discussed the draft statement, seeking details of how governance improvements were monitored and assessed, and it was stated issues were added to the corporate risk register and service risk reports to the assurance group, which met monthly to consider progress and options to improve any concerns. Members noted the intention for a phased roll out of mandatory on-line training for all staff on data protection and good practice in information management, and it was requested the Committee be informed if this was intended to be rolled out to Members, as it was felt it would be beneficial for Members to be familiar with the same issues.

At the end of discussion, it was,

### **Resolved:**

**To note that the draft AGS will be revised in the light of comments from the Committee, Cabinet, Standards Committee as detailed above and further work by the Governance Assurance Group before being brought back to the Audit committee for final approval and publication with the Statement of Accounts at the end of July.**

## 28 **Recommendations from the Constitution Focus Group - Part 3 of the Constitution**

The Chairman of the Committee and the Deputy Monitoring Officer introduced the proposed changes to Part 3 of the Constitution, Responsibility for Functions and Schemes of Delegation, following consideration by the Constitution Focus Group.

It was stated the majority of changes were to clarify matters and eliminate duplication to make it clearer and easier to follow, including a new contents and definitions section with a focus on principles of decision making for delegated decisions. There were also changes to reflect changes in legislation and operational practice, as detailed in the report, with clarifications on the allocation of applications to specific planning committees and the call-in of officer delegated decisions, which would in future all be published on the council's intranet. Additionally, due to its length, it was proposed the rules and procedures for the Police and Crime Panel be removed from Part 3 of the Constitution and placed in a separate protocol, although no changes would be made to the details.

Members discussed the changes in detail, seeking clarification on which criteria would be considered by the Associate Director when determining which planning committee would consider a specific application which had been called in, with some concerns raised that with the Core Strategy being currently unadopted, the criteria allowed speculative outline applications to be submitted and considered by area planning committees, despite have a clear strategic impact once the full details would be brought forward. In response to queries it was also confirmed there were no proposed changes to the scheme of delegation in respect of licensing.

At the end of discussion, it was,

### **Resolved:**

**To recommend that Council approve the proposed changes to Part 3 of the Constitution, including the transfer of the Police and Crime Panel Arrangements to a new Protocol.**

## 29 **Status Report on Complaints**

The Deputy Monitoring Officer presented a report on the status of code of conduct complaints, with a total of 41 received for the current year.

Members discussed the updated, noting that the number of complaints received was significantly higher than the totals for previous years at 24 and 25. In response it was stated there had been several parishes which had received multiple complaints regarding single incidents, but that officers would investigate further to determine if this or other reasons were behind the increase.

It was noted that for the first time under the new standards regime, complaints had been referred for investigation, either at the direction of a Standards Review Sub-Committee or the Monitoring Officer.

Members were also informed of an increase in complaints partially or wholly in relation to councillor conduct on social media platforms, with suggestions that the Committee should consider whether the council's social media etiquette policy should be attached to the Code of Conduct in the manner of the behaviours framework so that it must be considered by members. It was stated this would not impact town and parish council's, as even those which used the same Code as Wiltshire Council would not have attached the appendices to the Code that Wiltshire Council had adopted.

It was also requested that the Committee be provided if possible with details of how many town and parish councils had adopted their own codes, Wiltshire's code, or had failed to adopt any code.

**Resolved:**

**To note the update on the status of code of conduct complaints.**

**30 Parish and Town Council Training**

It was stated that further information would be provided at a later date on refresh training for town and parish councils on standards regime issues.

**31 Date of the Next Meeting and Forward Plan**

The date of the next meeting was confirmed as 8 October 2014, and it was requested consideration of the Social Media Etiquette Policy be added to the Forward Plan.

**32 Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 3.05 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](mailto:kieran.elliott@wiltshire.gov.uk)

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