

## STANDARDS COMMITTEE

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### MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 21 JANUARY 2015 AT SALISBURY ROOM - COUNTY HALL, TROWBRIDGE.

#### Present:

Cllr Julian Johnson (Chairman), Cllr John Noeken (Vice Chairman), Cllr Trevor Carbin, Cllr Howard Greenman, Cllr Paul Oatway, Cllr Horace Prickett, Cllr Terry Chivers, Mr Philip Gill, Mr Paul Neale, Mr John Scragg and Cllr Jerry Wickham (Substitute)

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#### 1 **Apologies for Absence**

Apologies were received from Councillors Desna Allen, Rosemary Brown, Sheila Parker and Miss Pam Turner.

Councillor Parker was substituted by Councillor Jerry Wickham.

#### 2 **Minutes**

The minutes of the meeting held on 8 October 2014 were presented for consideration and it was,

#### Resolved:

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

#### 3 **Declarations of Interest**

There were no declarations.

#### 4 **Chairman's Announcements**

There were no announcements.

#### 5 **Public Participation and Questions**

There were no statements or questions submitted.

## 6 **Review of the Effectiveness of the Code of Conduct for Members Update**

The Monitoring Officer presented a report updating the Committee on investigations into the effectiveness of the Code of Conduct Complaints Procedure, as instructed by the Committee at its meeting on 8 October 2014. The Committee was also asked to consider the current arrangements on Gifts and Hospitality, following referral from Council on 21 October 2014 of a motion to reinstate the requirement to register gifts and hospitality over £25.

A summary of all the Code of Conduct complaints received by the Council since the new Code came into effect in July 2012 was presented, with analysis of which complaints may have been referred for investigation under the previous Code. The Committee discussed whether there were any gaps in the Code which were limiting the Council in its duty to promote and maintain high standards of conduct, and how that duty could be strengthened if necessary.

In response to queries on the evidence relied upon, it was acknowledged much was subjective or anecdotal, as in the absence of a single statutory body receiving information on complaints, compiling data was a more difficult task.

The Committee noted that with the limited sanctions permitted under legislation, the most effective means of censure in the event of a breach of a code would be to publicise the decision, and discussed whether it was possible to do so more widely than at present. It was felt that reliance on internal political group sanctions in the event of a breach was ineffective, particularly in Towns and Parishes with no political groupings. The need for additional sanctions was reemphasised, but it was acknowledged that efforts to lobby for further change would be delayed until after the May 2015 General Election.

The benefits of Towns and Parishes having complaints procedures to ensure good governance which could resolve many concerns before they rose to the level of a Code of Conduct complaint was discussed, as well as the impact of the Behaviours Framework attached to the Wiltshire Council Code and need for guidance on social media use.

In relation the referred motion on Gifts and Hospitality, it was stated it would be a simple process to add an option under the Register of Interests to record gifts and hospitality received by Members, though guidance on what constituted a gift or hospitality, and the level of value that would be appropriate to be recorded without being unduly onerous, would need to be clarified.

It was also stated that Town and Parish Councils, many of which currently utilized Wiltshire Council's Code of Conduct, would be informed of the intention to revise the Code.

### **Resolved:**

**That the Monitoring Officer,**

- 1) Draft proposals to strengthen the Code of Conduct**

- 2) **Draft proposals for enabling the recording of gifts and hospitality at an appropriate level**
- 3) **Continue efforts to work with other Authorities to lobby central government to increase the level of sanctions available to councils, as soon as appropriate.**

**7 Complaints under the Council's Complaints Procedures and the Local Government Ombudsman's Annual Review Letter 2014**

The Corporate Complaints Manager presented a report providing an overview of the Council's complaints service, the annual reports on complaints and the Local Government Ombudsman's (LGO) Annual Review Letter 2014.

The Committee discussed the report, noting comparisons in terms of complaints and investigations with other similar unitary authorities, and welcomed the intention to increase focus on complaints toward mediation and other alternate resolutions in place of formal investigative processes, in an attempt to resolve issues more locally, swiftly and less resources. In response to queries it was stated it was intended internal complaints staff would be trained to offer mediation skills to resolve issues.

**Resolved:**

**To note the report.**

**8 Recommendations from the Constitution Focus Group**

A report was presented from the Monitoring Officer on recommendations from the Constitution Focus Group to amend Part 3 of the Constitution.

On 29 July 2014 Council requested the sections of Part in relation to the election of Chairmen of Area Boards and attendance of Cabinet Members at Area Boards be reviewed further. The Constitution Focus Group considered the sections and proposed amendments to clarify and simplify the procedure for regular and unitary election years, with a representative of Democratic Services to preside over the election of Chairmen.

**Resolved:**

**To recommend to Council to adopt the proposed amendments to Part 3 of the Constitution as contained at appendix 1.**

**9 Forward Plan**

The Committee noted the draft Forward Plan, and were informed a revised plan would be circulated after the meeting further to the date of the July meeting

being moved from 8 July, as a result of the movement of Council from 28 to 14 July 2015.

10 **Urgent Items**

There were no urgent items.

11 **Exclusion of Public**

No members of the public being present, no determination was made to exclude.

12 **Standards Review Sub-Committee Minutes**

The minutes of the Standards Review Sub-Committee held on 17 December 2014 were received.

**Resolved:**

**To note the minutes of the Review Sub-Committees.**

(Duration of meeting: 2.00 - 3.30 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)

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