

STANDARDS COMMITTEE

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 20 JUNE 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Derek Brown OBE, Cllr Peter Evans, Cllr Peter Fuller, Cllr Howard Greenman (Vice-Chairman), Cllr Ruth Hopkinson, Cllr Bob Jones MBE, Cllr Paul Oatway QPM (Chairman), Cllr Sue Evans (Substitute), Mr Richard Baxter, Mr Michael Lockhart and Miss Pam Turner

Also Present:

21 **Apologies**

Apologies were received from Councillors Allison Bucknell, Ernie Clark, Fred Westmoreland, Stuart Wheeler and Mr Philip Gill MBE.

Councillor Westmoreland was substituted by Councillor Sue Evans.

Following the annual meeting of Council, Councillors Ernie Clark and Stuart Wheeler were added to the Committee, and Councillors Anna Cuthbert and Russell Hawker were removed from the Committee.

22 **Minutes**

The minutes of the meeting held on 18 April 2018 were presented for consideration and it was,

Resolved:

To approve and sign as a true and correct record.

23 **Declarations of Interest**

There were no declarations.

24 **Chairman's Announcements**

It was announced that the Local Government Ombudsman had upheld a complaint of maladministration against the council in relation to a matter of adult

care. The Cabinet would be reporting on how it would be responding to the issues raised on 3 July 2018. As Ombudsman complaints fell within the remit of the Standards Committee it was requested that an update report be provided at the next meeting to assess the council's response.

It was also announced that the Committee's response to the stakeholder consultation on local government ethical standards had been submitted, and updates would follow as the review by the Committee for Standards in Public Life progressed.

25 **Public Participation**

There were no questions or statements submitted.

26 **Status Report on Code of Conduct Complaints**

A report was received from the Monitoring Officer detailing the total number of Code of Conduct complaints submitted since the start of the year, how many had been referred for investigations and the outcomes. It was stated there had been a large number of complaints submitted in May, but that the overall figure was in line with previous years.

Clarification was sought on two complaints from 2017 which had not yet been resolved. It was explained that lengthy investigations had resulted in delays in the process, but that it was expected the complaints would be concluded by the next meeting of the Committee.

A further report was received as detailed in Agenda Supplement 1 on proposed changes to the Assessment Criteria for complaints, and procedure notes for Review Sub-Committees. In particular these related to complaints not automatically failing to be investigated if a councillor resigned from the relevant council, lack of attendance at review meetings and a specific procedure for reviews following an investigation. It was also confirmed that the documents did not form part of the Constitution and could be amended by the Committee itself.

At the conclusion of discussion, it was,

Resolved:

1) To note the Code of Conduct Complaints Update.

2) To approve the changes to the Assessments Criteria and Review Sub-Committee Meeting Procedure as set out in the Appendix 1 and Appendix 2 of the supplementary report.

3) To approve the Meeting Procedure set out in Appendix 3 in relation to reviews following an investigation.

27 **Constitution Focus Group Update**

A report was received from the Monitoring Officer detailing a proposed change to Part 3C of the Constitution, Delegation of Executive Functions, recommended by the Constitution Focus Group.

The change was in relation to the role of Portfolio Holders, councillors appointed by the Leader of the Council to assist Cabinet Members with their responsibilities but who did not hold any decision-making authority. The positions received a special responsibility allowance but had not to date been defined within the Constitution, and wording had been proposed to address this.

In discussion it was clarified there was no upper limit set on the number of Portfolio Holders at present, and some members considered that this should be clarified when it was before Full Council.

Resolved:

To recommend the changes detailed at Appendix 1 to the report for approval by Full Council.

28 **Code of Conduct Training and Register of Interests Update**

At its last meeting on 18 April 2018 the Standards Committee were advised that the Monitoring Officer had written to all parish, town and city clerks in line with the Committee's wishes seeking information on their codes of conduct, registration of interests, training and invited them to share any responses they had submitted in respect of the review of local government ethical standards being undertaken by the Committee on Standards in Public Life.

A report was received outlining responses received to the letter, and training provision that was available. It was noted that current provision for training for parishes was limited in both scope and resources, and that there was no obligation for Wiltshire Council to provide training. However, the Committee considered that it was useful for parishes and Wiltshire Council to encourage best practice where it could, without overburdening local councils, and was supportive of discussions on provision of e-learning platforms.

In relation to Codes of Conduct 64% of councils had responded to confirm which Code they had adopted, with around half of those using the Wiltshire Council Code. The Committee expressed its disappointment that there had not been confirmation from all councils as it was a legal requirement to adopt a Code, and discussed using the area boards to encourage parishes to meeting their obligations.

The Committee was also informed that only 9 council had confirmed they had fully updated their registers of interest, with 83 saying they were reminding their councillors. Given the potentially criminal sanctions for non-declaration of interests the Committee considered that further work was needed to encourage

parishes to meet this requirement, recognising that parishes were their own legal entities, including further work with clerks, whom many parishes were heavily reliant upon to meet their obligations.

At the end of discussion, it was,

Resolved:

To note the position regarding the responses received to date in relation to the matters covered in the letter to parish, town and city councils and to seek to develop e-learning platforms for parish training, and pursue further action to encourage parishes to meet their Code of Conduct and Register of Interest obligations.

29 **Date of Next Meeting**

The date of the next meeting was confirmed as 26 September 2018.

30 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.00 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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