

Minute Extract – Standards Committee 18 April 2018 – Minute 19

A report from the Monitoring Officer was presented informing the Committee of a review of local government ethical standards being undertaken by the Committee on Standards in Public Life.

Details of the consultation were provided, including all the questions, which related to existing structures and procedures for ensuring high standards of conduct, any gaps in the current regime, whether existing sanctions were sufficient, arrangements regarding whistleblowing and other questions as detailed in the report.

As the consultation would close on 18 May 2018, it was requested the Committee discuss the questions and provide direction for the Monitoring Officer, in consultation with the Chairman, to prepare a response on behalf of the Council.

The Committee therefore considered the consultation, where points including but not limited to the following were raised.

With over 250 parishes in the Wiltshire Council area, and no ability to enforce compliance with obligations, it was difficult as a principal authority to ensure towns and parishes in particular were adopting codes and registering interests appropriately. A single national code would simplify the process and make compliance with and understanding of that code easier. An alternate approach would be an opt-out system whereby parishes under a principal authority were automatically subject to the Code of the principal authority, unless they specifically determined otherwise. This would allow flexibility where desired, without over burdening smaller parishes, and remove confusion where more than one code applied to a member on more than one council.

It was also raised that a gap in the regime was that Code of Conduct complaints were often the only avenue for people to register concern with a parish council, when the main problem was the conduct of that council as a whole, and its operation, rather than an individual's personal conduct.

Options for online or in person training to improve compliance was discussed, with currently no ability to demand certain training be undertaken in order to undertake specific responsibilities

It was also felt that the current level of sanctions was insufficient for ensuring high standards of conduct, as the Committee had concluded in previous reviews of its own Code.

It was felt that clarity could be provided on whether it was necessary to withdraw following a declaration of pecuniary interest, as currently this was left up to individual councils to decide. Additionally, government guidance stated a councillor with a pecuniary interest could not speak as a member of the public, but Wiltshire had taken the view that this was not the case, in particular as it would disadvantage a councillor versus a regular member of the public, and clarity should be provided on this. The Committee also felt it should be mandatory to declare any relevant interests at a meeting, irrespective of whether the interest was on a register of interest.

A report was requested on the council's whistleblowing policy for the next meeting.

In respect of a question on intimidation of local councillors, the Committee noted the opportunity for more intimidation on social media in particular, but that they did not have any specific data to respond to that section of the consultation. They did, however, consider that some measure of support should be provided to town, parish and Wiltshire councillors who were subjected to intimidation.

At the conclusion of discussion, and on the moving of Councillor Allison Bucknell and Councillor Fred Westmoreland, it was,

Resolved:

To ask the Monitoring Officer after consultation with the Chairman of the Committee, to prepare a response to the consultation reflecting the Committee's views on behalf of the Council.