

STANDARDS COMMITTEE

MONDAY, 27 JANUARY 2020

PRESENT:- Councillor Caryl Sydney-Smith (Chair), Councillor Alan Bishop, Councillor Claire Crilly, Councillor Janine Howarth, Councillor Jane Milner-Barry, Councillor Roger Smith, Councillor Vera Tomlinson and Councillor Steve Weisinger.

Apologies for absence were received from Councillor Stephanie Exell.

16. Declarations of Interest

The Chair reminded Members to declare known interests in any matter to be considered as well as during the meeting, if such interest becomes apparent.

17. Minutes

Resolved – That the minutes of the meeting held on 4th November 2019 be confirmed.

18. Public Question Time

Mr Roy Worman, Haydon Wick resident, asked the Committee if a review of standard and protocols was valid at this time as the Committee on Standards in Public Life chaired by Lord Evans had yet to conclude its review? The Chief Legal Officer responded to the question at the meeting on behalf of the Committee.

Mr Hailstone sought confirmation that parish councils would have further time to respond to the local consultation, to which the Chief Legal Officer responded at the meeting.

19. Exempt Items - Exclusion of Press and Public

Resolved - That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below on the grounds that it involves the likely disclosure of exempt information as defined in the respective paragraphs of Part 1 of Schedule 12A of the Act.

<u>Item No.</u>	<u>Paragraph Nos.</u>	<u>Minute No.</u>
9	1 and 2	23

20. Question and Answer Session - Leader of the Council and Chief Executive

The Leader of the Council, Councillor David Renard, and the Chief Executive, Susie Kemp, addressed the Committee.

Councillor Renard stated that he was pleased with the low number of complaints,

which indicated that Members were adhering to the standards framework. He thanked the Committee for its continued work. The Chief Executive echoed the Leader's comments and her own compliments to the Committee for its service in helping to uphold standards and probity.

Councillors Jane Milner-Barry, Steve Weisinger, asked a range of questions to which the Leader and the Chief Executive responded at the meeting.

- Why was it not possible to submit complaints about parish clerks as well as parish councillors? The former were parish employees for which the parish had responsibility.
- Should the Code of Conduct refer to Protect as well as CareFirst as a point of contact to whistle-blowers in the staff code of conduct and give both organisations equal weight? The Head of Internal Audit would be asked to review the code and update the draft

Resolved - That the Leader of the Council and the Chief Executive be thanked for attending the meeting and for their full and open responses to members questions on matters relating to the Council's ethical governance framework and issues of probity.

Actions – The Committee Clerk will contact the Head of Internal Audit regarding the harmonisation of references to Protect and CareFirst in the protocols

21. Independent Remuneration Panel on Councillors' Allowances

The Chief Legal Officer submitted a report on the Independent Remuneration Panel on Councillors' Allowances; however, in light of the letter from the Panel's chair, she requested that the Committee defer debate on recommendations 2.3 to 2.5 to a future meeting.

Mr Keith Strickland, Chair of the Independent Remuneration Panel, explained that the Panel had not met formally to discuss the proposals that he had requested be deferred but was scheduled to do so before the next meeting of the Standards Committee. Mr Strickland also informed the Committee that Mr Graham Cardwell had been interviewed as a new member of the Panel and he invited the Committee to endorse his appointment.

Councillor Vera Tomlinson sought clarification on the level of allowances for parish councillors. Members of the committee gave examples of how the Independent Remuneration Panel provides guidance. However, the decision to pay allowances and at what level was a matter for each parish council.

The Chair of the Independent Remuneration Panel also informed the Committee that his term of office was due to expire in March. He believed that the Committee had the power to extend his term by one year to allow a more considered search for a successor.

Resolved - (1) That the appointment of Mr Graham Cardwell as a Lay Representative on the Swindon Independent Remuneration Panel for a period of three years ending in January 2023 be approve.
(2) That the membership of the Independent Remuneration Panel be endorsed and noted.

(3) That recommendations 2.3 to 2.5 concerning the frequency of panel meetings be deferred to the next meeting of the Committee

Action That the Committee Clerk include an item on the next agenda regarding the Chair of the Independent Remuneration Panel.

22. Ethical Framework Update

The Chief Legal Officer submitted a report on the proposed update to the Council's codes and policies as part of the ethical framework. In particular, she drew Members' attention to the augmented code for media and social media to assist Councillors in using social media appropriately. The Committee was invited to make comments and the Chief Legal Officer would bring a report to the next meeting if there were significant issues.

Member raised the following issues and concerns:

- What was the guidance to Members who sat on parish planning committees as well as the Borough's planning committee? Councillors were advised that they might speak at parish meetings but not vote as well as declaring at the start of that item at the Borough's Planning Committee that they were approaching the issue without being fettered. There was a short discussion of the different approaches being adopted by the different town and parish councils.
- Was there a need for a role definition for a member of the Standards Committee? The Chief Legal Officer undertook to investigate this.
- Should the Register of Gifts include records of offers that were declined as well as those that were accepted? Similar councils did not require these to be declared but Members were free to make a declaration that they had declined a gift if they chose so to do.

Resolved – (1) That the Ethical Framework update, including: dispensations granted to members of the Borough Council; the Summary of Code of Conduct complaints, and; the latest position regarding councillor training and development within the Borough along with the Committee's comments on these documents be noted and 2) That having considered the effectiveness of the Council's codes and protocols available in the supplementary pack on line, that it be agreed that the changes set out in these that are required to ensure these remain fit for purpose.

Action – That the Chief Legal Officer clarifies the advice to parish councillors who are also Borough councillors relating to planning matters.

23. Ethical Compliance Report

The Committee considered a report of the Chief Legal Officer regarding the outcome of various ethical compliance matters, including the details of any Whistleblowing cases, breaches of the Member / Officer Protocol, and Code of Conduct complaints received since the last Committee, and the outcome of any completed investigations in relation to these.

Resolved – That the Ethical Compliance report be noted.