

STANDARDS COMMITTEE

MONDAY, 15 JANUARY 2018

PRESENT:- Councillors Steve Weisinger (Vice-Chair), Jane Milner-Barry, Teresa Page, Kevin Parry, Timothy Swinyard, Vera Tomlinson, and Caryl Sydney-Smith (Deputy), Messrs Paul Morris, Keith Strickland, Trevor Davies, David Dawson and Mick Compton.

Apologies for absence were received from Councillors David Wood and Eric Shaw and Mr Richard Hailstone.

17. Declarations of Interest

The Chair reminded members of the need to declare known interests in any matters to be considered at the meeting.

18. Minutes

Resolved – That the minutes of the meeting held on 6th November 2017 be confirmed and signed as a correct record.

19. Public Question Time

There were no public questions.

20. 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>
	8	1 and 2	23
21.	Question and Answer Session - Leader of the Council and Chief Executive		

Councillor David Renard, the Leader of the Council, and Mr John Gilbert, the Chief Executive, were in attendance to report to the Committee on matters relating to the Council's ethical governance framework and issues of probity, particularly the Authority's approach to ethical governance and its key priorities in ensuring that high ethical standards continue to be promoted and maintained within the Council.

At the invitation of the Chair, Councillor Renard addressed the meeting and stated his belief that standards issues within the Council are well monitored. It was his view that the Council has been operating effectively in terms of the number of code of conduct complaints that had been submitted over the last year, and that the small number of complaints taken forward for investigation was evidence that the Council

is quite effective in promoting and maintaining the highest standards of conduct amongst its members. Councillor Renard also referred to the Council's regular review of its various codes and protocols to ensure that these remain effective and fit for purpose.

The Chief Executive remarked on the development of the Swindon Programme and its associated work streams, and highlighted the important role of various staff forums to disseminate information regarding the change programme. He also referred to the launch of the Aspiring Leaders and Future Leaders programmes which he felt would help to enhance the development offer for Council employees and also ensure the continuing high quality of performance and responsiveness of the Council's organisational structure.

Following their opening remarks, members were given the opportunity to put questions to the Leader and Chief Executive. In response to questions, members were advised that, with regard to members' previously expressed comments, the Monitoring Officer and Section 151 Officer continued to attend Corporate Management Team (CMT) meetings and that it was also likely that the Council's Communications Manager might also be invited to attend CMT meetings to better position that group to address issues arising from the recent peer review around communications. The Chief Executive reported that, following organisational changes made to the Council's senior management, the newly-appointed Director for Communities and Housing would be joining the Council in February 2018.

The Chief Executive also referred to the outcome of the Community Governance Review and the establishment of several new Parish Council's and confirmed that, as with the existing parishes, the Monitoring Officer had provided guidance and training for new Parish Councillors matters of conduct.

Resolved – That Councillor David Renard, the Leader of the Council, and Mr John Gilbert, 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.

22. Ethical Framework Update

The Committee considered a report from the Director of Law and Democratic Services which provided an update on the following matters relating to the Ethical Framework and issues of probity in the Council.

Dispensations

The Committee noted that no dispensations had been requested by Councillors since the last meeting.

Summary of Code of Conduct Complaints

The Committee noted the summary of Code of Conduct complaints, set out in paragraph 3.5 of the report.

Member Training

The Committee noted the details of the training and development events planned for the 2017-18 Municipal Year attached at Appendix 1 to the report. It was also noted that a log of member attendance, and the feedback received from councillors at

these events, will be reported to this Committee at its next meeting, including the log of Parish Councillor training.

The Committee noted that the Monitoring Officer had conducted one decision-making training session for Parish Councillors since the last meeting of this committee on 8th November 2017.

Membership of the Independent Remuneration Panel

The Committee noted that the four year period of Ms Wendy Hall's appointment to the Panel as the Voluntary / Community Sector Representative ends in February 2018. It was also noted that, since there is no restriction on the re-appointment of members, Ms Hall had been approached with a view to her continuing to serve on the Panel.

The Committee was advised that Ms Hall had declared her intention to step down from the Panel as the Voluntary / Community Sector Representative, but had indicated her willingness to stay in post until such time as a replacement could be appointed from this sector.

Consideration of any recommended updates to Codes and Protocols

The Committee was invited to consider whether the Council's various Codes and Protocols remained fit for purpose.

The Committee noted that, in accordance with its previously agreed instruction (Minute 15 2017/2018 refers), a consultation process had commenced in November 2017 and that the following had been consulted:

- All Parish and Town Councils.
- The Political Groups on the Council (via the Political Assistants and Councillor Stan Pajak (on behalf of the Liberal Democrat Group)).
- Corporate Directors and Heads of Service.

The Committee noted that there had been one response to the consultation from the Change Manager for Equality and Diversity who had referred to the recent allegations surrounding Westminster and the use of power / recognition of power and inappropriate conduct (sexual or otherwise). The Committee was of the view that listing specific behavioural requirements might result in omissions being made and might also limit the discretion of members of a Standards Assessment Panel in determining the occurrence of potential breaches. Members felt that this provision was adequately dealt with under sections 3.2 and section 5 of the Members' Code of Conduct.

Membership of the Standards Committee – Independent Persons

The Committee noted that the current four year term of office for the two Independent Persons would be coming to an end in May 2018. Consequently, the appointment of the Independent Persons would need to be reviewed and appointments made at the Annual Council meeting in May 2018.

In order to progress the appointment of Independent Persons, as required under Section 28 of the Localism Act 2011, the Committee was invited to authorise the Monitoring Officer to advertise the vacancies and conduct the appointments process

in accordance with the previously agreed appointment process, as referred to in paragraph 3.24 of the report. It was also suggested that the appointments not be held for an indeterminate duration, therefore the Committee was invited to consider the current length of the appointment period.

The Role of the Independent Person - Workshop

The Committee noted that Hoey Ainscough Associates Ltd were conducting a series of half-day workshops, at various venues throughout the country, on the role of the Independent Person. It was noted that both the Council's Independent Persons had attended workshops previously and were not intending to attend any of these current events.

Consultation on updating the disqualification criteria for local authority members

The Committee noted that, in accordance with its previously agreed instruction (Minute 15 2017/2018 refers), individual member responses to the Department for Communities and Local Government (DCLG) consultation had been submitted to the Monitoring Officer by 20th November 2017 in order that a response to the consultation on behalf of the Committee be created for final submission by the 8th December 2017.

The Committee noted the content of the Swindon Borough Council submission as set out in Appendix 2 to the report.

Resolved – (1) That the Ethical Framework Update, including dispensations granted to members of the Borough Council, the Summary of Code of Conduct complaints, the latest position regarding member training and development within the Borough, the role of the Independent Persons Workshop, and the response to the DCLG consultation on the disqualification criteria for local authority members be noted.

(2) That, in view of her experience and commitment, the continued appointment of Ms Hall to the Independent Remuneration Panel, as the Voluntary / Community Sector representative, until the position can be filled, be approved.

(3) That the Monitoring Officer be authorised to write to Ms Hall on behalf of the Committee to thank her for her work in support of the Independent Remuneration Panel.

(4) That the outcome of the consultation on the Council's Codes and Protocols be noted and that these be approved, without amendment, for inclusion in the Council's Constitution for 2018/2019.

(5) That it be noted that the term of appointment of both Independent Persons expires on 18th May 2018 (the date of the Annual Council meeting) and that, in order to fill the vacancies, as required under section 28 of the Localism Act 2011, the Monitoring Officer be authorised to advertise the vacancies and conduct the appointments process in accordance with the previously agreed appointment process referred to in paragraph 3.24 of the report.

(6) That, further to (5) above, the period of appointment of the Independent Persons be for four years.

23. Ethical Compliance Report

The Committee considered a report of the Director of Law and Democratic Services regarding the outcome of various ethical compliance matters, including the details of any Whistleblowing cases, Code of Conduct Complaints, and breaches of the Member / Officer Protocol received since the last Committee, and the outcome of

any completed investigations in relation to these.

Resolved – That the Ethical Compliance Report be noted.