

STANDARDS COMMITTEE

MONDAY, 29 JANUARY 2007

PRESENT:- Mr Keith Carby (Chair), Mr Trevor Davies (Vice-Chair), Mr Paul Morris, Mr Mike Compton, Councillor Melanie Duff and Councillor Maurice Fanning.

15. Declarations of Interest

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

Mr Keith Carby and Councillor Maurice Fanning made personal and prejudicial declarations of interest in respect of Agenda Item No. 8 (c) (Complaints to the Standards Board), as they had both objected to a planning application, the process of which was the subject of a complaint. Both Mr Carby and Councillor Fanning left the room and took no part in the discussion of this item.

16. Minutes

Resolved – That the minutes of the meeting held on 23rd October 2007, be confirmed and signed as a correct record.

17. Public Question Time

No public questions were received during the meeting.

18. 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 in Agenda Item 8 on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 21 refers.)

19. Anti-Fraud and Corruption and Whistleblowing Policies

The Committee considered a report from the Director of Law and Democratic Services and Head of Internal Audit recommending that the Committee receive and approve the updated Anti-Fraud and Corruption Strategy and the Whistleblowing Policy for consultation. The Committee noted that it was important for the success of the Whistleblowing Policy that staff understood that reporting matters of concern would not result in their disadvantage. This principle was being demonstrated by that fact that all those who had used the policy were still employed by the authority, and two had been promoted. The Head of Internal Audit circulated a copy of the Council's Fraud Bulletin (4) for January 2007.

Resolved – 1) That the following amendments be made to the documents:

- *Anti-Fraud and Corruption Strategy* – amend paragraph 16.1 to clarify the role of the Standards Committee in monitoring the policy.
- *Whistleblowing Policy* – amend paragraph 2.3 to include 'likely to bring Authority into disrepute'.

2) Subject to 1) the Head of Internal Audit consult relevant stakeholders (including Group Directors, Directors, External Auditors and Capita) and report back to the next suitable Standards Committee.

20. Ethical Framework Update

The Committee received a report from the Director of Law and Democratic Services (Monitoring Officer) providing an update of various matters relating to the Ethical Framework in respect of:

- i) Lay Memberships – The Committee noted that Mr Trevor Davies seat on the Committee was due for re-advertisement in April 2007. It was suggested that the Monitoring Officer be given a general authority to carry out the necessary advertisement process for this and all future vacancies.
- ii) Implications of the Livingstone Case – The Committee received Guidance from the Standards Board on the implications of the case for the way in which the Code of Conduct can apply to members' actions.
- iii) Local Government and Public Involvement in Health Bill – Members of the Committee were informed of the current proposals in the Bill related to ethical standards and politically restricted posts. The Monitoring Officer advised that the Swindon's Standards Committee had been put forward to pilot the new approach to handling complaints in the Bill, whereby complaints are made first to local Standards Committees, and only referred up to the Standards Board on the Committee's recommendation.
- iv) Revised Members' Code of Conduct – The Committee received the revised Code of Conduct, which had been issued by the Secretary of State on 25th January for consultation. The revised Code was expected to come into effect in time for the new municipal year. In order to reply by the deadline of 9th March, it was agreed that a special meeting of the Committee would be held on 26th February.
- v) Standards Board Publications – The Board received the Standards Board Alerts 2 and 3, Standards Board Bulletin for November 2006 (Issue 31), Town and Parish Standard for November 2006 (Issue 8), and the Case Review (Number Fours), and noted key areas of interest for the work of the Standards Committee.
- vi) Berkshire, Oxfordshire and Wiltshire Independent Standards Committee Members' Forum – The Vice-Chair reported back on the meeting of the Forum held on 27th October.
- vii) Media Guidelines – Members were advised that the Head of Communications was currently consulting with Members on the revised Guidelines and would report back to the next meeting.
- viii) Ethical Audit - The Monitoring Officer proposed that he refresh the desktop ethical audit for the Council. The last audit had been carried out in January 2005. He would report back to the next meeting, for the Committee to undertake a gap analysis and agree next steps. This refresh would be supported by evidence arising out of recent Council User Satisfaction Survey.

Resolved - 1) That the Ethical Framework Update be noted; and

(2) That the Director of Law and Democratic Services be authorised to carry out the public advertisement and appointment process for Lay Member vacancies on the Standards Committee and to recommend appointments to Council; and

(3) That the Director of Law and Democratic Services undertake a further desktop audit of ethical standards against criteria in the IDeA toolkit and report back

to the next meeting.

21. Ethical Framework Compliance Update

The Committee considered a report of the Director of Law and Democratic Services (Monitoring Officer) concerning the progress and outcome of various ethical framework compliance matters including a) whistleblowing complaints, b) breaches of the Member / Officer protocol and c) complaints to the Standards Board for England.

Resolved – 1) That the report in respect of ethical framework compliance issues be noted; and

2) That the Monitoring Officer arrange for Hearings Training for Standards Committee members and their deputies to take place prior to the next meeting on 26th February 2007.