

## **STANDARDS COMMITTEE**

**MONDAY, 20 OCTOBER 2008**

PRESENT:- Mr Trevor Davies (Vice-Chair), Mr Paul Morris, Mr David Dawson, Mr Mike Compton, Councillor Melanie Duff, Councillor Peter Stoddart, Councillor Maurice Fanning and Councillor Fay Howard.

Apologies for absence were received from Mr Keith Carby and Mr Martyn Cook.

### **9. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

### **10. Minutes**

Resolved – That the minutes of the meeting held on 14<sup>th</sup> July 2008, be confirmed and signed as a correct record.

### **11. Public Question Time**

No public questions were received during the meeting.

### **12. 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 7 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 14 refers.)

### **13. Ethical Framework Update**

The Committee received a report from the Director of Law and Democratic Services (Monitoring Officer) on the following Ethical Framework matters:

(a) Communities in control: real people, real power: Codes of conduct for local authority members and employees – The Committee reviewed the consultation document and authorised the Monitoring Officer, in consultation with the Chair and the Director of Human Resources and Change, to submit a response to the Department of Communities and Local Government in line with the discussion.

(b) Desktop Ethical Audit – The Committee noted the update on the Desktop Ethical Audit and asked that the Chief Executive and the Leader of the Council be invited to the next Standards Committee meeting to ascertain their key priorities and key areas for action and review and that the Monitoring Officer report back to a future meeting on the Ethical Desktop Audit.

(c) National Fraud Initiative – The Committee noted the Council's involvement in this initiative.

(d) Swindon Standards Conference – The Monitoring Officer confirmed that a

date had not yet been set for this conference.

(e) Parish Councils – Mike Compton reported that he would be making his last Parish Council visit on 20<sup>th</sup> November, when attending Castle Eaton Parish Council, and that following this visit he would report back to the Committee. Three Parish Councils (Liddington, Highworth and Covingham) had identified the need for further training.

(f) Standards Board Publications – The Committee noted the Standards Board Bulletin for August 2008. It was noted that the number of Code of Conduct complaints had reduced nationally, but there had been an increase in the number of referrals for investigation.

(g) Berkshire, Oxfordshire and Wiltshire Independent Standards Committee Members' Forum – The Committee considered the minutes of the forum meeting held on 26<sup>th</sup> September and noted that the main issues were around remuneration for Independent Members of Standards Committees and indemnities for Councillors and Members of Committees.

(h) Seventh Annual Assembly of Standards Committees – Trevor Davies agreed to write up a report on this and bring it to the next meeting.

Resolved – (1) That the Ethical Framework update be noted.

(2) That any further comments on the Department of Communities and Local Government Consultation Paper be forwarded to the Monitoring Officer, and the Monitoring Officer be authorised, in consultation with the Chair and the Director of Human Resources and Change, to submit a response to the Department of Communities and Local Government in line with the Committee's discussion.

(3) That the Chief Executive and Leader of the Council be invited to the next meeting to discuss the Desktop Ethical Audit.

#### **14. Ethical Framework Compliance Update**

The Committee considered a report of the Director of Law and Democratic Services regarding the outcome of various ethical framework compliance matters, including complaints received to date under the new arrangements of Code of Conduct Complaints.

The Committee agreed that Councillors and Parish Councillors who were the subject of complaints would not be named within the Ethical Framework Compliance Update reports, as they were named within decision notices where agreed appropriate by the Review or Assessment Sub-Committees.

It was also agreed that the terms of reference for the Standards Assessment Sub-Committee and the Review Sub-Committee be amended to include membership of either 1 Parish Councillor or 1 Independent Member, in addition to 1 Elected Member and 1 Independent Member (Chair). This was except for the occasions where the complaint related to a Parish Councillor and / or when the Statutory Regulations required that the Sub-Committee include Parish Council Representation.

Resolved – (1) That the Ethical Framework Compliance Update report be noted.

(2) That the Monitoring Officer amend the terms of reference of the Standards Assessment Sub-Committee and the Review Sub-Committee as set out above.

**Communities in control: Real people, real power**  
**Codes of Conduct for Local Authority Members and**  
**Employees.**

Response from Swindon Borough Council's Standards Committee to the consultation document:

Question 1 – agree

Question 2 – disagree – the definition should remain as it is now (fixed penalty notices should not be excluded as there are some which are not minor criminal offences.)

Question 3 – agree as this is not defined within the current code.

Question 4 – agree

Question 5 – agree

Question 6 – see Q8

Question 7 – no

Question 8 – to include in 12 (2) “or where you are a Council nominee on an outside body...”

Question 9 – yes

Question 10 – agree

Question 11 – agree

Question 12 – agree

Model code of conduct for local government employees:

Question 13 – there is no need for a mandatory code – SBC already have a code that is part of the terms and conditions of employment.

Question 14 – no

Question 15 – no

Question 16 – nothing has been omitted

Question 17 – qualifying employees should be selected using the delegation model.

Question 18 – yes – where the relevance of the interest to the day job has a potential conflict, that interest should be registered.

Question 19 – agree with bullet points 1 and 3. Disagree with bullet points 2 and 4.

Question 20 – yes

Question 21 – yes

Question 22 - no

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