

STANDARDS COMMITTEE

TUESDAY, 29 JANUARY 2013

PRESENT:- Councillor David Wood (Chair), Councillor Richard Hurley (Vice-Chair), Councillor Mary Friend, Councillor Fay Howard, Councillor Teresa Page, Mr Trevor Davies, Mr David Dawson, Mr Mike Compton and Mr Richard Hailstone.

Mr Peter Morgan (Independent Person) was also in attendance.

Apologies for absence were received from Councillor Rex Barnett and Mr Paul Morris (Independent Person).

8. 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.

9. Minutes

Resolved – That the minutes of the meeting held on 12th December 2013, be confirmed and signed as a correct record.

10. Public Question Time

No public questions were received during the meeting.

11. 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 14 refers.)

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

The Leader of the Council, and the Chief Executive, attended the meeting to discuss the Council's approach to ethical governance, and their key priorities in relation to ensuring that high ethical standards were promoted and maintained within the Council.

It was appreciated that it had been an interesting year with implementation of the Localism Act 2011, and the adoption of a local Members Code of Conduct and arrangements for dealing with complaints under the Code. The Leader and Chief Executive agreed that the new local arrangements were working well in Swindon, and that this was not the experience across the country.

At the last question and answer session, the continuing growth of social media had

been discussed, together with the difficulties that presents for Councillors knowing how and when to engage, and ensuring that their contributions are compliant with the Media Guidelines for Councillors and the Members Code of Conduct. It was noted that the Media Guidelines had been updated after the last meeting, with a specific requirements to comply with those Guidelines included in the Members Code of Conduct. This had reinforced that the Code applied to Councillors when using Social Media, and that Councillors were strongly advised not to use pseudonyms when using social media, although it was recognised that this was more difficult to track.

The Chief Executive and Leader confirmed that they considered the relationships and interactions between Officers and Members to be good and respectful, with the appropriate level of challenge. In a similar way, Member to Member interactions were generally good, even when robust in a political context, but the exchanges were generally respectful and self-regulating. It was recognised that the Group Leaders had a key role to play in asking their Councillors to make sure that political attacks were directed at policy and not personal.

The Chief Executive and Leader praised the excellent work carried out by the Monitoring Officer during the last year, in his robust professionalism in dealing with difficult and complex situations.

A question was asked about the Leader and Chief Executive's view on how the Council was perceived, which had implications for an assessment of its governance, and the role of consultation in setting that view. In response, it was stated that it was important to be prepared to listen to different views from local people and the community. It was recognised that there was a sometimes a perception that the Council did not listen to the results of consultation. The Leader and Chief Executive were of the view that the Council did listen, but it was not always possible to please everyone, when balancing the views of some against the general need.

It was agreed that there could be improvements in distinguishing between different types of consultation, so that it was clear what was being asked, and what options were available. The Leader advised that the 'Big Conversation' initiative was intended to bring about a different form of engagement, but that this was different to formal statutory consultations on proposals, such as on the Local Plan. The Chief Executive suggested that he report back to the Committee at a future meeting on how the Council was continuing to develop its engagement with local people and communities.

Resolved -

- 1) That the Leader of the Council and the Chief Executive be thanked for attending the Committee and answering the questions of the Committee.
- 2) That the Chief Executive report back to a future meeting of the Committee on how the Council was continuing to develop its engagement with local people and communities.

13. Ethical Framework Update

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

- a) Parish Councils – The Committee received the latest update on Parish Council training, and their adoption of new Codes of Conduct and publication of parish register of interests on the website under the Localism Act 2011. It was agreed that there was some outstanding information and some training still to be carried out. The Monitoring Officer agreed to write to all Parishes on training, and ask for additional information from specific parishes where it has not yet been provided, and report back to a future meeting with an update.
- b) Member Code of Conduct – The Committee noted that they were due to receive an update on the work of the Code and its procedures, but as only one complaint had been received to date it was difficult to assess. It was agreed that this be deferred and considered further as part of the 2013/14 work programme.
- c) Dispensations – There were no new dispensations granted since the last meeting by the Monitoring Officer in consultation with the Chair of the Committee, which needed to be reported at this meeting.
- d) Protocol of Member / Officer Protocol – It was noted that the procedure for dealing with Protocol complaints had been adopted prior to the new procedure for dealing with Code of Conduct complaints. It was recommended to the Committee that this procedure be reviewed by the Monitoring Officer, so that the two were aligned.
- e) Public Concern at Work Act – The subscription for the Public Concern at Work Act Whistleblowing Advice was due for renewal. It was noted that the helpline had only received between 0 and 3 self-identified calls since September. However, the Committee felt that the service was well worth having available for employees, regardless if the current usage figures were low. It was agreed this should be renewed for a further four years.
- f) Independent Person Protocol – The Committee had been advised at the last meeting that both Independent Persons had attended a regional workshop in September 2012 to discuss their role. An Independent Persons Protocol had been prepared subsequently by the workshop facilitators. It was agreed that the Monitoring Officer should give consideration to the protocol and report back to the next meeting.

Resolved –

- (1) That the Ethical Framework update be noted.
- (2) That the Director of Law and Democratic Services write to all Parish Councils in relation to training and where appropriate, the adoption of a Member Code of Conduct and publication of registers of interest and report back with an update to a future meeting.
- (3) Request that the Director of Law and Democratic Services review the procedures for dealing with Complaints under the Protocol of Member / Officer Relations to align these with the procedure for dealing with Member Code of Conduct complaints.
- (4) Include a review of the Member Code of Conduct and how it is working in the 2013/14 Standards Committee Work Programme.
- (5) The Public Concern at Work Act Whistleblowing subscription should be renewed for a further 4 years.

- (6) The Director of Law and Democratic Services review the Independent Persons' Protocol and report back to the next meeting.

14. Ethical Compliance Report

The Committee considered an exempt report from the Director of Law and Democratic Services (Monitoring Officer) regarding the outcome of various ethical framework compliance matters, including progress on Whistleblowing cases since the last Committee, Breach of the Protocol for Member/Officer Relations and Code of Conduct Complaints.

(Mr Mike Compton left the meeting)

At the request of the Monitoring Officer, Members reviewed the Parish Council representation on the Committee and concluded that there should be no change for the remainder of the current Municipal Year.

Resolved –

- 1) That the Ethical Framework Compliance report be noted.
- 2) That there be no change in the Parish Council representation on the Committee for the remainder of the current Municipal Year.