

STANDARDS COMMITTEE

MONDAY, 15 JULY 2013

PRESENT:- Councillor David Wood (Chair), Councillors Fay Howard, Teresa Page, Michael Bray and John Haines, Mr Trevor Davies and Mr David Dawson (Co-opted representatives) and Mr Paul Morris and Peter Morgans (Independent Persons).

1. Introductory Remarks

At the invitation of the Chair, the Director of Law and Democratic Services commented on the position regarding Parish Council representation on the Committee. The Director explained that the Swindon Area Committee of the Wiltshire Association of Local Councils had initially put forward three nominations, for only two vacancies that exist on the Committee for Parish Council representation, and that revised nominations were awaited. The two former Parish Council representatives on the Committee were in attendance and it was explained that, for this meeting, they would be public observers only.

2. Appointment of Vice-Chair

Resolved – That Councillor Mick Bray be Vice-Chair of the Standards Committee for the Municipal Year 2013/14.

3. Declarations of Interest

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

4. Minutes

Resolved – That the minutes of the meeting held on 18th March 2013 be confirmed and signed as a correct record.

5. Public Question Time

Ms Kareen Boyd, a resident of Hesketh Crescent, referred to the Committee's Annual Report and asked if the content had been agreed with the two local Members of Parliament. At the Chair's request, the Director of Law and Democratic Services responded to Ms Boyd's question.

Ms Boyd put a second question, asking who had determined that the public and press be excluded from the Committee's consideration of Agenda Item 10 ("Ethical Compliance Report"). At the Chair's request, the Director of Law and Democratic Services responded to Ms Boyd's question.

Carole Bent, a resident of Old Town, asked about the percentage of complaints made by members of the public over the last 12 months that had been upheld by the Standards Committee. At the Chair's request, the Director of Law and Democratic Services responded to Ms Bent's question.

Ms Bent put a second question to the meeting. She referred to comments she said had been made by Robert Buckland MP regarding the Council's standards procedures and asked what the Committee might do differently in the coming year to improve public confidence in its elected representatives and public institutions. At the Chair's request, the Director of Law and Democratic Services responded to Ms Bent's question. In addition, the Chair requested that Ms Bent provide him with details of the particular comments, attributed to Mr Buckland, that she had referred to in putting her question.

6. Exempt Items - Exclusion of Press and Public

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 item listed below on the grounds that it involved 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>
10	1 and 2	10

7. Standards Committee Annual Report

The Committee was asked to consider its Draft Annual Report 2012/13, which document provided a record of the work of the Standards Committee for the period 1 July 2012 to 16 May 2013.

Resolved – (1) That the Draft Standards Committee Annual Report 2012/13 be agreed, subject to the correction of textual errors in the document identified by members during their consideration of the report.

(2) That, with reference to members' comments during their debate of this item, the Director of Law and Democratic Services prepare a Press Release aimed at raising public awareness of the Standards Committee and its role in promoting and maintaining high standards of conduct by councillors and co-opted representatives, the release to particularly emphasise the ways in which members of the public can refer matters to the Monitoring Officer and, subsequently, the Committee for consideration.

(3) That the former clerk for the Committee, Sarah Lawrence, be advised of members' thanks for her work in compiling its Draft Annual Report 2012/13.

8. Annual Work Programme

The Committee considered a report of the Director of Law and Democratic Services inviting the Committee to agree its Work Programme for 2013/2014.

Resolved – (1) That, subject to (2) and (3) below, the Committee's Work Programme for 2013/2014, as appended to the report, be agreed.

(2) That it be noted that the Committee's proposed consideration at its next meeting of updates to the Independent Persons Protocol would be dependent on the Independent Persons meeting with the Director of Law and Democratic Services beforehand to discuss issues relating to the suggested draft protocol.

(3) That the Committee Clerk confirm, and advise members of, the scheduled dates of Standards Committee meetings in the Municipal Year 2013/14.

9.

Ethical Framework Update

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

- a reference from the Council's Children and Young People Overview and Scrutiny Committee
- a proposed review of the standards regime by the Committee on Standards in Public Life
- dispensations
- the adoption of the Independent Persons Protocol
- the membership of the Standards Committee
- training issues.

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

(2) That the Director of Law and Democratic Services report to the next meeting on the issue of possible guidance for members in relation to invitations to comment on instances of school openings or closures.

(3) That the indication from the Committee on Standards in Public Life, of its intention to undertake a review in 2014/15 of the standards regime under the Localism Act arrangements, be noted and that the Director of Law and Democratic Services provide updates as necessary following any such review.

(4) That it be noted that no dispensations had been granted by the Monitoring Officer since the last meeting.

(5) That the adoption of the Independent Persons Protocol, appended to the report, be further considered after the Independent Persons have met with the Director of Law and Democratic Services to review the draft protocol and to discuss related issues, including the adoption of the code by other authorities and the role of the Hoey Ainscough Associates Ltd.

(6) That it be noted that revised nominations were awaited from the Swindon Area Committee of the Wiltshire Association of Local Councils in respect of the two Parish Council vacancies on the Committee.

(7) That the issues reported in relation to member and Parish Councillor training be noted.

10.

Ethical Compliance Report

The Committee considered a report of the Director of Law and Democratic Services regarding the outcome of various ethical framework compliance matters, including the details of Whistleblowing cases received since the last Committee and the outcome of any completed investigations in relation to these, the whistleblowing protocol and the issues of protecting complainants from possible unfavourable treatment, and the outcome of Code of Conduct Complaints received since the last meeting.

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

(2) That it be noted that the Director of Law and Democratic Services was liaising with the Head of Internal Audit on the issue of the whistleblowing protocol and the protection of complainants from unfavourable treatment and would report to a future meeting on the matter.