

## **STANDARDS COMMITTEE**

**MONDAY, 14 JULY 2008**

PRESENT:- Mr Keith Carby (Chair), Mr Trevor Davies (Vice-Chair), Mr Paul Morris, Mr David Dawson, Mr Mike Compton, Mr Martyn Cook, Councillor Peter Stoddart and Councillor Maurice Fanning.

Apologies for absence were received from Councillor Melanie Duff and Councillor Fay Howard.

### **1. 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.

### **2. Minutes**

Resolved that - The minutes of the meeting held on 14<sup>th</sup> April 2008, be confirmed and signed as a correct record.

### **3. Public Question Time**

No public questions were received during the meeting.

### **4. 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 9 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 maintaining the exemption outweighs the public interest in disclosing the information concerned (Minute 8 refers).

### **5. Local Assessment of Standards Complaints**

The Committee considered a report of the Director of Law and Democratic Services (Monitoring Officer) to advise the Committee of the coming into force of the Standards Committee (England) Regulations 2008 on 8<sup>th</sup> May 2008, and related guidance issued by the Standards Board on the local assessment of complaints under the Members Code of Conduct, for the Committee to agree how they should be implemented.

Resolved that - 1) An Assessment Sub-Committee be established to comprise 3 members drawn from a panel of members of the Standards Committee and including one independent member (to act as Chair), one elected Member of Swindon Borough Council and one parish representative with the remit set out in Appendix A to the minutes (as amended by the Committee to include the timescale in which the Sub-Committee should operate).

2) A Review Sub-Committee be established to comprise 3 members drawn from a panel of members of the Standards Committee and including one

independent member (to act as Chair), one elected Member of Swindon Borough Council and one parish representative, provided that no member shall be selected to participate in a Review Sub-Committee where they have participated in the initial assessment of the complaint subject to review. The remit of the Review Sub-Committee be as set out in Appendix B to the minutes (as amended by the Committee to include the timescale in which the Sub-Committee should operate).

3) The assessment criteria be adopted as set out at Appendix C to the minutes.

4) The Monitoring Officer be authorised, in consultation with the Chair, to notify Members of the subject of an allegation of the complaint as soon as practicable after receipt unless, in his opinion, it would be contrary to public interest or might prejudice the proper investigation of the complaint.

5) The Monitoring Officer be authorised to constitute and convene meetings of the Assessment Sub-Committee and Review Sub-Committee.

6) The Monitoring Officer be authorised to amend the current procedures for the conduct of investigations and hearings to comply with such regulations and statutory guidance as may be issued from time to time.

7) The Monitoring Officer, in consultation with the Chair of the Standards Committee, be authorised to arrange appropriate publicity for the new arrangements in accordance with the regulations and guidance.

8) The Monitoring Officer amend the 'Information for Potential Complainants' to clarify that the process is not for complaints about paid employees, and the Monitoring Officer provide feedback from the Committee to the Director of Partnership, Policy and Communications to be considered as part of the review of the Corporate Equalities Monitoring Forum, on the need for the form to be comparable to other authorities.

## **6. 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) Anti-Fraud and Corruption Strategy and Whistleblowing Policy - The Committee reviewed the strategy and policy as part of an annual review of their operation and agreed for the documents to go out to consultation.

b) Swindon Standards Committee - The Committee considered a proposal for a standards conference and agreed that this should take place in November 2008 or January 2009, should be held at Steam or King Edward Place, and agreed an additional outcome for ongoing workshop(s) to progress outcomes identified in the conference.

c) Annual Governance Statement and Local Code of Corporate Governance - The Committee reviewed the Codes and Statement adopted by the Audit Committee on behalf of the Council, and noted the where the contribution of the Standards Committee was recognised.

d) Parish Councils - Mr Mike Compton confirmed that he had now visited nine Parish Councils with the Swindon Area to discuss the implementation of the Code of Conduct and to ask if additional assistance was required. Mike Compton confirmed that as a general rule, standards within Parish Councils were good, and there was an awareness of the Code of Conduct and its implementation. It was noted that Wanborough, Bishopstone and Liddington Parish Councils had expressed an interest in additional training, and the Monitoring Officer would contact the relevant parish councils to arrange this.

e) Register of Interests and Training - The Committee received assurances

that newly elected Members had completed acceptance of office forms and register of interest forms, and details of the ethical training that had taken place with members since the election in May 2008.

f) Standards Board Publications - The Committee noted the Standards Board Bulletins April 2008 (Issue 38) and June 2008 (Issue 39).

i) Berkshire, Oxfordshire and Wiltshire Independent Standards Committee Members Forum - The Committee noted that the next Forum would be held on 26<sup>th</sup> September.

j) Seventh Annual Assembly of Standards Committees - The Committee noted that Trevor Davies and the Monitoring Officer would be attending the assembly on 13<sup>th</sup> -14<sup>th</sup> October on behalf of the Committee.

Resolved that - 1) The Ethical Framework update be noted.

2) The Monitoring Officer and Head of Internal Audit consult on the review of the Anti-Fraud and Corruption Policy, The Whistleblowing Policy and the Fraud Response Plan, and report back to the next meeting with any revisions.

3) The Committee supports the draft proposal for a Standards Conference during 2008/09 (amended as set out at b) above) and this be forwarded to the Swindon Strategic Partnership Board for discussion and the Monitoring Officer be authorised to be make appropriate arrangements for the Conference.

4) The Annual Governance Statement and the local Code of Corporate Governance be noted.

## **7. Annual Report and Work Programme Report**

The Committee considered a report of the Law and Democratic Services Officer (Monitoring Officer) asking the Committee to agree its Annual Report for 2007/08 and Work Programme for 2008/09.

Resolved that - 1) The Annual Report for 2007/08 be approved, subject to the inclusion of an introduction from the Chair and any further amendments advised by Committee Members to the Monitoring Officer, and it be forwarded to Full Council for information.

2) The Work Programme for 2008/09 be approved.

## **8. Ethical Framework Compliance Update**

The Committee considered a report of the Law and Democratic Services Officer (Monitoring Officer) and the Head of Internal Audit concerning the progress and outcomes in relation to various ethical framework compliance matters which included an update on five ongoing whistleblowing complaints. It was noted that there were no formal Member / Officer protocol complaints, although an informal issue had led to an apology being provided by a Member. The Committee noted that three complaints received by the Standards Board had not proceeded to investigation.

Resolved that - The Ethical Framework Compliance report be noted.