

# Review of the Council's Standards Arrangements

**Standards Committee**

**Date: 21 July 2014**

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Author:	Director of Law and Democratic Services
Wards:	None
Locality Affected:	None
Parishes Affected:	None

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## **1. Purpose and Reasons**

- 1.1 To review the Council's current "Arrangements for dealing with member Code of Conduct Complaints" and determine what changes, if any, should be made to the Council's procedures.

## **2. Recommendations**

The Committee is recommended to:

- 2.1 Review the Council's current "Arrangements for dealing with member Code of Conduct Complaints", taking into account the outcome of discussions at the recently convened round table meetings between the Standards Committee and the small group of residents involved in the consultation process undertaken in support of this review of the Council's current procedures for handling Code of Conduct complaints

## **3. Detail**

- 3.1 The Standards Committee's work programme for 2013/14 included a review of the Council's "Arrangements for dealing with Member Code of Conduct complaints" in order to improve transparency, ensure the Council is open to hearing the views of residents and also to learn from existing good practice elsewhere. A copy of the Council's current arrangements is attached at Appendix 1.
- 3.2 Following a tendering process, Hoey Ainscough Associates Ltd (Hoey Ainscough) were appointed to carry out the work. In carrying out the review, Mr Paul Hoey and Ms Natalie Ainscough met with a number of relevant local stakeholders to discuss their view of the existing arrangements and the specific concerns which had led to the Standard Committee's request for the review. Interviewees included:
- The Chair and representatives of the Standards Committee;
  - Members of the Council, including all three group leaders;
  - A group of local residents;

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Further information on the subject of this report can be obtained from either Stephen Taylor on 01793 463012 or [staylor@swindon.gov.uk](mailto:staylor@swindon.gov.uk), or Steve Jones on 01793 463602 or [stevejones@swindon.gov.uk](mailto:stevejones@swindon.gov.uk).

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- Both Independent Persons appointed to the Standards Committee,
  - Council Officers involved with, and supporting, the complaints function including the Monitoring Officer.
- 3.1 At its meeting on 24<sup>th</sup> March 2014, the Standards Committee received the Hoey Ainscough report and was invited to agree a 'Procedure for Dealing with Complaints Against Members'.
- 3.2 Several members of the public and representatives of stakeholder groups were in attendance at the meeting and their views were sought on the existing procedures and the key recommendations of the Hoey Ainscough report.
- 3.3 The meeting recognised that the Council's current process for the handling of Code of Conduct complaints was both functional and effective but felt there was some scope to improve the process in order to better address continuing concerns in relation to:
- The timeframe for the initial assessment of a complaint
  - The transparency of the decision making process in relation to each complaint; and
  - The absence from the process of any right of appeal for both complainant and respondent.
- 3.4 To facilitate the further debate of the matters at 3.3 above, the Committee agreed that a round table be convened involving members and that small group of residents previously referred to. An initial round table was held on 17<sup>th</sup> April with a second session held on 6<sup>th</sup> May. The outcome of those discussions was that the current system was to be preferred over the changes recommended by Hoey Ainscough. However, there was a consensus that the complaints process and, in particular, the initial assessment stage, could be dealt with more expeditiously and a number of suggestions were made as to how the process might be realistically reduced.
- 3.5 A summary of the suggestions coming out of the two round table discussions is attached at Appendix 2.
- 3.6 The Committee is invited to review the Council's current "Arrangements for dealing with member Code of Conduct Complaints", taking into account the discussions at the round tables previously referred to, and to make any changes it feels will enable complaints to be dealt with more expeditiously in terms of process.
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## **4. Alternative Options**

- 4.1 The Committee can choose to recommend all, some or none of the changes put forward in this report..

## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 The introduction of any or all of the changes summarised in this report are unlikely to have any financial or procurement implications. In the event that any such implications are identified at some later date, a further report will be made to the Committee on the particular issue.

### Legal and Human Rights Implications

- 5.1 Legal and Human Rights considerations have been taken into account in preparing this report.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.2 This report has no sustainability or other implications.

### Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.3 None

### Diversity Impact Assessment

- 5.4 Not Applicable.

### Risk Management

- 5.5 A risk management assessment is not appropriate for this report.

## **6. Consultees**

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

- 7.1 Agenda of the Standards Committee meeting on 24<sup>th</sup> March 2014

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## **8. Appendices**

- 8.1 Appendix 1 - the Council's current "Arrangements for dealing with Member Code of Conduct complaints"
- 8.2 Appendix 2 – summary of the outcome of informal discussion sessions held on 17<sup>th</sup> April with a second session held on 6<sup>th</sup> May

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