

Draft Minutes of the Standards Committee Meeting held on Monday 23rd April 2007 at the Council Offices, Monkton Park, Chippenham, commencing at 7.00pm

Independent Members: R. Philpott (Chairman)

Parish/Town Council Representatives: Councillors J.R. Scragg and G. Yates

District Councillors: None

Officers: P. Jeremiah (Legal Team Leader) and M. Todd (Senior Policy and Democratic Services Officer).

ST29. Apologies for Absence

Apologies for absence were received from Councillor PJ Goldstone and Mr J Carine.

ST30. Public Question Time/Receipt of Petitions

No public questions or petitions were received.

ST31. Minutes

The Committee received the minutes of the meeting of the Standards Committee held on 20th February 2007.

Resolved that the Minutes of the meeting of the Standards Committee held on 20th February 2007 be confirmed and signed as a correct record.

ST32. Chairman's Announcements

There were no Chairman's announcements.

ST33. Declarations of Interests

There were no declarations of interest.

ST34. Whistleblowing Policy

Consideration was given to Report No. 6 (circulated with the Agenda) informing the Committee of the Council's Whistleblowing Policy and inviting comments prior to its annual review in June 2007. It was noted that the Committee would be given the opportunity to review the policy on an annual basis.

Resolved that the Committee puts forward the following comments to be considered as part of the review of the policy:



- (1) That consideration should be given to providing training for the officers listed in paragraph 3.2 of the whistleblowing policy.
- (2) That a central record of whistleblowing complaints should be kept and that the officers listed in paragraph 3.2 of the policy should be informed of the need to report any matters raised under the policy to the Internal Audit Manager.
- (3) That a flowchart setting out the whistleblowing process should be included as an appendix to the policy to assist members of staff wishing to raise a concern.

ST35. Complaints to the Local Government Ombudsman

Consideration was given to Report No. 7 (circulated with the Agenda) providing the Committee with an overview of how complaints made to the Local Government Ombudsman about North Wiltshire District Council were dealt with.

The report also provided information on the type of complaints made against the Council and the determinations made by the Ombudsman's office. It was suggested that some benchmarking should take place to provide a comparison with the number of complaints received by similar Councils.

Resolved that the report be noted.

ST36. Review of Register of Interests

The Monitoring Officer explained that it would be helpful to review the Register of Interests following the elections on 3rd May to ensure that all Members have registered their interests in accordance with Section 81(1) of the Local Government Act 2000.

Resolved that this matter be considered at the next meeting.

ST37. Review of Investigation Hearing Process

Consideration was given to Report No. 9 (circulated with the Agenda) considering whether, in the light of experience to date, any changes needed to be made to the procedure adopted at Hearings to determine allegations of failure to comply with the Code of Conduct. Some concern was expressed about the way in which the Standards Board handled certain complaints.

Resolved that:

- (1) a definition of Investigating Officer be included in the Hearing Procedure;
- (2) all Hearings be conducted by a Committee consisting of three Members appointed by the Monitoring Officer;

- (3) the Monitoring Officer in consultation with the Chairman of the Committee hearing the allegation should determine whether or not to hold a Pre-Hearing Review;
- (4) Paragraph 3 of the Standards Committee Complaints Hearing Rules be re-drafted to give effect to paragraph 4.3 and 4.4 of the report; and
- (5) Paragraph 4 of the Standards Committee Complaints Hearing Rules be amended as set out in paragraph 4.5 of the report.

ST38. Benchmarking

Consideration was given to Report No. 10 (circulated with the Agenda) considering the work being undertaken by the Standards Committee. Members decided that there was no need to prepare an annual report for the Committee as its minutes were publicly available.

Resolved that the report be noted and no changes be made to the Committee's Terms of Reference.

ST39. Self-Assessment Survey in the Ethical Governance Toolkit

Consideration was given to Report No. 11 (circulated with the Agenda) asking Members to consider whether or not to carry out a self-assessment survey in accordance with the ethical governance toolkit. Members felt that the cost of carrying out the assessment was too high, particularly bearing in mind the current unitary status bid.

Resolved that the Committee does not carry out the self-assessment survey at this stage.

ST40. Members' Code of Conduct

Consideration was given to Report No. 12 informing Members that the revised Model Code of Conduct for members will come into force from 3rd May 2007. The Monitoring Officer also circulated details of the ten General Principles and a summary of changes to the Code. Parish and Town Councils had been informed of the revised Code and of the action they needed to take to adopt it.

Resolved to **recommend** the Council:

- (1) To adopt the revised Model Code of Conduct without amendment.
- (2) To adopt the ten General Principles as an Annex to the Code to remind both Members and the public of the principles underlying the Code.

ST41. Members' Allowances Scheme 2007/08

Consideration was given to Report No. 13 informing the Committee of the proposed Members' Allowances Scheme for 2007/08 which would be considered by the Council on 24th April 2007.

Members queried whether an allowance should be paid to co-opted members. The Council would be considering the appointment of a third independent member at its meeting on 24th April 2007 and the Committee felt that this member should receive some form of basic allowance. The Monitoring Officer informed the Committee that there was no budget provision for such an allowance in this financial year. However, a new independent Members' Allowances Panel would consider the scheme later this year and the suggestion could be considered at this time.

Resolved:

- (1) That the Members Allowances Scheme for the Municipal Year 2007/2008 be noted.
- (2) That the possibility of paying a co-optees' allowance be considered by the newly appointed Members' Allowances Panel.

ST42. Standards Board for England Roadshow 2007

Consideration was given to Report No. 14 (circulated with the Agenda) asking Members to consider the attendance of a Standards Committee representative at the Standards Board for England Roadshow 2007 in Swindon.

Resolved that Mr Philpott and Councillors Scragg and Yates attend the Standards Board for England Roadshow 2007 in Swindon on 26 June 2007.

ST43. Sixth Annual Assembly of Standards Committees – 15-16 October 2007, Birmingham

Consideration was given to Report No. 15 (circulated with the Agenda) asking Members to consider the attendance of a Standards Committee representative at the Annual Assembly of Standards Committees.

Resolved that Mr James Carine attend the Annual Assembly of Standards Committees on behalf of North Wiltshire District Council. As Mr Carine was also attending on behalf of the Wiltshire Fire Authority the cost of attendance should be split equally between the two authorities.

The meeting started at 7.00pm and concluded at 7.40pm.

No members of the public were present.