

**MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE
HELD ON 14 MARCH 2017 FROM 7.00 PM TO 7.30 PM**

Committee Members Present

Councillors: Ken Miall (Chairman), Pauline Helliard-Symons (Vice-Chairman),
Ulla Karin Clark and Beth Rowland
Parish/Town Council Representatives:- Roy Mantel (Co-Optee Twyford Parish Council)

Officers Present

Andrew Moulton, Monitoring Officer
Mary Severin, Deputy Monitoring Officer
Luciane Bowker, Senior Democratic Services Officer

18. APOLOGIES

Apologies for absence were submitted from Councillors Chris Bowring and Paul Swaddle and Roger Loader.

19. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 10 January 2017 were confirmed as a correct record and signed by the Chairman.

20. DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

21. PUBLIC QUESTION TIME

There were no public questions.

22. MEMBER QUESTION TIME

There were no Member questions.

23. PARISH / TOWN COUNCIL QUESTION TIME

There were no Parish/ Town questions.

24. UPDATE ON COMPLAINTS AND FEEDBACK

The Committee received an update on complaints and feedback, which was set out in agenda pages 9-12. Andrew Moulton, Head of Governance and Improvement Services and Monitoring Officer went through the report.

The main points raised by Andrew are listed below:

- There had been two new complaints since the last meeting of the Committee. These complaints had concluded at the initial consultation stage as no breach of the Code of Conduct was found;
- The two complaints that were current at the time of the last meeting had now been concluded. A hearing was held on 20 February 2017, at which both Members were found to be in breach of the Code of Conduct. The decision notice was published on the Council's website on 25 February 2017 and a report would be submitted to the Council meeting on 23 March 2017. Additional training would be provided to the Members involved;
- A complaint relating to the alleged conduct of a Member was being investigated and a Hearings Panel was scheduled for later in the month;

- Two further complaints had been received since the production of the report and these were being investigated;
- There had been an increase in Member to Member complaints;
- The Committee may wish to recommend more guidance around confidentiality issues.

Roy Mantel stated that sometimes it was difficult to differentiate whistleblowing and confidentiality. The Chairman explained that there was a whistleblowing policy and he believed the difference was clear. Andrew offered to bring a report explaining the difference to the Committee for further discussion. The Committee felt this would be useful, and asked that it include information about the press interest.

RESOLVED That:

- 1) A 'Confidentiality/ Whistleblowing' report be brought for discussion at the next meeting;
- 2) The report be noted.

25. MEMBER CODE OF CONDUCT PROCEDURES

The Committee considered the Code of Conduct proposed amendment report which was set out in agenda pages 13-16.

The Chairman invited Members to comment on the proposals one at a time.

1. Publishing the Member's name after a formal investigation finds a breach has occurred

Recommendation: That the sentence at para. 9.1.14.2, which states that a subject Member's name will not be disclosed, be amended as follows:

Where there has been a determination by the Monitoring Officer to resolve the matter informally, the Subject Member's name will be disclosed in accordance with Para. 9.1.16.3, except that a formal decision notice will be prepared in consultation with the Chairman of the Standards Committee.

Councillor Helliard-Symons believed that 'naming and shaming' was not conducive to reconciliation and therefore she was not in favour of this proposal.

Councillor Rowland stated that the public had little confidence in politicians globally and locally, therefore in her opinion revealing names would help rebuild confidence in public life. She stated that if someone had done something wrong, he or she should be reprimanded, in her view this process was not about reconciliation, it was about raising standards.

Mary Severin, Borough Solicitor explained that there was an initial decision making process at the very beginning when a complaint was first received where four possible options were considered:

- Take no action;
- Resolve the matter informally;
- Action formally or
- Formal investigation

Councillor Clark was in agreement with Councillor Helliard-Symons and believed that not revealing names would prevent pettiness.

The proposal was put to the vote and the majority agreed **not to go ahead** with option 1.

2. Potential guidelines to support the Monitoring Officer's initial decision

Recommendation: That the guidance for the Monitoring Officer's initial decision, as worded in the report, be added to Para. 9.1.13.4 of the Constitution.

Councillor Helliard-Symons was in favour of this proposal as it was now less ambiguous and clearer.

Councillor Rowland asked that the '*Public Interest*' criterion be re-worded to make it clearer. It was also suggested not to finish with a question mark.

The proposal was put to the vote and the majority agreed **to go ahead** with option 2.

3. Preventing a Member complaining about another Member

Recommendation: That the Code of Conduct complaints process should be open to everyone, including Members.

Councillor Clark felt uncomfortable with the proposal that Members be prevented from complaining about another Member. She felt this would compromise transparency.

Councillor Helliard-Symons believed this issue was covered by proposal 2. She also pointed out that no other Council had this rule and that not all complaints were of political nature.

The proposal was put to the vote and the majority agreed with the **recommendation of keeping the process open to everyone, including Members.**

The Chairman put forward a case scenario to test the system. He asked what would happen if someone complained that a Councillor "*shouted at me on the phone.*"

Andrew explained that he would try to establish the facts and find out if this was substantiated by any witnesses. He would look for patterns, or if this was a one off occurrence. Initially he would seek to resolve it by asking the Councillor to apologize. Depending on the circumstances a different approach may be needed.

RESOLVED That the recommendations agreed above be submitted to the Constitution Review Working Group for approval.

26. ANNUAL REPORT

The Committee considered the Standards Committee Annual Report which was set out in agenda pages 17-22.

Members were content with the report and recommended its submission to the Council meeting.

RESOLVED That the report be noted and submitted to the Council meeting.

