



# WOKINGHAM BOROUGH COUNCIL

A Meeting of the **STANDARDS COMMITTEE** will be held in David Hicks 1 - Civic Offices, Shute End, Wokingham RG40 1BN on **MONDAY 10 JULY 2023 AT 7.00 PM**

A handwritten signature in black ink, appearing to read 'Susan Parsonage', written in a cursive style.

Susan Parsonage  
Chief Executive  
Published on 30 June 2023

Note: Non-Committee Members and members of the public are welcome to attend the meeting or participate in the meeting virtually, in line with the Council's Constitution. If you wish to participate either in person or virtually via Microsoft Teams, please contact Democratic Services. The meeting can also be viewed using the following link:

<https://youtube.com/live/6WUX5301Jkg?feature=share>

This meeting may be filmed for inclusion on the Council's website.

Please note that other people may film, record, tweet or blog from this meeting. The use of these images or recordings is not under the Council's control.

<b>Our Vision</b>
<b><i>A great place to live, learn, work and grow and a great place to do business</i></b>
<b>Enriching Lives</b>
<ul style="list-style-type: none"> <li>• Champion excellent education and enable our children and young people to achieve their full potential, regardless of their background.</li> <li>• Support our residents to lead happy, healthy lives and provide access to good leisure facilities to enable healthy choices for everyone.</li> <li>• Engage and empower our communities through arts and culture and create a sense of identity for the Borough which people feel part of.</li> <li>• Support growth in our local economy and help to build business.</li> </ul>
<b>Providing Safe and Strong Communities</b>
<ul style="list-style-type: none"> <li>• Protect and safeguard our children, young and vulnerable people.</li> <li>• Offer quality care and support, at the right time, to reduce the need for long term care.</li> <li>• Nurture our communities: enabling them to thrive and families to flourish.</li> <li>• Ensure our Borough and communities remain safe for all.</li> </ul>
<b>Enjoying a Clean and Green Borough</b>
<ul style="list-style-type: none"> <li>• Play as full a role as possible to achieve a carbon neutral Borough, sustainable for the future.</li> <li>• Protect our Borough, keep it clean and enhance our green areas for people to enjoy.</li> <li>• Reduce our waste, promote re-use, increase recycling and improve biodiversity.</li> <li>• Connect our parks and open spaces with green cycleways.</li> </ul>
<b>Delivering the Right Homes in the Right Places</b>
<ul style="list-style-type: none"> <li>• Offer quality, affordable, sustainable homes fit for the future.</li> <li>• Ensure the right infrastructure is in place, early, to support and enable our Borough to grow.</li> <li>• Protect our unique places and preserve our natural environment.</li> <li>• Help with your housing needs and support people, where it is needed most, to live independently in their own homes.</li> </ul>
<b>Keeping the Borough Moving</b>
<ul style="list-style-type: none"> <li>• Maintain and improve our roads, footpaths and cycleways.</li> <li>• Tackle traffic congestion and minimise delays and disruptions.</li> <li>• Enable safe and sustainable travel around the Borough with good transport infrastructure.</li> <li>• Promote healthy alternative travel options and support our partners in offering affordable, accessible public transport with good transport links.</li> </ul>
<b>Changing the Way We Work for You</b>
<ul style="list-style-type: none"> <li>• Be relentlessly customer focussed.</li> <li>• Work with our partners to provide efficient, effective, joined up services which are focussed around our customers.</li> <li>• Communicate better with customers, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.</li> <li>• Drive innovative, digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.</li> </ul>
<b>Be the Best We Can Be</b>
<ul style="list-style-type: none"> <li>• Be an organisation that values and invests in all our colleagues and is seen as an employer of choice.</li> <li>• Embed a culture that supports ambition, promotes empowerment and develops new ways of working.</li> <li>• Use our governance and scrutiny structures to support a learning and continuous improvement approach to the way we do business.</li> <li>• Be a commercial council that is innovative, whilst being inclusive, in its approach with a clear focus on being financially resilient.</li> <li>• Maximise opportunities to secure funding and investment for the Borough.</li> <li>• Establish a renewed vision for the Borough with clear aspirations.</li> </ul>

## MEMBERSHIP OF THE STANDARDS COMMITTEE

### Councillors

Sam Akhtar  
Keith Baker  
Caroline Smith

Morag Malvern  
Rachel Burgess

Imogen Shepherd-DuBey  
Phil Cunnington

### Parish/Town Council Representatives

Sally Gurney  
Sheena Matthews

Co-Optee, Wokingham Town Council  
Co-Optee Earley Town Council

ITEM NO.	WARD	SUBJECT	PAGE NO.
1.		<b>ELECTION OF CHAIR</b> To elect a Chair for the 2023-24 Municipal Year.	
2.		<b>APPOINTMENT OF VICE-CHAIR</b> To appoint a Vice-Chair for the 2023-24 Municipal Year.	
3.		<b>APOLOGIES</b> To receive any apologies for absence.	
4.		<b>MINUTES OF PREVIOUS MEETING</b> To confirm the Minutes of the meeting held on 24 March 2023.	5 - 8
5.		<b>DECLARATION OF INTEREST</b> To receive any declarations of interest.	
6.		<b>PUBLIC QUESTION TIME</b> To answer any public questions. A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of this committee.  Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to <a href="http://www.wokingham.gov.uk/publicquestions">www.wokingham.gov.uk/publicquestions</a>	
7.		<b>MEMBER QUESTION TIME</b> To answer any Member questions.	
8.		<b>PARISH / TOWN COUNCIL QUESTION TIME</b>	

To answer any questions from Parish / Town Councillors.

9. None Specific **MEMBER TRAINING SESSION**  
Presentation on Terms of Reference for the Committee followed by Q&A.

10. All Wards **UPDATE ON COMPLAINTS**  
To consider the regular update report on Code of Conduct complaints and any matters arising.

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**Any other items which the Chairman decides are urgent.**

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

**CONTACT OFFICER**

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**MINUTES OF A MEETING OF THE  
STANDARDS COMMITTEE  
HELD ON 24 MARCH 2023 FROM 6.30 PM TO 7.20 PM**

**Committee Members Present**

Councillors: Morag Malvern (Chair), Imogen Shepherd-DuBey (Vice-Chair), Sam Akhtar, Graham Howe, John Kaiser and Adrian Mather

Parish/Town Council Representatives:- Roy Mantel (Co-Optee Twyford Parish Council) and Sheena Matthews (Co-Optee Earley Town Council)

**Officers Present**

Neil Carr, Democratic and Electoral Services Specialist  
Andrew Moulton, Monitoring Officer  
Neil Allen, Head of Legal Services

**27. APOLOGIES**

Apologies for absence were submitted from Sally Gurney and Chris Johnson.

**28. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Committee held on 23 January 2023 were confirmed as a correct record and signed by the Chair.

**29. DECLARATION OF INTEREST**

There were no declarations of interest submitted.

**30. PUBLIC QUESTION TIME**

There were no public questions.

**31. MEMBER QUESTION TIME**

There were no Member questions.

**32. PARISH / TOWN COUNCIL QUESTION TIME**

There were no questions received.

**33. MEMBER TRAINING SESSION**

Andrew Moulton, Assistant Director Governance took the Committee through the Member Code of Conduct Complaints procedures.

During the discussion of this item the following points were made:

- Legally the Council was required to make arrangements to deal with allegations, with the Borough Council dealing with both Borough and Parish cases.
- The process for dealing with misconduct complaints was set out in section 9.1.11 of the Council's Constitution.
- Complaints could come in through various routes, including directly via email and the Council's website. Following the receipt of a code of conduct complaint the Monitoring Officer would write to the complainant within 3 working days acknowledging receipt and also providing a copy of the complaints' procedure.
- If the complaint related to a Town or Parish Councillor, the relevant clerk was informed that a complaint had been received. It was noted that if the Councillor was

both a Borough and Town or Parish Councillor, the Monitoring Officer had to establish what capacity they were acting at the time of the complaint.

- The Subject Member was informed of the complaint as soon as possible and given 15 working days to provide initial comments. If none were received the Monitoring Officer proceeded with the assessment on the basis of the original complaint.
- If the complaint related to a Town or Parish Councillor, the Monitoring Officer would seek a response from the Clerk. This would purely relate to the clarification of factual matters.
- The purpose of the initial assessment by the Monitoring Officer in consultation with the Independent Person, was to determine whether the complaint should be accepted for further consideration or rejected. Andrew Moulton outlined the criteria that would be applied to determine this, including sufficiency of information and seriousness of complaint.
- The Committee noted the initial assessment process. The decision of the Monitoring Officer would normally be taken within 20 working days of the complaint being received.
- Anonymous complaints were not normally considered; however, they could be considered in exceptional circumstances.
- The process of the findings of the investigation were set out in 9.1.13 of the Constitution.
- Imogen Shepherd Dubey questioned why the Town and Parish councillor representative on a Hearing Panel convened to review a complaint regarding a Town and Parish Councillor, did not have voting rights. Andrew Moulton commented that it was within the legislation. Roy Mantel added that there were more Town and Parish Councillors than Borough Councillors, who were subject to the Code of Conduct.
- Sam Akhtar asked how quickly Councillors were informed if there was a complaint against them and was informed that it was often within a day of the receipt of the complaint. He went on to ask if Councillors were fully informed if they an anonymous complaint was received against them. Andrew Moulton indicated that they would be told of the nature of the complaint against them.
- In response to a question from Sheena Matthews regarding how Independent Persons were appointed, Andrew Moulton stated that they were appointed by Full Council. The Council currently had three Independent Persons. When one of these retired the role would be advertised and an application process followed.
- Graham Howe asked for examples of when the anonymity of the complainant would be retained. Andrew Moulton commented that anonymous complaints were very rare. A theoretical example would be should the complainant fear potential reprisals from the councillor in question.
- It was clarified that Officers could make complaints against Councillors and the formal complaints process could be used. However, the Member/Officer Protocol also referred to the use of line management and seeking a more informal resolution outside of the formal process.
- Roy Mantel commented that the term 'take no further action' was insufficiently clear. He proposed that 'take no further action (there was no breach of the Code of Conduct)' be used. Andrew Moulton suggested 'take no further action (there was no evidence of a breach of the Code of Conduct)'.  
• Roy Mantel commented that if councillors were subject to a complaint and had been found not to be in breach of the Code of Conduct, they could reveal that they had been complained about, but no evidence of a breach had been found, if they wished.

- Roy Mantel questioned whether those councillors who were not found to be in breach of the Code of Conduct were able to see the letter to the complainant which explained that no breach had been established.
- Graham Howe questioned whether any action could be taken against the complainant if the complaint was found to be vexatious. Andrew Moulton responded that it potentially could, depending on who the complainant was e.g., another councillor or an officer.

**RESOLVED:** That the Members training session be noted.

### **34. UPDATE ON COMPLAINTS**

The Committee received an update on complaints.

During the discussion of this item the following points were made:

- Since January two new complaints had been received, one Parish and one Borough. Both were at the formal investigation stage, and it was anticipated that they would be dealt with by the Investigator in approximately a month's time.
- WBC 6 had been to investigation and was at the next decision making process.
- Further information was provided around the historical Woodley complaints.
- Neil Allen highlighted capacity issues in his area and indicated that complaints would be prioritised going forwards.
- With regards to WBC 6 Sheena Matthews asked whether the upcoming elections would have an impact, i.e., if the person being complained about was or was not re-elected. The Committee was informed that the Subject Member was not up for election.

**RESOLVED:** That the update on complaints be noted.

### **35. STANDARDS COMMITTEE ANNUAL REPORT 2022/23**

The Committee considered the Standards Committee Annual Report 2022-23.

The report outlined the work of the Committee during 2022-23.

**RESOLVED:** That the Standards Committee Annual Report 2022-23 be recommended to Council for approval.

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# Agenda Item 10.

**TITLE** Update on Complaints

**FOR CONSIDERATION BY** Standards Committee on 10 July 2023

**WARD** (All Wards);

**LEAD OFFICER** Monitoring Officer - Andrew Moulton

## **OUTCOME / BENEFITS TO THE COMMUNITY**

To inform and feedback results of the Member Complaints process.

## **RECOMMENDATION**

The Committee is asked to note the update on complaints and consider any issues arising.

## **SUMMARY OF REPORT**

Since the last update report to the Committee in March 2023, there have been no new complaints received.

Updates on 2022/23 complaints can be found at **Appendix A**.

## **Background**

One of the roles of the Committee is to monitor the operation of the Member Code of Conduct.

The Committee undertakes this role through the receipt of regular updates from the Monitoring Officer that provides information on the numbers, types, and outcomes of complaints.

The relevant part of the Constitution is 9.1.12 – Process for Considering Code of Conduct Complaints.

On receipt of a complaint, the Monitoring Officer makes an initial assessment and writes a summary of the complaint and then, subject to consultation with an Independent Person, has delegated authority to decide to:-

a) take no action if there is clear evidence that there has been no breach of the Code of Conduct.

b) Resolve the matter informally by asking the Subject Member to:-

i) take part in mediation with the complainant in order to settle the complaint, provided both the Subject Member and the complainant are willing to do so, and/or

ii) make a written apology to the complainant which is acceptable to the Monitoring Officer and the Independent Person, and/or

iii) attend training and/or

iv) correct an entry in the Members' Register of Interests or correct a declaration made;  
OR

c) Require a formal investigation and a written investigation report by an Investigating Officer. The investigation report shall conclude whether there has been a breach of the Code of Conduct. Copies of the investigation report will be provided in confidence to the Independent Person, and the Subject Member. OR

d) Refer the complaint to the Standards Committee for a decision on whether options a), b) and c) above should be followed.

## **Analysis of Issues**

See summary of 2022/23 complaints at Appendix A.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

***The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

<b>Other financial information relevant to the Recommendation/Decision</b>
None

<b>Cross-Council Implications</b> (how does this decision impact on other Council services, including properties and priorities?)
None specific

<b>Public Sector Equality Duty</b>
This is an information update report

<b>Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030</b>
There are no direct implications arising from this report on the Council's carbon neutral objective.

<b>Reasons for considering the report in Part 2</b>
Not applicable

<b>List of Background Papers</b>
None

<b>Contact</b> Andrew Moulton	<b>Service</b> Governance
<b>Telephone No</b> Tel: 07747 777298	<b>Email</b> andrew.moulton@wokingham.gov.uk

**Appendix A**  
**Member Code of Conduct Complaints 2022/23 (as at 30 June 2023)**

Ref	Date Received	Acknowledged	Within 3 days?	Complainant	Subject Member	Summary of Complaint	Progress/Conclusion	Date Concluded/ Next steps	Within Performance Timescales
WBC9	27/1/23	27/1/23	Y	Wokingham Borough Member	Wokingham Borough Member	Allegation of inappropriate/incomplete disclose of interest at a Council meeting.	As previously reported, an investigation was commenced. However the Subject Member is no longer a councillor following the 4 May elections, therefore the complaint has not been pursued further.	4/5/23 No further action	N
T&P3	17/1/23	18/1/23	Y	Member of public	Hurst Parish Member	Allegation of inappropriate/incomplete disclosure of interest relating to a planning application.	Independent Person consultation held on 20/2/23 where it was agreed to commission an investigation into the complaint.	30/6/23 No further action	N
WBC8	21/11/22	21/11/22	Y	Wokingham Borough Member	Wokingham Borough Member	Allegation concerning posts on social media.	Independent Person consultation held on 19/12/22.	19/12/22 No further action.	Y
WBC7	25/10/22	26/10/22	Y	Wokingham Borough Member	Wokingham Borough Member	Allegation concerning a post on social media.	Independent Person consultation held on 7/11/22.	7/11/22 No further action.	Y
WBC6	23/8/22	23/8/22	Y	Wokingham Borough Member	Wokingham Borough Member	Allegation concerning letter written in lead up to May 2022 elections.	Investigation stage completed concluding evidence of breach of Code.	30/6/23 Decision notice published with report to Council on 20/7/23	N
WBC5	3/8/22	3/8/22	Y	Officer	Wokingham Borough Member	Allegations of various breaches of the Code pertaining to correspondence.	Independent person consultation held on 27/9/22	18/10/22 Complaint withdrawn	Y
T&P2	25/7/22	27/7/22	Y	Earley TC Councillor	Earley Town Council Member	Allegation of disrespect regarding correspondence.	Independent Person consultation held on 10/8/22.	11/8/22 No further action.	Y

WBC4	19/6/22	20/6/22	Y	Member of public	Wokingham Borough Member	Allegation of bringing the office of councillor into disrepute relating to comments made in a media interview.	Independent Person consultation held on 6/7/22.	6/7/22 No further action.	Y
WBC3	24/5/22	25/5/22	Y	Member of public	Wokingham Borough Member	Alleged disrespect in social media exchanges.	Independent Person consultation held on 9/6/22.	9/6/22 No further action.	Y
T&P1	18/5/22	18/5/22	Y	Member of public	Remenham Parish Council Member	Conduct relating to election campaign and at Parish Meeting.	Independent Person consultation held on 9/6/22. Investigation conducted.	28/9/22 Finding of no breach following investigation.	N
WBC2	28/4/22	28/4/22	Y	Member of public	Wokingham Borough Member	Alleged disrespect in social media exchanges.	Independent Person consultation held on 30/5/22. Meeting delayed due to Monitoring Officer's availability due to other duties associated with elections and change of administration.	30/5/22. No further action.	N
WBC1	30/3/22	30/3/22	Y	Member of public	Wokingham Borough Member	Alleged disrespect in social media exchanges.	Independent Person consultation held on 30/5/22. Meeting delayed due to Monitoring Officer's availability due to other duties associated with elections and change of administration.	30/5/22. No further action.	N

**Performance Timescales (introduced October 2021)**

Acknowledgement within 3 days of receipt

Initial consultation meeting held within 15 working days of acknowledgement

Conclusion within 3 months (if investigation required)

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