



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **STANDARDS COMMITTEE** will be held in the Council Chamber - Civic Offices, Shute End, Wokingham RG40 1BN on **MONDAY 18 JULY 2022 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 10 July 2022

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 be viewed live using the following link:

<https://youtu.be/Ec8UBdl3asw>

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.

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

MEMBERSHIP OF THE STANDARDS COMMITTEE

Councillors

Sam Akhtar

John Kaiser

Imogen Shepherd-DuBey

Graham Howe

Morag Malvern

Chris Johnson

Adrian Mather

Parish/Town Council Representatives

Sally Gurney

Roy Mantel

Sheena Matthews

Co-Optee, Wokingham Town Council

Co-Optee Twyford Parish Council

Co-Optee Earley Town Council

ITEM NO.	WARD	SUBJECT	PAGE NO.
1.		ELECTION OF CHAIR To elect a Chair for the Committee for the 2022/23 Municipal Year.	
2.		APPOINTMENT OF VICE-CHAIR To appoint a Vice-Chair for the Committee for the 2022/23 Municipal Year.	
3.		APOLOGIES To receive any apologies for absence.	
4.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 30 March 2022.	5 - 8
5.		DECLARATION OF INTEREST To receive any declarations of interest.	
6.		PUBLIC QUESTION TIME 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 www.wokingham.gov.uk/publicquestions	
7.		MEMBER QUESTION TIME To answer any Member questions.	

8. PARISH / TOWN COUNCIL QUESTION TIME
To answer any questions from Parish or Town Councillors.

9. None Specific UPDATE ON COMPLAINTS AND TRAINING PROGRAMME **9 - 16**
To consider an update on Code of Conduct complaints, any matters arising and Member training for 2022/23.

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 30 MARCH 2022 FROM 6.00 PM TO 6.20 PM**

Committee Members Present

Councillors: John Kaiser (Chairman), Prue Bray, Imogen Shepherd-DuBey, Abdul Loyes, Daniel Sargeant (Vice-Chairman) and Caroline Smith

Parish/Town Council Representatives: Sally Gurney (Co-Optee, Wokingham Town Council) and Sheena Matthews (Co-Optee Earley Town Council)

Officers Present

Neil Carr, Democratic and Electoral Services Specialist
Jennifer Lee, Deputy Monitoring Officer

24. APOLOGIES

Apologies for absence were submitted from Roy Mantel and Jackie Rance.

Sheena Matthews joined the meeting via Microsoft Teams.

25. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee, held on 24 January 2022, were confirmed as a correct record and signed by the Chairman, subject to the final bullet point in Minute 23 (Update on Complaints) being amended to read:

“It was noted that more examples of breaches, in an anonymised and redacted format, would be useful for the Committee to understand common themes and potential grey areas. **The examples would also be useful for wider Member training (including induction) for the Borough, Town and Parish Councils.** It was added that examples from other Local Authorities could be used, and miniature case studies could also be presented.”

26. DECLARATION OF INTEREST

There were no declarations of interest.

27. PUBLIC QUESTION TIME

There were no public questions.

28. MEMBER QUESTION TIME

There were no Member questions.

29. PARISH / TOWN COUNCIL QUESTION TIME

There were no questions from Town or Parish Members.

30. UPDATE ON COMPLAINTS

The Committee considered a report, set out at Agenda pages 9 to 14, which provided an update on progress relating to Councillor Code of Conduct complaints.

The report stated that, since the last meeting of the Committee, one new complaint had been received against a Borough Councillor. A review of the complaint had concluded that

there was no breach of the Code of Conduct and, consequently, no further action would be taken.

As requested by the Committee, the Monitoring Officer had met with Town and Parish Council clerks to discuss measures to make Councillors more aware of the expectations of the Code of Conduct. This included the expectation that Councillors subject to complaints would co-operate with any investigation, as necessary. It was agreed with the clerks that the Monitoring Officer would develop an on-line training package for use by the Town and Parish Councils. The development of a Code of Conduct training programme for all Members would be considered at the first meeting of the Committee in the new municipal year.

Appendix A to the report set out details of progress against ongoing Code of Conduct complaints. Members considered the updates and raised the following points:

Due to lack of progress, two complaints had been referred to the subject Members' political parties (regional office). What was the purpose of this referral? It was confirmed that, if a subject Member was not co-operating with an investigation, referral to the relevant political party may help to deliver progress. A further update on the timeline and any subsequent progress would be reported back to the Committee. If the subject Member refused to co-operate, the complaint would be decided using the evidence available.

In relation to the complaints listed in Annex A, could a more effective numbering system be introduced? This would help to reduce confusion about the status of long running complaints. It was confirmed that a new system would be introduced for future reports.

Should the Committee agree a cut-off point for longstanding complaints where the subject Member was not co-operating? It was confirmed that this could be considered further. It was also confirmed that failure to co-operate with an investigation was, in itself, a breach of the Code of Conduct.

RESOLVED That:

- 1) the update on Councillor Code of Conduct complaints be noted;
- 2) the Committee consider the development of a Member training programme on the Code of Conduct at its meeting on 18 July 2022.

31. STANDARDS COMMITTEE ANNUAL REPORT 2021-22

The Committee considered its Annual Report, set out at Agenda pages 15 to 22, for submission to WBC's full Council in May 2022.

The Annual Report provide a summary of the Committee's activities during 2021/22 including the number and type of Code of Conduct complaints received. The report highlighted the Committee's main objective which was to promote and maintain the highest standards of conduct by elected Members representing the Borough, Town and Parish Councils.

The Annual Report highlighted some of the key issues considered by the Committee during the year. These included the successful adoption of the LGA Model Councillor Code of Conduct and a number of procedural changes relating to the handling of complaints following an independent review by Paul Hoey Associates.

In the ensuing discussion it was suggested that the Annual Report be updated to confirm that the proposed changes, following the independent review, had been approved by WBC's full Council at its meeting on 17 February 2022.

RESOLVED That:

- 1) the Standards Committee's proposed Annual Report be approved for submission to full Council in May 2022;
- 2) the Annual report be updated to confirm that proposed procedural changes, following the independent review, had been confirmed by full Council in February 2022.

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Agenda Item 9.

TITLE	Update on Complaints and Training Programme
FOR CONSIDERATION BY	Standards Committee on 18 July 2022
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:-

1. To note the update on complaints and consider any issues arising.
2. To consider the training programme for 2022/23.

SUMMARY OF REPORT

Since the last report on Complaints to the Committee in March 2022, there have been 5 complaints received – four relating to WBC councillors, and one relating to a Town & Parish councillor.

No further action was taken with regards four of the complaints. One complaint (ref T&P1) is subject to investigation and is expected to conclude shortly.

The Committee will note that three complaints related to comments and exchanges on social media. Members are referred to Appendix E of the Code of Conduct which sets out guidance for councillors on the use of social media.

Updates on these 2022/23 complaints can be found at **Appendix A**. The Committee will note that the performance in terms of dealing with two of the complaints was below target as these complaints were received during the period leading up to the May elections when staff were fully occupied in their planning and delivery. Steps will be taken for the same period in 2023 and future years to deal with any complaints received during that period of the year.

At **Appendix B** are details of previously outstanding historic complaints relating to two town & parish councils.

As reported previously to the Committee, the Monitoring Officer met with Town and Parish clerks on 16 March to explore options to make Councillors more aware of the expectations of the Code of Conduct and engagement with the complaints process when required. Clerks reported that their towns and parishes had either recently adopted the new LGA Model Code of Conductor were actively considering it, and it was agreed that more further promotion could take place in 2022/23. It was also agreed that the

Monitoring Officer would develop an online training package for use by towns and parishes. This work is ongoing.

As discussed previously, a future focus for the Committee should be the promotion of training for councillors in the Code.

New Members elected to the Council received induction training from the Monitoring Officer in May and it is suggested that this be considered more broadly at the first meeting of the Committee in 2022/23 with a view to rolling out a programme to all councillors.

Background

The Monitoring Officer provides a report to the Standards Committee, on a quarterly basis, which contains the following:

- the number and nature of complaints received;
- progress on any investigations and associated costs;
- the identification of areas where training or other action might avoid further complaints.

Since the last report to the Committee in March 2022, there have been five new Code of Conduct complaint received.

Under the Council's adopted policy for the consideration of Code of Conduct Complaints, the Monitoring Officer has delegated authority to decide whether the complaint:-

- a) can be resolved informally i.e. by mediation with the two parties before making a decision on whether the complaint merits formal investigation;
- b) requires investigation;
- c) should be referred to the Standards Committee;
- d) no further action should be taken.

Analysis of Issues

The latest position on current complaints is shown at Appendix A.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources 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

Other financial information relevant to the Recommendation/Decision

None.

Cross-Council Implications (how does this decision impact on other Council services, including properties and priorities?)

None specific.

Public Sector Equality Duty
Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:- <ul style="list-style-type: none"> • eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; • advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; • foster good relations between persons who share a relevant protected characteristic and persons who do not share it. An Equality Impact Assessment (EIA) is not relevant to this report

Climate Emergency – <i>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</i>
There are no direct implications arising from this report on the Council’s carbon neutral objective.

Reasons for considering the report in Part 2
Not applicable.

List of Background Papers
None

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

Appendix A
Member Code of Conduct Complaints 2022/23 (as at 9 July 2022)

Ref	Date Received	Acknowledged	Within 3 days?	Complainant	Subject Member	Summary of Complaint	Progress/Conclusion	Date Concluded/ Next steps	Within Performance Timescales
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	Conduct relating to election campaign and at Parish Meeting.	Independent Person consultation held on 9/6/22.	Investigation commissioned.	Ongoing
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)

Appendix B Outcomes of Historic Complaints

Date Received	Acknowledged	Within 3 days?	Complainant	Subject Member	Summary of Complaint	Progress/Conclusion	Date Concluded/ Next steps
29/11/21	30/11/21	Y	Member of public	Wargrave Parish Council Member	Alleged inappropriate use of information.	Initial assessment completed and consultation meeting held 20/12/21 whereby agreed to commission investigation. Investigators report received 21/3/22.	13/6/22 Member found to be in breach of Wargrave Parish Council Code of Conduct.
16/9/21	17/9/21	Y	Town & Parish Councillor	Woodley Town Council Member	Conduct of a fellow councillor during a Council meeting.	Subject Member asked to comment on 17/9/21. No response received. Town Clerk informed of complaint on 17/9/21. Assessment to proceed without above responses. Noted that this complaint relates to same councillor as 14/12/20 below.	Member to be reported for breach of Woodley Town Council Code of Conduct.
21 /12/20	22/12/20	Y	Town & Parish Councillor	Woodley Town Council Member	Conduct of a fellow councillor during a Council meeting.	Consultation meeting held on 20/12/21 where it was concluded that whilst a breach may have occurred, the Councillor concerned offered to apologise for his conduct but this has not taken place.	Member to be reported for breach of Woodley Town Council Code of Conduct.
14/12/20	15/12/20	Y	Town & Parish Councillor	Woodley Town Council Member	Conduct of a fellow councillor during a Council meeting	Despite a number of requests to the subject member, the councillor concerned has not co-operated with the process	Member to be reported for breach of Woodley Town Council Code of Conduct
13/12/20	15/12/20	Y	Town & Parish Councillor	Woodley Town Council Member	Conduct of a fellow councillor during a Council meeting	Despite a number of requests to the subject member, the councillor concerned has not co-operated with the process	Member to be reported for breach of Woodley Town Council Code of Conduct.
8/10/20	8/10/20	Y	Town & Parish Councillor	Woodley Town Council Member	Conduct of a fellow councillor during a Council meeting	Despite a number of requests to the subject member, the councillor concerned has not co-operated with the process	Member to be reported for breach of Woodley Town Council Code of Conduct.

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