



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **STANDARDS COMMITTEE** will be held in the Council Chamber - Civic Offices, Shute End, Wokingham RG40 1BN on **FRIDAY 24 MARCH 2023 AT 6.30 PM**

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

Susan Parsonage
Chief Executive
Published on 16 March 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 live using the following link:
https://youtube.com/live/WCh74N_oMsw?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.

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

Morag Malvern (Chair)	Imogen Shepherd-DuBey (Vice-Chair)	Sam Akhtar
Graham Howe Adrian Mather	Chris Johnson	John Kaiser

Parish/Town Council Representatives

Sally Gurney	Co-Optee, Wokingham Town Council
Roy Mantel	Co-Optee Twyford Parish Council
Sheena Matthews	Co-Optee Earley Town Council

ITEM NO.	WARD	SUBJECT	PAGE NO.
27.		APOLOGIES To receive any apologies for absence.	
28.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 23 January 2023.	5 - 8
29.		DECLARATION OF INTEREST To receive any declarations of interest.	
30.		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	
31.		MEMBER QUESTION TIME To answer any Member questions.	
32.		PARISH / TOWN COUNCIL QUESTION TIME To answer any questions from Parish/Town Councillors.	
33.		MEMBER TRAINING SESSION To consider a presentation followed by Q&A on	

complaint procedures.

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|------------|---------------|---|----------------|
| 34. | All Wards | UPDATE ON COMPLAINTS
To consider the regular update on Code of Conduct complaints. | 9 - 14 |
| 35. | None Specific | STANDARDS COMMITTEE ANNUAL REPORT 2022/23
To consider and approve the Standards Committee Annual Report 2022/23, for submission to Council. | 15 - 24 |

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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Democratic & Electoral Services Specialist

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Civic Offices, Shute End, Wokingham, RG40 1BN

**MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE
HELD ON 23 JANUARY 2023 FROM 6.00 PM TO 6.50 PM**

Committee Members Present

Councillors: Morag Malvern (Chair), Imogen Shepherd-DuBey (Vice-Chair), Graham Howe, Chris Johnson and John Kaiser
Parish/Town Council Representatives:- Sally Gurney (Co-Optee, Wokingham Town Council), Roy Mantel (Co-Optee Twyford Parish Council) and Sheena Matthews (Co-Optee Earley Town Council)

Other Councillors Present

Councillors:

Officers Present

Neil Carr, Democratic and Electoral Services Specialist
Andrew Moulton, Monitoring Officer

18. APOLOGIES

Apologies for absence were submitted by Sam Akhtar and Adrian Mather.

Graham Howe attended the meeting on Microsoft Teams.

19. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 24 October 2022 were confirmed as a correct record and signed by the Chair.

Note: Roy Mantel referred to Minute 16 – Update on complaints. In relation to the option of taking no further action, did the Monitoring Officer write to the complainant as well as the subject member, setting out the reasons for no further action? Andrew Moulton confirmed that both parties were contacted with the reasons behind the decision to take no further action. This would be covered in a future training session.

20. DECLARATION OF INTEREST

There were no declarations of interest.

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 questions from Town/Parish Members.

24. TRAINING - PRESENTATION AND Q&A ON CODE OF CONDUCT

The Committee received a training presentation from Andrew Moulton (Monitoring Officer) on the Member Code of Conduct. The aim of the presentation was to provide more detailed understanding and generate Member questions about the Code.

The presentation aimed to:

- Raise awareness in the context of the Local Code of Corporate Governance;
- Greater understanding of the content of the Member Code of Conduct;
- Greater understanding of the rules on registration of interests;
- Increase knowledge of the rules relating to declaring interests in meetings.

The presentation confirmed that each council (borough, town or parish) must adopt its own Code of Conduct based on the seven principles of conduct in public life – the Nolan Principles. Councils had to make arrangements to deal with Code of Conduct cases – WBC handled town and parish cases. All elected Members are required to abide by the Code of Conduct which sets out the expected standards of behaviour.

Key issues for Members to focus on included conduct and behaviour, keeping the register of interests up to date and declaring interests in meetings. The Code of Conduct applied at all times when acting in the capacity of elected Member – this included meetings and written or verbal communications including social media. The expected standards of conduct included issues such as respect, bullying, impartiality, confidential information, gifts and hospitality and appropriate use of position and resources.

In the ensuing discussion Members raised the following points:

Was there a clear definition of “respect”? Andrew Moulton confirmed that the Code of Conduct provided some help in terms of a definition. However, there could be grey areas. The Monitoring Officer worked with one of the Independent Persons to examine the pros and cons of individual cases. This involved looking at the subject member’s response to the allegations made against him/her.

Did the provisions of the Code of Conduct apply to members of the public acting as co-optees? Andrew confirmed that this was the case when formal co-option had taken place. More guidance would be provided on this issue.

In relation to the Paul Hoey review of the Council’s policies and procedures, were the proposed changes to the disciplinary process, e.g. the reporting of cases where informal resolution had been agreed, fully implemented? Andrew confirmed that the changes had been formally adopted. There had not been any examples of informal resolution in the intervening period.

In relation to keeping the Register of Interests up to date, could Members receive reminders? Andrew commented that this could be considered, however, it was down to individual Members to ensure that their entries were update as necessary.

RESOLVED That:

- 1) Andrew Moulton be thanked for providing the Code of Conduct training session;
- 2) Further training sessions be held on other aspects of the Member Code of Conduct.

25. UPDATE ON STATUS OF TOWN AND PARISH MEMBER CODES OF CONDUCT

The Committee received an update report of the status of Town and Parish Member Codes of Conduct, as set out at Agenda pages 9 to 12.

The report stated that, in 2020, the Local Government Association (LGA) published a model Member Code of Conduct. The Borough Council adopted this model (with some minor revisions) at its meeting on 22 July 2021.

The remit of the Borough Council's Standards Committee also covered the standards arrangements for the 17 town and parish councils in the Borough. This required the Borough Council's Monitoring Officer and Standards Committee to administer any complaints against town and parish councillors. Individual town and parish councils had been encouraged to consider the LGA Model and whether they needed to update their own local Code of Conduct.

The report provided an update (Appendix 1) on the status of the Member Code of Conduct for each town/parish council and provided an opportunity for the Committee to further promote and enhance awareness of the importance of high standards of conduct amongst all elected Members.

Members considered the information set out in Appendix 1 to the report and raised the following points:

A number of town/parish councils had update their Code of Conduct, but some had not. Were there any specific reasons for this? Andrew Moulton stated that he would make enquiries about the councils who had not yet updated their Code of Conduct.

RESOLVED That:

- 1) The update on town/parish Codes of Conduct be noted;
- 2) Andrew Moulton contact the towns and parishes which had not yet updated their Codes of Conduct and report any issues to a future meeting of the Committee.

26. UPDATE ON COMPLAINTS

The Committee considered an update report on Code of Conduct complaints, as set out at Agenda pages 13 to 19.

The report stated that, since the last update, in October 2022, two new complaints had been received. Neither complaint constituted a breach of the Code of Conduct. A further complaint had been received following the publication of the Committee's Agenda.

Updates on progress relating to the 2022/23 complaints were set out at Appendix A to the report. In addition, Appendix B provided the latest position regarding historic complaints relating to a town council. In total there were seven outstanding complaints relating to the town council previously reported. Four of these complaints had been resolved and the remaining three were with Legal Services for review and action as shown in the report. It was anticipated that the three remaining complaints would be addressed before the next meeting of the Committee.

RESOLVED That:

- 1) the update on Code of Conduct complaints be noted;
- 2) progress relating to the outstanding complaints at a town council be welcomed.

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Agenda Item 34.

TITLE Update on Complaints

FOR CONSIDERATION BY Standards Committee on 24 March 2023

WARD (All Wards);

LEAD OFFICER Chief Executive - Susan Parsonage

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 January 2023, there have been two new complaints received.

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

In addition, at **Appendix B** is the latest position regarding the three remaining historic complaints relating to a town council. A verbal update will be provided on the conclusions of these reviews.

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.

The latest position on Woodley Town Council historic complaints is provided at Appendix B.

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

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?)

Public Sector Equality Duty
This is an information update report

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
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

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 16 March 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.	Independent Person consultation held on 3/3/23 where it was agreed to commission an investigation into the complaint.	Ongoing	Y
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.	Ongoing	Y
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 complete - next steps to be confirmed for which a verbal update will be provided at the Committee meeting.	Ongoing	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)

Appendix B – Woodley Town Council

Date Rec'd	Subject Member	Complainant	Allegation	Status	Outcome
13 Dec 2020	Councillor "C"	Woodley TC member	Conduct of a fellow councillor during a Council meeting.	Acknowledgement made on 14 Dec 2020, initial assessment conducted on 8 Jan which concluded that a short investigation was required which was inconclusive given lack of response from Subject Member.	Legal Services final review – outcome to be reported verbally at Committee.
21 Dec 2020	Councillor "A"	Woodley TC member	Conduct of a fellow councillor during an online Council meeting.	Councillor "A" agreed to make apology to complainant. No complaint forthcoming so complaint re-opened however Councillor "A" asserts that he withdrew the remark in question at the meeting and later apologised.	Legal Services final review – outcome to be reported verbally at Committee.
4 Nov 2021	Councillor "A"	Woodley TC member	Breach of confidentiality in disclosing to the press the outcome of the Sept 21 Hearings Panel.	Monitoring Officer consulted with Chair of Standards Committee and wrote to Councillor "A" on 11 & 17 November 2021 seeking information. Councillor "A" confirmed that one of his witnesses (a journalist) to the Sept 21 Hearing Panel had published the article without his knowledge. Case under review by Legal Services.	Legal Services final review – outcome to be reported verbally at Committee.

Agenda Item 35.

TITLE	Standards Committee Annual Report 2022-23
FOR CONSIDERATION BY	Standards Committee on 24 March 2023
WARD	None Specific
LEAD OFFICER	Monitoring Officer - Andrew Moulton

OUTCOME / BENEFITS TO THE COMMUNITY

This is the annual report of the Standards Committee and covers the municipal year 2022/23. The format of the report has been developed to enable the reader to form a view about the effectiveness of the Committee's activities during the year and its oversight of the standards framework within which Wokingham Borough Council operates.

RECOMMENDATION

Standards Committee is asked to agree the 2022/23 annual report of the Chair of Standards Committee for presentation to the next meeting of Council on 18 May 2023.

SUMMARY OF REPORT

The Annual Report attached outlines the activities undertaken by the Standards Committee over the past year.

Although there is no legal requirement to prepare a report, it is considered to be good practice to present the report to a public meeting to raise the profile of the work of the Committee.

Background to Annual report of Standards Committee

A report of the activities of the committee for the financial year 2022/23 has been prepared and is included within Appendix 1.

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

Other financial information relevant to the Recommendation/Decision

None.

Cross-Council Implications

None.

Public Sector Equality Duty

This is an information report – an equalities assessment is not required.

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

There are no direct implications impacting on the Council's carbon neutral objective.

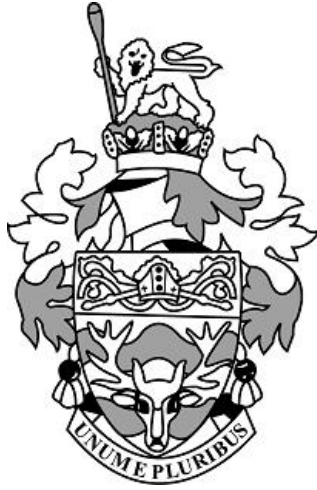
Reasons for considering the report in Part 2

Not applicable.

List of Background Papers

None.

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



WOKINGHAM BOROUGH COUNCIL

Standards Committee

Annual Report

2022/23

Submitted to the Council – March 2023

Introduction by Morag Malvern, Chair of the Standards Committee

I am pleased to present the Annual Report of the Standards Committee for 2022/23.

The main aim of the Standards Committee is to promote and maintain the highest standards of conduct by elected Members representing the Borough, Town and Parish Councils. Local government impacts the lives of residents every day, providing essential services to those it serves. High standards are required in order to demonstrate that key decisions are taken in the public interest and to maintain public confidence in elected Members and officers.

Lord Evans, Chair of the Committee on Standards in Public Life stated recently:

“Doing things in the right way and in the public interest is critical for public confidence in the bodies that operate on the public’s behalf and supports the delivery of public services. A robust ethical culture supports effective risk management – if people see thinking about ethical issues as part of their job and feel safe to speak up, this can pick up potential concerns before they escalate..... Our evidence shows that an ethical culture does not emerge by accident. It requires discussion and action”.

Members’ conduct should be underpinned by the ethical standards summarised in the seven principles of public life, also known as the Nolan Principles - selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Standards Committee met four times during the year and focussed on ensuring that the Borough Council’s policies, as set out in the Member Code of Conduct, were up-to-date, understood and underpinned by best practice. Bearing in mind the significant ongoing challenges facing the Borough, Town and Parish Councils over the year, I am pleased to report that the level of Code of Conduct complaint activity in 2022/23 remained at a relatively low level compared to previous years.

I would like to record my thanks to the Borough, Town and Parish Members, officers and Independent Persons who contributed to the work of the Committee during the year.

**Morag Malvern
March 2023**

1.0 What does the Standards Committee Do?

The role of the Standards Committee is to promote, monitor and enforce probity and ethical standards amongst elected Members within the Wokingham Borough, including Town and Parish Councillors. The Localism Act 2011 removed the requirement for a national code of conduct and statutory Standards Committees. The Act introduced a locally focussed “light touch” framework for the adoption of a Member Code of Conduct, and processes for the receipt and consideration of complaints. Although not obliged to do so under the terms of the Localism Act, Wokingham Borough Council decided to maintain a dedicated Standards Committee.

In addition to maintaining an overview of Code of Conduct complaints against Wokingham Borough Council Members, the Committee is also responsible for overseeing complaints against Town and Parish Councillors. The Committee discharges this duty through regular consideration of update reports from the Monitoring Officer who is responsible for deciding on and dealing with complaints, except for those which are required to be referred to a Hearing Panel of the Standards Committee. If the complaints process determines that a Town/Parish Councillor is in breach of the Code of Conduct, recommendations will be submitted to the relevant Town/Parish Council as to the appropriate sanction. However it is for the Town/Parish Council to decide what action is to be taken.

Role and Functions

The Standards Committee has the following role and functions:

- a) promoting and maintaining high standards of conduct by elected Members, co-opted members and officers;
- b) assisting the elected Members and co-opted members to observe the Member Code of Conduct;
- c) advising the Council on the adoption or revision of its Member Code of Conduct;
- d) monitoring the operation of the Member Code of Conduct, the Officer Code of Conduct, the Council’s Whistleblowing Policy and any other appropriate codes of conduct and procedures;
- e) advising, training or arranging to train elected Members and co-opted members on matters relating to the Members’ Code of Conduct;
- f) the exercise of (a) to (e) above in relation to the Parish/Town Councils in the Borough and the members of those Parish/Town Councils;
- g) the presentation of an annual report by the Chair of the Standards Committee to Council.

2.0 The Nolan Principles of Public Life

As mentioned earlier, elected Members should seek to carry out their duties in line with a set of principles known as the Nolan Principles. In 1994, Prime Minister John

Major established the Committee on Standards in Public Life, chaired by Lord Nolan. The Committee's first report established a set of seven guiding principles for conduct in public life.

The Principles of Public Life apply to anyone elected or appointed to public office, nationally and locally, and everyone appointed to work in local government, the Civil Service, police, courts and probation service, etc. All public office-holders are both servants of the public and stewards of public resources.

The seven Nolan Principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Building on the Nolan Principles, the Local Government Association (LGA) has developed the following general principles specifically for the role of elected Member:

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of elected Member.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

3.0 **Who Sits on the Standards Committee?**

The Committee is made up of seven Wokingham Borough Council Members. These Members are voting members of the Committee and are appointed on the basis of political proportionality. An elected Member from Wokingham Borough Council chairs the Committee. The Committee also includes three, non-voting, Town and Parish Council representatives. The 2022/23 membership of the Committee was:

Wokingham Borough Council Representatives:

- Morag Malvern (Chair)
- Imogen Shepherd-Dubey (Vice-Chair)
- Sam Akhtar
- Graham Howe
- Chris Johnson
- John Kaiser
- Adrian Mather

Town and Parish Council Representatives

- Sally Gurney (Wokingham Town Council)
- Roy Mantel (Twyford Parish Council)
- Sheena Matthews (Earley Town Council)

4.0 **Independent Persons**

Under the terms of the Localism Act 2011, Wokingham Borough Council is required to appoint an Independent Person (a member of the public, not a Council Officer or elected Member) whose views must be sought before a Hearing Panel of the Standards Committee takes a decision on an allegation.

The Independent Person's views may also be sought on an allegation prior to that stage. In addition, a Member who is subject of an allegation may seek the views of an Independent Person. Three people are currently acting in the Independent Person role:

- David Comben
- Paddy Haycocks
- Nick Oxborough

An Independent Person cannot sit as a member of the Standards Committee, but may attend meetings with the same rights as a member of the public.

5.0 Who Supports the Standards Committee?

The Committee is supported by:

- Andrew Moulton, Assistant Director, Governance and Monitoring Officer;
- Neil Carr, Democratic and Electoral Services Specialist.

6.0 Standards Committee Activity in 2022/23

During the 2022/23 Municipal Year 12 Code of Conduct complaints were received. The Standards Committee considered an update report on the complaints and investigations at each of its meetings. The complaints included:

- alleged disrespect by a Member in social media exchanges;
- two cases relating to the content of posts on social media;
- an allegation of bringing the office of elected Member into disrepute following comments made in a media interview;
- various breaches of the Code relating to correspondence;
- allegations about a letter circulated to residents prior to the May 2022 elections;
- alleged interference in the Planning process;
- failure to declare an interest at a Council meeting.

Of the 12 complaints received, no action was taken in eight, one was withdrawn and three are still under consideration by the Monitoring Officer in liaison with the Independent Person.

As agreed previously, in cases where no action was taken, the complainant and other interested parties received a detailed explanation of the reasoning behind the decision.

It is worth reiterating that the number of complaints received should be seen in the context of there being 54 Borough Council Members and over 200 elected Members of Town and Parish Councils across the Borough. Whilst recognising that the level of complaint activity in 2022/23 was relatively low, the Committee continues to recognise the importance of dealing with every complaint seriously and expeditiously.

In addition to discussing complaints activity, the Committee also considered the following issues and updates:

- the Monitoring Officer met with the Town and Parish Clerks during the year to discuss measures to raise awareness about the Member Code of Conduct. It was agreed to provide further promotion and awareness training and to consider the development of an on-line training package.
- there was a recognition that the complaints about the use or misuse of social media were increasing. It was agreed that effective and safe use of social media would be the subject of additional training for Members.

- there was concern about the time taken to resolve a number of complaints. This was frequently due to the fact that Members complained against did not engage with the process. It was agreed that measures be considered to speed up the process in these circumstances, i.e. by setting clear deadlines.
- Members requested additional training on a number of issues, including greater understanding of the contents of the Member Code of Conduct, the process for handling complaints, the Member-Officer Protocol, the role of the Independent Person and the rules of natural justice. It was agreed that short training sessions be incorporated into meetings of the Committee.

7.0 **LGA Model Code of Conduct**

In December 2020, the Local Government Association (LGA) published a Model Code of Conduct. All councils were required to adopt a local Member Code of Conduct and the Model Code was provided for use by councils as a template to adopt in whole and/or with local amendments should they wish to. It is the role of the Standards Committee to determine whether to recommend the Model Code, amended or otherwise, to full Council for inclusion in the Council's Constitution. Council subsequently agreed to adopt the LGA Model Code with variations proposed by the Standards Committee.

8.0 **Review of Policies and Procedures**

In line with an independent review of the Council's policies and procedures, subsequently approved by Council, the following changes were implemented during the year in order to bring WBC into line with best practice nationally:

- the process for considering Code of Conduct Complaints was published on the WBC website.
- the internal timescale for acknowledgement of a complaint (three working days) was formalised.
- 15 working days for a Member to respond to a complaint was agreed, with discretion for the Monitoring Officer to extend this period depending on the relevant circumstances.
- in Parish or Town Council cases the process stated that the Monitoring Officer would seek the Clerk's views - this was confined to factual matters.
- initial assessment of complaints was undertaken by the Monitoring Officer in conjunction with the Independent Person - the Chair of the Standards Committee was no longer involved.
- in cases where informal resolution had been pursued but had not been successful, the option to refer the matter for formal investigation was established.
- in cases where informal resolution had followed an investigation and led to a finding of a breach of the Code of Conduct, the Subject Member's name was now disclosed publicly.

- as a decision-making body of the Council a Hearings Panel meeting was covered by the rules relating to access to information and political balance. It was recognised, therefore, that there should not be a blanket presumption towards closed hearings, with each meeting to consider the facts on their merits at the start of proceedings. The Committee decided that the Hearings Panel could meet in public but the Panel would retire to consider and make any decisions in private.
- political proportionality should apply to Hearings Panel meetings.

8.0 **Standards Committee – Future Actions**

The Standards Committee will continue to make further improvements to the Code of Conduct and its supporting procedures in order to ensure continuous improvement in line with best practice. In so doing it will seek to maintain the credibility and good governance of the Borough, Town and Parish Councils.

The Committee will commission further training and support, as necessary, to underpin high standards of ethical behaviour by elected Members and officers across the Borough. The Committee is keenly aware that high standards of behaviour help to build trust in elected representatives which is crucial to the democratic process. The Committee aims to ensure that the highest standards of behaviour are delivered and complaints are kept to a minimum. Any complaints received, however, will be investigated robustly and fairly.