

**MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE
HELD ON 18 JULY 2022 FROM 7.00 PM TO 7.45 PM**

Committee Members Present

Councillors: Sam Akhtar, Graham Howe, Chris Johnson, Morag Malvern, Adrian Mather and Imogen Shepherd-DuBey

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)

Officers Present

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

1. ELECTION OF CHAIR

The Committee elected a Chair for the 2022/23 Municipal Year.

RESOLVED: That Morag Malvern be elected Chair of the Standards Committee for the 2022/23 Municipal Year.

2. APPOINTMENT OF VICE-CHAIR

The Committee appointed a Vice-Chair for the 2022/23 Municipal Year.

RESOLVED: That Imogen Shepherd-Dubey be appointed Vice-Chair of the Standards Committee for the 2022/23 Municipal Year.

3. APOLOGIES

An apology for absence was submitted from John Kaiser.

4. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 30 March 2022 were confirmed as a correct record and signed by the Chair.

5. DECLARATION OF INTEREST

There were no declarations of interest.

6. PUBLIC QUESTION TIME

Tony Johnson asked the Chair the following question:

Information published as regards the outcome of the public consultation on the Election Cycle appears to be:

- Inadequate for Member (<2 days) or Public (<0.5 day) understanding.
- Inconsistent with Rules 3.2.7 & 3.2.8 of WBC's Constitution.
- Inconsistent with the provisions of clauses of the Local Government Act 1972 and the Public Bodies (Admission to Meetings) Act 1960.
- An analysis which omits to mention that out of circa 1000 written responses - 40% were in favour of "all-out" and 60% were in favour of "thirds".
- An analysis which gave mis-impression by omitting over 450 responses on topics the summary did mention.

- An analysis which failed to acknowledge 27 public challenges as regards the true costs of elections.
- An analysis which omitted any public concern or challenge as to the conduct of the consultation.
- “Information Hiding” of Appendix B by publishing on a lower level web-page.
- Providing a misleading answer to a public question at a Council Meeting.

And where publication of a non-existent clause in WBC’s Constitution - Rule 6.3.34 d) - may have led to suppression Call-In of the Executive’s decision in January.

Please could the Council explain why this pattern of conduct occurred?

Answer:

At the meeting of the Extraordinary Council on 22 June, Members received an officer report on the electoral cycle which included a range of information including a section summarising the results of a public consultation.

The detailed consultation feedback was highlighted in the report as a “background” document. This means that the information is available to Members and the public, and, in fact, the document was provided in advance of the meeting to all Members and uploaded as a background document on the relevant agenda page on the Council’s website.

As a background document, it was dealt with in accordance with Rule 3.2.10 of the Constitution, which states that such documents will be made available for public inspection for four years after the date of the meeting.

Notwithstanding the above, in the interests of continuous improvement, I understand the Monitoring Officer is reviewing what learning may be appropriate to ensure the Council can provide the further assurance to members of the public like yourself that the Council does not, as you suggest “hide” information but meets its commitment of full and open transparency.

Turning now to your query about the January 2022 Executive meeting, I can confirm that Rule 6.3.34d) does exist and states that “no decision taken by the Council or due to be referred to Council for final approval” can be called-in. Therefore the decision, relating to Whole Council Elections, made by the Executive in January, which I believe is what you are referring to, was not eligible for call-in as it was due for consideration at the February Council meeting.

Supplementary Question

This is not an expression of concern about service delivery and it is not a complaint about a specific person’s or persons’ conduct at this time. In the content of Appendix B there are 20 allegations of bias. There are 15 concerns as to the voting methodology, specifically voting twice. The word condescending appears. The word patronising appears. I am happy to circulate details of this and my analysis to you.

If the Nolan Standards are to mean anything around here, what action does the Standards Committee propose to take to improve the conduct of everybody?

Supplementary Answer

That is a good question which requires considerable thought and attention. As you know, I am new to this role, so I will provide a written answer in due course.

7. MEMBER QUESTION TIME

There were no Member questions.

8. PARISH / TOWN COUNCIL QUESTION TIME

There were no questions from Town or Parish Members.

9. UPDATE ON COMPLAINTS AND TRAINING PROGRAMME

The Committee considered a report, set out at Agenda pages 9 to 16, which provided an update on progress relating to Councillor Code of Conduct complaints.

The report stated that, since the previous meeting in March, five complaints had been received – four relating to WBC Members and one relating to a Town/Parish Councillor. No action was taken in relation to four complaints whilst one was subject to further investigation.

Appendix A to the report gave details of the complaints received in 2022/23 to date. Appendix B gave details of previously outstanding complaints relating to two Parish Councillors.

The Monitoring Officer reported that he had met with the Town and Parish Clerks in March to discuss options to raise awareness of Code of Conduct. The Clerks reported that their Councils had either recently adopted the new LGA Code of Conduct or were actively considering it. It was agreed that further promotion and awareness training could take place in 2022/23. It was also agreed that the Monitoring Officer would develop an online training package for use by the Towns and Parishes. This work was ongoing.

In the ensuing discussion Members raised the following points:

What was the role of the Standards Committee in resolving alleged breaches of the Code of Conduct? It was confirmed that the Standards Committee's role was to set the standards of behaviour expected, ensure that Members received adequate training and support and identify any trends or issues requiring further intervention. A small number of complaints ended up at a Hearings Panel, made up of members of the Committee. The work of the Committee was publicised with any Members found to have breached the Code of Conduct being the subject of a public decision notice.

In relation to the backlog of complaints, what has been done to speed up the process? It was confirmed that additional resources had been identified, for example through the role of Deputy Monitoring Officer.

It was apparent that breaches relating to the use or misuse of social media were increasing. What was the Council doing to address this trend? It was confirmed that training for Members would be delivered in the autumn of 2022. In the meantime, the Monitoring Officer was happy to talk to Members about specific issues or concerns.

In relation to cases where Members did not co-operate with the Monitoring Officer, was it possible to introduce additional sanctions under the Code of Conduct. It was confirmed that this suggestion would be given further consideration.

In relation to Member training, it was felt that induction training for new Members should be supported by an annual refresh on the Code of Conduct for all Members.

Was it possible to provide additional support for Town and Parish Chairs, to help them to deal with complaints locally? It was confirmed that the Monitoring Officer already provided support for Clerks who were dealing with complaints. Additional support for Chairs could be considered but would be dependent on the finite resources available for the Monitoring officer. The Monitoring Officer was happy to have further discussions with the Clerks on these issues.

In relation to the high number of complaints relating to Woodley Town Council, did this relate to a small number of repeat offenders or were the complaints spread amongst a wider group of Members? The Monitoring Officer undertook to consider this issue further before reporting back to the Committee.

RESOLVED That:

- 1) the update on Code of Conduct complaints be noted;
- 2) a further update on the training issues raised by Members be provided at the next meeting of the Committee on 24 October 2022.