

**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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