



WOKINGHAM BOROUGH COUNCIL

Standards Committee

Annual Report

2015/16

Submitted to the Council – March 2016



Introduction by Rob Stanton, Chairman of the Standards Committee

I am pleased to present the Annual Report of the Standards Committee for 2015/16.

The Standards Committee met four times during the year and continued to focus on the maintenance of the highest standards of conduct by elected representatives of the Borough, Town and Parish Councils.

The main role of the Committee is to ensure that the Borough Council's policies, as expressed in the Members' Code of Conduct, are up to date and underpinned by best practice. In order to achieve this aim the Committee approved changes to the Code of Conduct during the year which were subsequently ratified by the full Council. The changes made the Code of Conduct easier to understand, for both Members and residents, and clarified the guidance around the declaration and registration of interests. Issues relating to Member interests had been flagged as an area of concern in the previous year's Annual Report.

The Committee also considered further improvements to the operation of the Code of Conduct through an update to the Member-Officer Protocol and the development of guidance on bullying and intimidation, blogging and the use of social media. Appropriate use of social media is an increasingly important issue as more and more transactions and communications are carried out on line.

I am pleased to report that 2015/16 has seen a reduction in the level of complaint activity against elected Members. This is welcome news, but the Committee will continue in its efforts to drive continuous improvement and maintain the highest standards across the Borough. In order to support this commitment, the Committee has sponsored further training sessions for Borough, Town and Parish Members and Officers.

During the year, two additional Independent Persons were appointed to support the work of the Committee and the Council's Monitoring Officer. I am pleased to see that local residents are willing and able to play this important role. On a sadder note, I would also like to recognise the contribution of John Bingham to the role of Independent Person. John provided a wealth of experience, sound judgement and good sense. On behalf of the Committee I would like to record our thanks and our best wishes to John's family.

Finally, I would like to record my thanks to the Members, Independent Persons and Officers who contributed to the work of the Committee during the year.

Rob Stanton
Chairman, March 2016

1.0 What does the Standards Committee Do?

The broad role of the Standards Committee is to promote, monitor and enforce probity and ethical standards amongst Councillors within the Wokingham Borough area including Town and Parish Councillors.

In July 2012 the Localism Act introduced a locally focussed and designed system for the adoption of a Councillor Code of Conduct, and processes for the receipt, and consideration of complaints against Councillors. Although not obliged to do so by the Localism Act, Wokingham Borough Council decided to maintain a dedicated Standards Committee.

In addition to the receipt and consideration of Code of Conduct complaints against Wokingham Borough Council Members, the Committee is also responsible for the receipt and consideration of complaints against Town and Parish Councillors.

The Terms of Reference for the Committee as set out within Chapter 9 of the Constitution are set out below:

Role and Functions

The Standards Committee has the following role and functions:

- a) promoting and maintaining high standards of conduct by Councillors, co-opted members, including church and parent governor representatives;
- b) assisting the Councillors, co-opted members, including church and parent governor representatives, to observe the Members' Code of Conduct;
- c) advising the Council on the adoption or revision of its Members' Code of Conduct;
- d) monitoring the operation of the Members' Code of Conduct, the Officers' Code of Conduct and the Council's Whistleblowing policy and any other appropriate codes of conduct and procedures;
- e) advising, training or arranging to train Councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- f) the exercise of (a) to (e) above in relation to the parish/town councils wholly or mainly in its area and the members of those parish/town councils;
- g) the presentation of an annual report by the Chairman of the Standards Committee to Council.

2.0 Who Sits on the Standards Committee?

The Committee is made up of six Wokingham Borough Council Members. These Members are voting members of the Committee and are appointed on the basis of political proportionality. A Member from Wokingham Borough Council chairs the Committee. The current Chairman is Councillor Rob Stanton.

The Committee also includes three, non-voting, Town and Parish Council representatives.

The 2015/2016 membership of the Committee was as follows:

- Rob Stanton, (Chairman)
- Pauline Helliard-Symons (Vice-Chairman)
- Chris Bowring
- Ken Miall
- Malcolm Richards
- Beth Rowland

- Roger Loader (Barkham Parish Council)
- Roy Mantel (Twyford Parish Council)

Currently there is a vacancy for a Town Council representative to the Committee.

3.0 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 Councillor) whose views must be sought before the Committee takes a decision on an allegation it has decided to investigate. The Independent Person's views may also be sought on an allegation prior to that. In addition, a Councillor who is subject of an allegation may seek the views of the Independent Person.

Three people have been appointed as Independent Persons:

- David Comben
- David Jones
- Carole Luurtsema

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

4.0 Who Supports the Standards Committee?

The Committee is supported by:

- Andrew Moulton, Monitoring Officer and Head of Governance and Improvement Services.
- Mary Severin, Deputy Monitoring Officer and Borough Solicitor.
- Neil Carr, Principal Democratic Services Officer.

5.0 Complaint Statistics 2015/16

During the 2015/16 Municipal Year four Code of Conduct complaints were received. Three of the complaints were made against Members of Wokingham Borough Council with one complaint against a Town Councillor. In one case, no further action was taken by the Monitoring Officer in accordance with the powers delegated to him. At the time of writing, the other three complaints were under consideration.

In comparison, during the 2014/15 Municipal Year 18 Code of Conduct complaints were received (of those 18 complaints, eight involved the same complaint against eight individual Members).

A Standards Committee Hearings Panel was held in July 2015 following an investigation into a complaint, received in February 2015, against a Parish Councillor. The Panel found that the Parish Councillor had breached the Code of Conduct. However, no further action was taken as the Councillor was no longer a member of the Parish Council.

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

6.0 Standards Committee Activity 2015/16

Since the previous Annual Report to the Council, in March 2015, the Committee has met four times and has considered a range of issues including:

- Revisions to the Member Code of Conduct – to make the Code easier to understand and to provide further clarification on the registration and declaration of Member interests.
- The process for handling misconduct complaints against Members – to make the process more streamlined and to evaluate the merits of an additional right of appeal for Members who are the subject of complaints.
- Updates to the Member-Officer Protocol – to provide a more streamlined protocol with supporting information set out in appendices.
- Guidance on bullying and intimidation – to provide guidance to Members and residents about the definition of bullying and examples of behaviours from across the country that resulted in Code of Conduct violations.
- Guidance on blogging, networking and the use of social media – to provide additional guidance to Members on the rights and responsibilities associated with on line communications and the use of social media.
- Regular updates on complaints and feedback – to provide Members with feedback on the operation of the Member complaints process, the outcome of individual cases and any learning points arising.

Training and support for Members has been provided during the year, particularly with regard to the provision of practical advice around the declaration of interests. Supplementary guidance on this matter has been issued by the Monitoring Officer. A training session was also provided for Town and Parish Council Members and Officers. Refresher training will take place as part of the induction process for new Borough Council Members in May 2016.

7.0 Standards Committee - Future Activity

The Committee will continue to seek improvements to the Code of Conduct and supporting processes 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. It will also deliver further training and support to underpin high standards of ethical behaviour by elected Members and Officers across the Borough.

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