
Update on Ethical matters – Quarter 1 of 2016/17– Supporting Information

1. Introduction

- 1.1 The Localism Act 2011 was enacted on 15th November 2011 and it made fundamental changes to the system of regulation of the standards of conduct for elected and co-opted members of Councils and Parish/Town Councils.
- 1.2 As part of the legislative framework the Council is required to set up a committee and underpinning processes to ensure that high standards of conduct are promoted. In July 2015 this responsibility was transferred to the Governance and Ethics Committee from the Standards Committee.
- 1.3 It was agreed that the Monitoring Officer would continue to take quarterly reports to the Governance and Ethics Committee to ensure ongoing monitoring of ethical standards in the district. This report sets out the membership, number and nature of complaints received, highlights gifts and hospitality received by District Councillors, and highlights areas where training or other action might avoid further complaints in the future. It also provides a means of updating the Committee on the progress of ongoing investigations and changes to policies and procedures.

2. Standards Regime

- 2.1 The Council has adopted a regime to meet the requirements of the Localism Act 2011 and the Regulations made under that Act including:
 - Terms of Reference for the Governance and Ethics Committee and Advisory Panel;
 - Code of Conduct for West Berkshire District Councillors;
 - Gifts and Hospitality Code;
 - complaints procedures for breaches of that code;
 - dispensations procedure.
- 2.2 A small member Task Group has been set up to review the Code of Conduct for West Berkshire Councillors as well as the Gifts and Hospitality Protocol. A separate report on the proposed changes will be presented to the Committee at this meeting.

Membership

Independent Persons

- 2.3 Under Section 28 of the Localism Act 2011 the Council has to ensure it has appointed at least one Independent Person who is consulted before any decision is made to investigate an allegation against any Member of the Council or any Parish/Town Councillor. It was agreed at the Full Council meeting on the 27 September 2012 that the Independent Person may be consulted directly either by the person who has made the complaint or the person the complaint has been made about. Following the 02 July 2015 meeting three Independent Persons have been

appointed and they will be used on a rotational basis to assess complaints and support the Advisory Panel.

2.4 The Independent Persons for 2016/17 are:

- Lindsey Appleton
- James Rees
- Mike Wall

Governance and Ethics Committee

2.5 The Governance and Ethics Committee consists of ten members, eight District Councillors, reflecting the political balance of the Council and two co-opted non voting Parish/Town Councillors. The membership for 2016/17 is as follows:

- Steve Ardagh-Walter,
- Jeff Beck,
- Graham Bridgman,
- James Cole,
- Lee Dillon,
- Rick Jones,
- Anthony Pick,
- Quentin Webb,
- Chris Bridges, (Non-voting Parish Council representative)
- Barrie Dickens (Non-voting Parish Council representative)

- Billy Drummond (substitute)
- Sheila Ellison (substitute)
- Tim Metcalfe (substitute)

Advisory Panel

2.6 The Advisory Panel consists of eight Members, two from each of the political parties, two parish councillors and two Independent Persons will also be included on each Advisory Panel and they will be used on a rotational basis. The Independent Person consulted as part of the Initial Assessment should not sit on the associated Advisory Panel if one is required. The Advisory Panel meetings will be chaired by an Independent Person.

2.7 The Membership for 2015/16 is as follows:

- Adrian Edwards
- Marigold Jacques
- Mollie Lock,
- Alan Macro
- Tony Renouf,
- Darren Peace

3. Parish/ Town Councils

3.1 Parishes and Town Councils have been asked to provide the Monitoring Officer with their Parish Councillor's Registers of Interest forms where changes have been

made to the Chairmanship or Membership of the Council. This information will be posted on the relevant websites or where the Parish Council does not have a website it will be published on West Berkshire Council’s website. Work on collecting this information is ongoing. Parishes are currently updating changes to Chairmen and Vice-Chairmen details and these will be reflected on the website in due course.

4. Council’s Constitution

4.1 Since March 2016 a number of changes have been made to the Constitution: The Monitoring Officer under his delegated authority has authorised the following changes:

- Part 1 – Summary and Explanation paragraph 1.5(inclusion of Select Committees)
- Part 2 – Articles of the Constitution, paragraphs 2.2.3, 2.3.4, 2.4.3, 2.7.1, 2.7.2, 2.7.9. and 2.7.11 (inclusion of Select Committees) and to 2.6.5 reflect new Portfolios
- Part 3 – Scheme of Delegation paragraphs 3.16.2,3.16.3 and 3.16.15 to Update the Schedule of Proper Officer Appointments and also 3.15.3 updated
- Part 4 – Council Rules of Procedure, paragraphs 4.6.2 and 4.2.2, 4.3.1 and Appendix A to reflect inclusion of the Select Committees
- Part 5 – Executive Rules of Procedure, paragraphs 5.6.3, 5.1.3,5.3.2,5.4.2, 5.5.4,5.6.10 and App A
- Part 6 – Overview and Scrutiny Rules of Procedure. Entire Section changed to reflect introduction of Select Committees
- Part 7 – Regulatory and Other Committees Rules of Procedure, paragraph 7.2.5 and Appendix A – Select Committee Introduction
- Part 13 – Codes and Protocols – Appendix A

4.2 In addition Part 15 – Management Structure was amended under delegated authority by the Chief Executive on 12 April 2016.

5. Complaints Against Councillors

5.1 During Quarter 1 of 2016/17 (April – June 2016) no formal complaints were received by the Monitoring Officer.

6. Dispensations

6.1 No dispensations to West Berkshire Councillors were granted during Quarter 1 of 2016/17.

7. Gifts and Hospitality

7.1 The following offers of gifts and hospitality were reported in Quarter 1 of 2016/17:

Member	Event	Offer	Accepted
Virginia von Celsing	Drinks reception and performance of One Million Tiny Plays About Britain at the Watermill Theatre	<£25	Yes
Graham Jones	Meal, Bed and Breakfast and tour around Jockey Club facilities at the jockey club	£100	Yes

	Newmarket		
Gordon Lundie	Meal, Bed and Breakfast and tour around Jockey Club facilities at the jockey club Newmarket for two	£200	Yes
Clive Hooker	Attendance to the air show, coffee, lunch and afternoon tea on 9th July at Fairford Airshow	TBC	TBC
Adrian Edwards	Freedom of Reading Borough for 7 Rifles (food and drink)	£15	Yes
Adrian Edwards	RBFRS awards ceremony at Easthampstead Conference Centre (food and drink)	£30	Yes
Adrian Edwards	Parade at Windsor Guildhall of Thames Valley Wing Air Training Corps on their 75th Anniversary (food and drink)	£15	Yes
Hilary Cole	Invitation to Cocktail Party and Beating Retreat ceremony at Denison Barracks (food and drink)	£15	Yes
Roger Croft	IKEA Swedish breakfast for store opening (breakfast for two)		Yes
Tony Linden	IKEA Swedish breakfast for store opening (breakfast)	Less than £25	Yes
Jeanette Clifford	Friends of Newbury Cemetery Open Day and AGM on 11th June 2016 (sandwich lunch and soft drinks)	£10	Yes
Jeanette Clifford	Royal Geographical Society Medals and Awards Ceremony - Annual Reception on 6th June 2016 (supper for individual society guests)	£50	Yes
Jeanette Clifford	Saxton Bampfylde Summer Party and Private Showing at the V&A on 14th June 2016 (summer party and private showing)	£50	Yes
Jeanette Clifford	American Embassy Independence Day reception on 30th June 2016 (reception)	£50	Yes
Adrian Edwards	South East Reserve forces briefing and supper at RMA Sandhurst (briefing and supper)	£50	Yes

7.2 In addition all hospitality received by the Chairman whilst undertaking his civic duties is documented and reported to the Monitoring Officer.

8. Training or Other Action Identified to avoid Further Complaints

8.1 A training session for town and parish councillors will take place on 18th October 2016.

9. Conclusion

9.1 Following a busy fourth quarter in 2015/16 the level of activity has been much less in in Quarter 1 of 2016/17. However this has enabled work to be carried out on the review and revision of the Code of Conduct and the Gifts and Hospitality Protocol. The systematic review of the Constitution continues and any major changes will be reported to the Committee over the coming months. Complaints have not materialised in the first quarter but there is no pattern or evidence as to why this is the case.

Background Papers:

- Localism Act 2011
- Reports to Council 10 May 2012 and Special Council on the 16 July 2012
- Terms of Reference for the Governance and Ethics Committee and Advisory Panel;
- A new Code of Conduct for West Berkshire District Councillors.

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval	<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input checked="" type="checkbox"/>

Wards affected: All Wards

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

MEC – Become an even more effective Council

The proposals contained in this report will help to achieve the following Council Strategy priority:

MEC1 – Become an even more effective Council

The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by ensuring that high ethical standards are maintained by District, Town and Parish Councillors

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