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# Update on Ethical Matters – Quarter 3 of 2016/17 – Supporting Information

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## 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.

## Membership

### *Independent Persons*

- 2.2 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.

2.3 The Independent Persons for 2016/17 are:

- Lindsey Appleton
- James Rees
- Mike Wall

**Governance and Ethics Committee**

2.4 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,
- Keith Chopping,
- James Cole,
- Lee Dillon,
- 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**

2.5 The Advisory Panel consists of eight Members, two from each of the political parties, two parish councillors and two of the 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.

2.6 The Membership for 2016/17 is as follows:

- Adrian Edwards (Conservative)
- Marigold Jacques (Conservative)
- Mollie Lock, (Liberal Democrat)
- Alan Macro, (Liberal Democrat)
- Tony Renouf, (Parish Councillor)
- Darren Peace (Parish Councillor)

**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 continually updating changes to Chairmen and Vice-Chairmen details and these changes are reflected on the website once the Council is notified.

#### 4. Council's Constitution

- 4.1 Since October 2016 no changes have been made to the Constitution: Officers are in the process of amending the entire Constitution to reflect the changes arising from the Senior Management Review which was agreed at the December Executive meeting.

#### 5. Complaints Against Councillors

- 5.1 No formal complaints have been submitted against District, Town or Parish Councillors during quarter 3 of 2016/17.

#### 6. Dispensations

- 6.1 No dispensations to West Berkshire Councillors were granted during Quarter 3 of 2016/17.

#### 7. Gifts and Hospitality

- 7.1 The following offers of gifts and hospitality were reported in Quarter 3 of 2016/17:

| Member         | Event   | Offer   | Accepted |
|----------------|---|---|----------|
| Adrian Edwards | History and Times of the Boxford Basques in an exhibition at the West Berks Museum. | Food and drink to the approximate value of £25. | Yes      |
| Hilary Cole    | Corn Exchange - Pantomime   | Ticket & refreshments                           | No       |
| Roger Croft    | Lunch & Prime Minister's Questions with Richard Benyon MP at House of Commons       | Lunch for Cllr Croft and wife                   | Yes      |
| Hilary Cole    | Farewell dinner from Mary Hare School at the Donnington Valley Hotel                | Dinner  | Yes      |
| Jeff Beck      | Newbury Building Society Event at Vineyard.   | Drinks reception and gift of ballpoint pen      | Yes      |
| Lynne Doherty  | Kennet School Achievement Awards on Monday 12th December as guest of honour         | Bottle of Champagne                             | 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 21 March 2017.

## 9. Conclusion

- 9.1 The number of complaints remains low. There has been a marked reduction in the number of complaints when compared to the same nine month period (April to December) during the previous Municipal Year. During 2015/16 sixteen complaints had been received whereas in 2016/17 the Monitoring Officer had received only one formal complaint. It should however be noted that 15 of the 16 complaints received in 2015/16 pertained to one planning committee meeting and was an unusual occurrence.
- 9.2 It is difficult to determine whether the reduction in the number of complaints is due to adherence to the various Codes of Conduct by Councillors or if the effectiveness of the sanctions available has deterred complainants.

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### Background Papers:

- Localism Act 2011
- Reports to Council 10 May 2012 and Special Council on the 16 July 2012 and 15 September 2016
- Terms of Reference for the Governance and Ethics Committee and Advisory Panel;
- The revised Code of Conduct for West Berkshire District Councillors
- Committee on Standards in Public Life Annual Report 2015-16 (4 August 2016).

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### Subject to Call-In:

Yes: ☐ No: ☒

Report is to note only



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**Wards affected:** All Wards

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### 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 aim and priority by ensuring that high ethical standards are maintained by District, Town and Parish Councillors

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