

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 14 OCTOBER 2013

Present: Peter Argyle (Chairman), Chris Bridges, Adrian Edwards, Mollie Lock, Garth Simpson and Virginia von Celsing

Also Present: David Holling (Head of Legal Services), Moira Fraser (Democratic and Electoral Services Manager)

Apologies for inability to attend the meeting: Barry Dickens and Councillor Gwen Mason

PART I

12. Minutes

The Minutes of the meeting held on 01 July 2013 were approved as a true and correct record and signed by the Chairman.

13. Declarations of Interest

There were no declarations of interest received.

14. Monitoring Officer's Quarterly Update Report to the Standards Committee - Quarter 2 of 2013/14

The Committee considered a report (Agenda Item 4) which provided an update on local and national issues relating to ethical standards and complaints received during the second quarter of 2013/14 (July to September).

The Monitoring Officer in introducing the report explained that a small Task Group (comprising Councillors Peter Argyle and David Allen, James Rees (Independent Person) and Tony Renouf (Parish Councillor)) had met to review the Council's Code of Conduct and underpinning processes as had been agreed at the previous meeting. The revised Code of Conduct would be discussed as part of the next agenda item. Officers had also taken the opportunity to draft a Social Media Protocol for Members.

It was noted that Mauline Akins had stood down as a parish councillor and as a consequence a vacancy had arisen on the Standards Committee. Following discussions with the Chairman it was agreed that Barry Dickens (a Bucklebury Parish Councillor) be approached to join the Standards Committee as he had previously expressed an interest in joining the group. This appointment would be ratified at the December Council meeting.

It was noted that during quarter two one complaint (NPC10/13) pertaining to two parish councillors had been received. The Monitoring Officer and the Independent Person had met to consider the complaint and had concluded that no further action should be taken on the complaint. The Advisory Panel had not met.

The Standards Committee had me on the 01 July to make a determination in respect of complaint NPC5/13 and they had accepted the investigator's opinion and the recommendation of the Advisory Panel that no breach had occurred.

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The Monitoring Officer was very pleased to note that the number of complaints about district and parish councillors, throughout the year and especially in quarter two, had remained very low.

RESOLVED that the report be noted.

15. **Revised Code of Conduct for Members (including a Social Media Protocol) (C2737)**

The Committee considered a report (Agenda Item 5) which set out some proposed changes to the Members Code of Conduct following the scheduled review by the Standards Committee. The report also proposed that a Social Media Protocol for Members be adopted.

The Monitoring Officer explained that a small task group comprising Councillors David Allen and Peter Argyle, James Rees (Independent Person) and Tony Renouf (Parish Councillor) had been set up to review the Council's Code of Conduct and underpinning processes as they had been in operation for just over a year. A number of good comments had been received and the Monitoring Officer thanked participants for their input.

The following amendments to the existing Code of Conduct were proposed by the Task Group:

- a) The scope of when the code was applicable should be reviewed and if appropriate clarified;
- b) Footnotes pertaining to the Bribery Act 2010 and the Local Authority Code of Publicity should be inserted;
- c) The terms 'you must' and 'you must not' to be inserted into the Code relating to the obligations of Members;
- d) The level at which gifts and hospitality should be declared to be reviewed and if appropriate amended;

In addition the following amendments to the existing procedures were proposed by the Task Group:

- a) In future there would be an assumption that hearings should take place in public, in reality Members would be asked to vote on whether to go into Part II or not after hearing representations from the subject member or complainant;
- b) The flowchart (Appendix B) to be amended to allow the Advisory Panel to refer an investigation back to the investigator if appropriate; and
- c) The flowchart to be amended to include naming the meeting between the Monitoring Officer and the Independent Person as the 'Individual Assessment Meeting'.

The Standards Committee after considering the proposals agreed that the scope of when the Code was applicable should be amended to read as follows: 'This Code applies to you whenever you are acting in your capacity as a member of West Berkshire Council:

- a) When acting as a representative of the Council;

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- b) At briefing meetings with officers and members of the public;
- c) When corresponding with the authority other than in your private capacity.'

The insertion of the footnotes relating to the Bribery Act 2010 and the Local Authority Code of Publicity were welcome additions. The Standards Committee also felt that the layout using the terms 'you must' and 'must not' clarified the document.

Councillor Virginia von Celsing arrived at 5.18pm.

After some discussion it was agreed that the level at which Members should declare the receipt of a gift or hospitality should remain at £25.00. The Committee also requested that mention be inserted of 'serial givers'.

The typographical error on page 24 to be amended with the word 'vacation' being replaced by 'vocation'.

Members considered the introduction of the Social Media Protocol and agreed that it would be a useful tool for guiding Members. They also felt that it would also be a useful tool in assisting the Standards Committee should they be required to consider a complaint relating to the use of social media in the future. They would therefore be recommending that Full Council adopt the protocol.

RESOLVED that: the revised Code of Conduct, subject to the inclusion of the amendments agreed at the meeting, and the Social Media Protocol for Members be recommended to Council for approval.

(The meeting commenced at 5.00 pm and closed at 5.50 pm)

CHAIRMAN

Date of Signature