

STANDARDS COMMITTEE
11th September, 2014

Present:- Councillor Sims (in the Chair); Councillors Middleton, Pitchley and Sansome; Parish Councillors D. Bates, D. Rowley and J. R. Swann and independent members Mr. I. Daines, Ms. A. Dowdall, Mr. P. Edler and Ms. J. Porter.

Also in attendance – independent persons Mr. P. Beavers and Mr. D. Roper-Newman.

Apologies for absence were received from Councillors Godfrey and Gosling and from independent member Ms. C. Saltis.

B8 NEW MEMBERS OF THE STANDARDS COMMITTEE

Everyone welcomed Ms. A. Dowdall to her first meeting of the Standards Committee.

B9 MINUTES OF THE PREVIOUS MEETING HELD ON 12TH JUNE, 2014

Resolved:- That the minutes of the previous meeting of the Standards Committee held on 12th June, 2014 be approved as a correct record for signature by the Chairman.

B10 UPDATE FROM THE MONITORING OFFICER ON THE HANDLING OF COMPLAINTS OF BREACHES OF THE CODE OF CONDUCT

Consideration was given to a report, presented by the Monitoring Officer, which provided updates in respect of complaints received recently about the conduct of certain Borough and Parish/Town Councillors. The summary of these complaints are shown below:-

(i) a complaint with regard to a member of Anston Parish Council, that the member's conduct had been disdainful and threatening.

Following consultation with the independent person, Mr. P. Beavers, the matter has been referred to formal resolution, with the other issues arising from Anston Parish Council.

(ii) a complaint that a member of Anston Parish Council has disclosed confidential information, in breach of the requirements of the Code of Conduct.

This complaint has been forwarded to the member concerned, who has been asked to provide written comments. Following the receipt of those comments, the Monitoring Officer will consider whether the matter should be referred by a sub-committee of the Standards Committee for a formal investigation.

(iii) a complaint concerning a Borough Councillor, of misconduct in public office.

The Monitoring Officer asked for further information from the complainant, during July, 2014 and no further details have been received. The Monitoring Officer proposes that this matter should now be closed and the complainant informed accordingly.

(iv) a complaint that a member of Anston Parish Council had incorrectly taken the Chair at the meeting.

Following correspondence with the complainant, the Monitoring Officer was satisfied that this complaint did not fall within the remit of the Code of Conduct as a potential breach of the Code of Conduct.

(v) a complaint that an Anston Parish Councillor had behaved in a way to bring the office of councillor into disrepute, had failed to declare an interest and had improperly conferred an advantage on a friend.

This matter has been referred to the Councillor concerned for written comments, following which the Monitoring Officer will form a view as to whether this matter should be considered by a sub-committee of the Standards Committee as to consider a formal investigation is required.

(vi) a complaint that a member of Anston Parish Council was involved in offensive and potentially defamatory conduct.

This matter has been referred to the Councillor involved for written comments, prior to the Monitoring Officer determining whether this should be referred to a sub-committee of the Standards Committee to consider whether a formal investigation is required.

In addition, reference was made to the forthcoming sub-committee hearing in respect of the conduct of another Councillor. It was noted that a report on this hearing will be submitted to the next meeting of the Standards Committee.

Discussion took place on the estimated costs of investigating complaints.

Resolved:- (1) That the report be received and its contents noted.

(2) That the Standards Committee notes the steps that have been taken to resolve the complaints.

(3) That future reports of the Monitoring Officer, relating to complaints about the conduct of Borough and Parish/Town Councillors, shall state the amounts of the costs involved in investigating such complaints.

B11 GENERAL UPDATE FROM THE MONITORING OFFICER

Consideration was given to a report, presented by the Monitoring Officer, which provided updates in respect of:-

(i) the wider publicising of the confidential reporting code, including the Council's partner agencies (as referred to at Minute No. B3 of the meeting of the Standards Committee held on 12th June, 2014)

The report stated that a reminder has been sent to all Borough Council staff with regard to the availability of the confidential reporting code. In addition correspondence has been sent to the major partner agencies to remind them of their need to act appropriately with regard to employment matters and asking them to further publicise the confidential reporting code with their employees.

Discussion took place on the implications of this reporting code for the Council's disciplinary procedures.

(ii) the Department for Business Innovation and Skills consultation – during the passage of the Enterprise and Regulatory Reform Bill 2013, the coalition Government had undertaken to review the whistleblowing framework through a call for evidence and to consider any cases for change. A copy of the consultation document on the annual reporting requirement was included as an appendix to the report. The purpose of the consultation is to seek views as to how annual reporting on whistleblowing issues should be implemented.

The Committee's discussion referred to:-

: reporting annually on whistle-blowing procedures

: the consultation document appeared to be ambiguous in its references to Members of Parliament

: the incidence of whistle-blowing

: organisational barriers to whistle-blowing

: the investigation of issues arising from whistle-blowing

: the implications of the Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2014

(iii) Training on the Code of Conduct for Elected Members – an invitation will be extended to all Members of the Standards Committee to attend this training for Borough Councillors, due to take place during October 2014.

(iv) Costs of Investigating Complaints – the estimated costs will be included in future reports and will in future be included as part of the annual report on the investigation of complaints, as submitted to this Committee.

Resolved:- (1) That the report be received and its contents noted.

(2) That all members of the Committee are invited to submit their comments on the consultation document, to the Monitoring Officer, prior to completion of the questionnaire and its return to the Department for Business Innovation and Skills by the due date of 30 September 2014.

(3) That a copy of this Council's confidential reporting code be provided for all Members of the Standards Committee.

B12 DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards Committee take place on Thursday, 11th December, 2014 at 2.00 p.m.