

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **STANDARDS COMMITTEE**

Held on: **TUESDAY 9 DECEMBER 2003**

Held at: **OCTAGON SUITE, BRADLEY ROAD, TROWBRIDGE**

Present:

District Council
Representatives:

External Tony Frost (Chair), Margaret Ellwood and Keith West
Representatives:

Town/Parish Council Horace Prickett and William Parks
Representatives:

Officers: Legal Services Manager

41 APOLOGIES

Apologies for absence were received from Councillors Martin Baker, Ernie Clark and Sophie Farkas.

42 MINUTES

The minutes of the special meeting held on 13 October 2003 were approved as a correct record and signed by the Chair.

43 DECLARATIONS OF INTEREST

There were no declarations of interest.

44 ANNOUNCEMENTS FROM THE CHAIR

The Chair agreed to bring forward agenda items 7 and 8.

45 MINUTES OF MEETINGS

The Legal Services Manager presented a report on how to ensure that minutes provide an accurate summary of the debate and voting on each item discussed at meetings of the Council. The report focused on recommendations that meetings should be conducted in an orderly manner so that members could understand on what they were voting. It was suggested during the debate that a tape recording should be made so that in cases of particular difficulty it would be possible to check what had been said.

The committee agreed that this suggestion merited investigation and that meetings should be orderly and well managed.

- RESOLVED:**
- (i) **That a further report should be brought back to the Committee outlining the financial implications of and procedures that would be needed for tape recording meetings;**
 - (ii) **that all chairs and vice chairs should be strongly urged to undertake training on the skills necessary to chair meetings in an orderly and well-managed fashion.**

46 REGISTRATION OF INTERESTS

The Legal Services Manager presented a report recommending that the Register of Interests be published on the Council's web site. He stressed that, although the practice was recommended by the Standards Board for England, every member had to give explicit written consent to their details being made available in this way. Given that it was the legal right of members not to have their interests put on to the web site the Committee was concerned to ensure that those who did not give consent were not penalised. It was therefore

- RESOLVED:**
- (i) **That members be asked for consent to publish their registered interests on the Council's web site.**
 - (ii) **the Town and Parish Councils be invited to register their members' interests on their own web sites.**

47 HANDLING COMPLAINTS ABOUT MEMBERS

The Committee considered a report presented by the Legal Services Manager on:

- (i) The level of advice and assistance (if any) that should be given to people wishing to make a complaint to the Standards Board for England about the conduct of councillors; and
- (ii) Whether the Committee should consider complaints which were not upheld by the Standards Board for England to ascertain whether there was a breach of one of the Council's protocol or whether there were any lessons that needed to be learnt.

The Committee considered that it was important that all members of the Council should understand the implications of such procedures before they were introduced.

- RESOLVED:**
- (i) **That a seminar be held to discuss the following:**
 - (ii) **General training and guidance on ethical conduct;**
 - (iii) **officers advising and assisting complainants on their rights to complain to the Standards Board for England;**
 - (iv) **Reporting complaints to the Committee if not referred to the Standards Board for England or if officers discover a possible breach of the Code;**
 - (v) **the Committee considering complaints dismissed or not investigated by the Standards Board for England;**
 - (vi) **introducing a protocol on gifts and hospitality.**

48 INTERIM MEASURES DURING A COMPLAINT

The Legal Services Manager presented a report to explain that the Standards Board for England was only completing 72% of investigations within 5 months. This meant that in the event of a serious complaint against a senior member of the Council, that member could continue to act for a period of 5 months or more. This could result in serious harm to the Council's reputation particularly if the complaint was subsequently upheld.

The Legal Services Manager suggested that the Council could introduce a protocol which would require to stand down from any Council business which was the subject matter of a complaint in certain specified circumstances. Such a protocol had been developed for use by the Town and Parish Councils within the District.

The Committee considered that such a protocol would serve a useful purpose provided safeguards were built into the process to prevent councillors being subject to restrictions as the result of frivolous or vexatious complaints. It also agreed that the whole Council needed to be involved in the development of such a procedure .

RESOLVED: **That a proposal to enable the Committee to take interim measures during the complaint should be discussed at a Council seminar.**

49 DATE OF NEXT MEETING

The next meeting of the Committee will be held on 28 January 2004.

These minutes were prepared by Gareth Owens, Legal Services Manager
Telephone Direct: (01225) 770310
E-mail: gowens@westwiltshire.gov.uk

The meeting started at 7pm and finished at 8.10pm