

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the STANDARDS COMMITTEE held on 27 FEBRUARY 2014

PRESENT:

Councillor J F Warder - Chairman

Councillors: Miss P A Appleby
D W Phillips
J S Ryman
Mrs L M Smith

Independent Persons: R J Duffy
D Gleen
Mrs C Langlely

APOLOGIES FOR ABSENCE were received from Councillors N L Brown and P J Hudson

11 MINUTES

The Minutes of the meeting held on 17 September 2013, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

12 DECLARATIONS OF INTEREST

There were no declarations of interest.

13 ANTI FRAUD AND CORRUPTION POLICY & WHISTLE BLOWING POLICY

Chiltern District Council and South Bucks District Council both had their own policies but these have now been harmonised, with the incorporation of the responsibilities under the Bribery Act 2010. The reports had already been considered by the Audit Committee and some additions had been suggested. For the reporting of fraud, bribery or corruption, the Committee discussed whether the Audit Manager should report all cases or only proven cases to Management Team. After preliminary investigation, the cases would be referred to the Management Team. Only proven cases would be referred to the Audit Committee, Cabinet and the relevant portfolio holder. There was some concern that suspected cases could be reported even though later they were discovered to be unfounded.

In all instances of suspected and actual fraud and corruption, the reporting and decision making would still be made by the relevant individual Council. It

was noted that it was important to share this information however, to assist with the prevention of further fraud or corruption.

This policy was to be reviewed by the Standards Committee on a biennial timescale and not by the Audit Committee as stated in the report.

Whistle Blowing Policy

The independent body, "Public Concern at Work" was explained to be a charitable body that encourages employees to speak up if they suspect wrongdoing in the workplace. Councillors were concerned that employees would be encouraged to report their suspicions without having any proof but were advised that management needed to know about issues as soon as possible in order to deal with them effectively. Members were re-assured that cases would be kept within Chiltern District Council until proven. The internal Audit Manager had to decide after a preliminary investigation whether or not the suspicion was substantive enough to report on.

The Committee took comments from the Independent Persons present. It was suggested that the term "whistle-blower" had become out of date and would deter employees from reporting wrongdoing as it carried a stigma. It was agreed that Officers could check with other Councils to see if there was another term in common usage but it was noted that at the present time, it was a term that everyone understood.

RESOLVED -

That the Joint Anti Fraud and Corruption Policy, and Joint Whistleblowing Policy be approved with amendments as discussed at the meeting.

14 STANDARDS FRAMEWORK UPDATE

This was introduced by the Localism Act 2011 and adopted by Council in August 2012. Guidance was appended to help define Disclosable Pecuniary Interests (DPI's) as failure to disclose a DPI was a criminal offence.

The complaints procedure was also appended to the report. There had been no formal complaints against District Councillors this past year. There had been 2 complaints against Parish Councillors but neither of these had passed beyond the first stage of the complaints procedure. A full report on complaints would be presented to the meeting on 12 June 2014 as part of the Annual Monitoring Report.

All Members of the District Council had declared their DPI's and personal interests. The majority of Town and Parish Councillors had also done so at the time of the report.

RESOLVED -

That the report be noted.

15 REVIEW OF DISPENSATIONS PROCEDURE

The dispensations procedure has been in force since the Localism Act 2011 and instances when it may be granted were listed in Appendix 1. The decision to grant dispensation was delegated to the Monitoring Officer and the Chair of the Standards Committee in consultation with an Independent Person. There had been only one dispensation granted to date, granting all Councillors dispensation for setting Council Tax in 2014. The procedure would be reviewed annually to take account of any new legislation.

One Councillor recommended to the Committee that all Councillors should be given dispensation with regard to HS2, so that they would be able to fully represent their constituents regardless of the extent to which they were personally affected by the scheme. One independent person agreed that this proposal did merit further examination. It was noted that at the recent Council meeting, one Councillor had to leave the room during the discussion. It was agreed that Officers would investigate and report back to the Committee.

RESOLVED -

- 1. That the dispensations procedure remains as currently drafted and be reviewed annually as suggested.**
- 2. A report on the suggestion that all Members receive dispensation with regard to HS2 be prepared for a future meeting.**

16 WORK PROGRAMME

The members of the Committee considered the summary of reports listed in the work programme.

RESOLVED -

That the work programme of the Standards Committee be noted.

The meeting ended at 7.10 pm