



Standards Committee

Date: 6 January 2015
Time: 6.15 pm
Venue: Committee Room 1
District Council Offices, Queen Victoria Road, High Wycombe Bucks

Membership

Chairman Councillor A D Collingwood
Vice Chairman Councillor D J Carroll

Councillors: Mrs J A Adey, I Bates, Mrs G A Jones, B R Pollock JP, J A Savage and R Wilson

Independent Persons (Observers): G Houalla and M Pearce

Parish Council Observers: Parish Cllr Ms N Howard, Parish Cllr J Sherlock and Parish Cllr Mrs V Smith

Standing Deputies

Councillors: Ms R Knight, Mrs M L Neudecker, J L Richards OBE, D A C Shakespeare OBE and Vacancy

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The following Information Sheets have been issued since the previous meeting:

01/2014 – Complaints/Comments/Compliments – Quarter 1
02/2014 – Complaints/Comments/Compliments – Quarter 2

*** Members are reminded to give 24 hours' notice of any questions concerning an Information Sheet to ensure an answer can be given at the meeting. ***

**For further information, please contact Emma Lund 01494 421635,
Emma.Lund@wycombe.gov.uk**

Agenda Item 4

REVIEW OF INDEPENDENT PERSON TRAINING

Officer contact: Julie Openshaw Tel: 01494 421252
Email: julie.openshaw@wycombe.gov.uk

Wards affected: All

PROPOSED DECISION

To note the training which has taken place, and discuss any key issues and/or best practice arising out of it.

Reason for Decision

To share information about the training amongst Committee members in order to support future practice and enable the Council to make best use of the training.

Corporate Implications

1. Under Section 28(7) of the Localism Act 2011 the Council is obliged to have appointed at least one Independent Person. Wycombe District Council has chosen to appoint two Independent Persons. The statutory role of an Independent Person is to provide views before the Council makes its decision on any allegation that it has decided to investigate, and they may also be asked by the Council for views in relation to an allegation where no investigation has been commenced, or by a member or co-opted member, either of the District Council or a parish or Town Council, if that person's behaviour is the subject of an allegation.

Executive Summary

2. Update training has been offered to the Independent Persons with the objective of sharing practical information about their roles within different Councils, and best practice.

Sustainable Community Strategy/Council Priorities - Implications

3. Apart from the legal obligation, the appointment of Independent Persons supports the Community Involvement theme of the Sustainable Community Strategy.

Background and Issues

4. As noted above, the two Independent Persons have a role to participate in the handling of cases where complaints are lodged relating to the conduct of elected members, both of the District Council and Parish Councils within the District.
5. Upon their appointment, each Independent Person undertook external training on the nature of their role, which was new, and for which there was little precedent to guide future involvement.

6. Since, then, each IP has had some practical experience of involvement in a complaint. In order to ensure the Independent Persons have the opportunity to share their practical experience and learn from others undertaking the same role, particularly in light of the legislative scope for different Councils to interpret the role in slightly different ways, further training has been offered, and this has also been attended by the report author as Monitoring Officer.
7. Elements of the training course include the national perspective, the limitations and opportunities for Independent Persons under the current standards framework, a focussed group discussion about the role, and a case study and discussion.

Options

8. There are no options.

Conclusions

9. Debate upon this report will enable the whole Committee to share information about the Independent Person's role, and to consider how they may be able to best support the terms of reference and objectives of the Committee.

Next Steps

10. The need for training for the Independent Persons will continue to be monitored.

Background Papers

None.

Agenda Item 5

FUTURE TRAINING FOR STANDARDS COMMITTEE MEMBERS

Officer contact: Julie Openshaw Tel: 01494 421252
Email: julie.openshaw@wycombe.gov.uk

Wards affected: All

PROPOSED DECISION

To express a view upon the arrangements that should be made for training after the 2015 elections.

Reason for Decision

To maintain monitoring of training for Committee members, particularly in light of the forthcoming 2015 elections and the possible changes in membership which may occur.

Corporate Implications

1. Within its terms of reference, the Standards Committee has a general remit to promote and maintain high standards of conduct by the Members and co-opted Members of Wycombe District Council, which includes assisting Members and co-opted Members of the District Council to observe the Council's Code of Conduct, and advising, training or arranging the training of Members and Co-opted Members of the District Council on matters relating to the authority's Code of Conduct.

Executive Summary

2. This report supports the Standards Committee's role in promoting and maintaining high standards of conduct.

Sustainable Community Strategy/Council Priorities - Implications

3. Robust training arrangements for standards matters helps support good governance.

Background and Issues

4. During 2014, members of the Standards Committee have received two training sessions. On 11 March, David Ruddock, the former District Solicitor, gave a presentation on the Localism Act 2011 and how the new standards arrangements have operated at Wycombe District Council since their introduction in July 2012.

5. Subsequently, on 28 October, a wide ranging training session on standards issues including the Code of Conduct, disclosable pecuniary interests, probity in planning, and the general constraints on Councillor conduct was presented by Peter Keith-Lucas, a highly experienced and respected external presenter.
6. Both of these sessions were open to all members of the Council, as well as the Clerk and Chairman, or up to two other nominees, of each Parish. The former was attended by 22 members, including all but one member of the Standards Committee, and the latter was attended by 20 Members, 7 parish council representatives, and an independent person; a further member requested and received a separate briefing from the Monitoring Officer.

Options

7. There are no options.

Conclusions

8. Consideration at this stage of future training arrangements will help shape the Council's plans for appropriate further training after the 2015 elections and to make timely arrangements.

Next Steps

9. Make appropriate arrangements taking into account the Committee's views.

Background Papers

None.

Agenda Item 6

REVIEW OF CODE OF CONDUCT FOR MEMBERS AND STANDARDS COMPLAINTS ARRANGEMENTS

Officer contact: Julie Openshaw Tel: 01494 421252
Email: julie.openshaw@wycombe.gov.uk

Wards affected: All

PROPOSED DECISION

To note the report and to consider arrangements for future review of the current Code of Conduct for Members and Standards Complaints process.

Corporate Implications

1. The Localism Act 2011, Sections 26 - 37 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 set out the current legislative framework relating to standards of conduct for elected members and arrangements for handling member standards complaints.

Executive Summary

2. This report invites the Committee to consider current arrangements and a potential review.

Sustainable Community Strategy/Council Priorities - Implications

3. Continuing to monitor the current arrangements supports the Community Involvement theme of the Sustainable Community Strategy.

Background and Issues

4. The current Standards arrangements for local authority members came into force on 1 July 2012. Earlier reports to the Committee have explained various aspects in detail. When repealing the former standards framework including the Standards Board and the national model code, there was an expectation from central government that arrangements for the standards of conduct of local authority members would become "lighter touch" than they had been previously, particularly in terms of complaint handling arrangements, and the Localism Act 2011 simply provided that Council Member Codes should be, when viewed as a whole, consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership, and must include the provision the Council considers appropriate in respect of registration and disclosure of pecuniary interests and other interests, with a set of Regulations backing up the interests requirements.
5. Beyond that, there is a degree of flexibility which can be exercised by Councils in the content of their Codes, but at the outset in 2012, rather than envisage a proliferation of different Codes across the country, most Councils (bearing in mind how late the legislation was finalised before coming into force) opted for one of a small number of shorter than previous, yet essentially similar, "models" that

had emerged at the time from national groups such as ACSeS, and WDC also chose, at the time, to adopt one of these models.

6. At its meeting on 27 March 2012, in noting the emerging position, and before the final picture under the Localism Act was clear, Standards Committee agreed to recommend to full Council, amongst other things, “that Council strongly recommend to fellow authorities in Buckinghamshire that there be a shared common code of conduct under the new Standards Regime along with common arrangements in respect of complaints submitted thereunder”.
7. At the 27 June 2012 meeting, just before the new arrangements came into force on 1 July, Standards Committee agreed to recommend to Council the current Code, subject to consultation with the political group leaders having been carried out. The current Code and complaints arrangements remain those that were agreed in 2012. They have therefore now been in place for over two years, so at this point it may be a suitable time to consider their operation.
8. So far, there has been a total of 30 complaints under the current Code and arrangements. All have been dealt with by way of no further action or other informal resolution, and so far, none have been referred for investigation and no local hearings have been necessary.
9. Members are invited to note the background and consider whether a review of the Code and/or complaints process is required. If a review is considered to be required, it will be necessary for work to be done to collate and compare Codes and arrangements in other parts of the country, including Buckinghamshire, so that a more detailed report can be prepared and presented to a future meeting. Prior consultation with the Group Leaders would also be necessary.

Options

10. The options are:
 - i. Leave the current Code and complaints arrangements unchanged for the time being;
 - ii. Consider amendments to the Code but leave the complaints arrangements unchanged;
 - iii. Make no changes to the Code but consider changes to the complaints arrangements;
 - iv. Consider amendments to both Code and complaints arrangements.

Next Steps

11. If it is concluded that further work needs to be done to review the Code and arrangements, consultation of Group Leaders, and dependent upon the responses to that consultation, a further report to this Committee.

Background Papers

None.