



Standards Committee

Date: 7 June 2016
Time: 6.15 pm
Venue: Committee Room 1
District Council Offices, Queen Victoria Road, High Wycombe Bucks

Membership

Chairman Councillor C Etholen
Vice Chairman Councillor Mrs J A Adey

Councillors: S Broadbent, M Clarke, A R Green, Mrs G A Jones, Mrs W J Mallen, R Raja and J A Savage

Independent Members: Mr G Houalla and Mr M Pearce

Parish Council Members: Parish Cllr Mr A Cobden and Parish Cllr Mr B Swain

Agenda

Item		Page
1	Apologies for Absence To receive any apologies for absence.	
2	Declarations of Interest To receive any disclosure of disclosable pecuniary interests by Members relating to items on the agenda. If any Member is uncertain as to whether an interest should be disclosed, he or she is asked if possible to contact the District Solicitor prior to the meeting. Members are reminded that if they are declaring an interest, they should state the nature of that interest whether or not they are required to withdraw from the meeting.	
3	Minutes of Previous Meeting To confirm the minutes of the previous meeting held on 5 January 2016.	1 - 4
4	Committee on the Standards in Public Life - Newsletter	5 - 7

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6	Quarterly Complaints Update	17 - 19
7	Supplementary Items (If Any)	
8	Urgent Items (If Any)	

**For further information, please contact Jemma Durkan 01494 421635,
committeeservices@wycombe.gov.uk**

Standards Committee Minutes

Date: 5 January 2016

Time: 6.15 - 7.00 pm

PRESENT: Councillor C Etholen (in the Chair)

Councillors Mrs J A Adey, S Broadbent, M Clarke, Parish Councillor Mr A Cobden, A R Green, G Houalla, M Pearce and Parish Cllr Mr B Swain, K Ahmed and A D Collingwood

14 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ms Wassell, and Councillor R Raja.

15 MINUTES OF PREVIOUS MEETING

It was noted that there were three parish council observer positions on the Standards Committee. Since the last meeting Parish Cllr Mrs V Smith had resigned and Parish Cllr Mr A Cobden had joined the Committee. It was noted that there was now one parish council observer vacancy and Wycombe District Association of Local Councils (WDALC) would be contacted to provide a replacement.

RESOLVED: That the minutes of the meeting of the Standards Committee held on 13 October 2015 be confirmed as a correct record and signed by the Chairman.

16 DECLARATIONS OF INTEREST

No declarations of interest were received.

17 DISPENSATIONS

A report was considered which requested that authority be delegated to the Monitoring Officer to grant dispensations to Members in relation to a decision concerning Members' Allowances. It was noted that at an earlier meeting the Committee had given delegated power to the Monitoring Officer regarding dispensations where circumstances arise that so many Members would have DPs which would then impede the transaction of business, or where without a dispensation every Member of Cabinet would have a DP prohibition from participating. Also in June 2015, the Monitoring Officer was delegated authority to grant dispensations in relation to setting the Council Tax.

The revisions to the Code of Conduct were considered at full Council on 14 December 2015 which clarified the obligation to members to refrain from taking part in meetings where they have non-DPs as well as DPs. As Members' Allowances

are non-DPIs to allow members to consider and decide upon them explicit dispensations are now necessary.

In considering the report it was suggested that other charges may require dispensations such as car parking charges and dispensations for Charter Trustees may also need to be considered. It was noted that these could come under the general dispensations delegated power and as Charter Trustees must be Councillors to become a Charter Trustee then the dispensations would apply in this instance. However it was agreed that the recommendation be amended to specifically include other charges.

RESOLVED: That the Monitoring Office under Section 33 of the Localism Act 2011, be delegated authority to grant dispensations until 2 May 2019 to Members in relation to decisions concerning Members' Allowances and the setting of any other charges affecting Members.

18 QUARTERLY UPDATE ON STANDARDS COMPLAINTS

A report was submitted which provided an overview of recent complaint cases regarding Member conduct since October 2015. Members were informed that since the last meeting two new complaints had been submitted relating to members of Parish Councils. One complaint was at Stage 1 and the other proceeding to Stage 2, an update as to progress would be supplied to the next meeting.

It was noted that the figures presented indicated that the complaints system was being utilised in a positive way with the public being aware and making use of the Council's complaints process.

RESOLVED: That the report be noted.

19 STANDARDS COMMITTEE TERMS OF REFERENCE - CONSTITUTION REVIEW

The Committee noted that as part of the wider review of the Council's Constitution, each Committee was being invited to review its terms of reference.

This Committee's review would feed back into the wider review which was to be reported in its entirety for consideration to the Regulatory and Appeals Committee in early 2016.

RESOLVED: That no changes be made to the current Terms of Reference.

20 SUPPLEMENTARY ITEMS

There were no supplementary items.

21 URGENT ITEMS

There were no urgent items.

Chairman

The following officers were in attendance at the meeting:

Jemma Durkan - Senior Democratic Services Officer
Julie Openshaw - District Solicitor

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Agenda Item 4

COMMITTEE ON STANDARDS IN PUBLIC LIFE - NEWSLETTER

Officer contact: Julie Openshaw District Solicitor and Monitoring Officer:
julie.openshaw@wycombe.gov.uk Tel: 01494 421252.

Wards affected: All

PROPOSED DECISION

That the report be noted.

Corporate Implications

1. The Standards Committee's terms of reference include upholding standards of conduct for Members of the Council. Awareness of the work of other bodies which have similar objectives will help the Standards Committee in its work and all Council Members in their roles as representatives of their local communities.

Executive Summary

This report draws to Members' attention the regular Newsletters now being published by the CSPL, its role, and the work it carries out which enables Standards Committee to maintain and increase its awareness of wider standards and ethics issues in public life.

Sustainable Community Strategy/Council Priorities - Implications

This report helps support the Council's Corporate Plan by supporting its values in ensuring its business is conducted in accordance with the law and proper standards.

Background and Issues

The Committee on Standards in Public Life (CSPL) was established in 1994 to enquire into public concerns about standards in public life. Its first Chairman was Lord Nolan and its first report, published in 1995, established the seven principles of conduct, now known as the Nolan Principles, which continue to underpin standards in public life and continue to form the basis of the Code of Conduct for Members.

The CSPL is currently chaired by Lord Bew. Its terms of reference were expanded in 1997 by adding the functions of reviewing and making recommendations on the funding of political parties, and in 2013 by clarifying that the Committee should not inquire into matters relating to the devolved legislatures and governments unless they so agree, but adding that the remit to examine standards of conduct of all holders of public office encompasses all those involved in the delivery of public services, not solely those appointed or elected to public office.

It continues to advise on ethical standards across the whole of public life in the UK and it monitors and reports on issues relating to the standards of conduct of all public office holders.

The CSPL has recently decided to produce a quarterly newsletter, and the latest edition, the Spring Newsletter 2016, can be found at <http://us10.campaign-archive2.com/?u=d2f347f620a6262d64418434e&id=34b0327f70&e=a5b526c57b>

The newsletter has been circulated to Members by email in order to access to the links. In particular, this edition includes:

- A response to the proposals in a report by Sir Gerry Grimstone on the transparency of the public appointment process - the appointment of the Rt Hon Peter Riddell CBE as the preferred candidate for Commissioner for Public Appointments was welcomed, as were proposals to improve transparency, though unease about the cumulative effect of other changes were expressed;
- An exploration of the Committee's Ethics for Regulators Review project, on the internal practices of regulatory bodies, and how well they live up to the Seven Principles of Public Life – these issues have been discussed with over 20 regulators and over 45 responses received, including from academics, regulators and other stakeholders;
- Coverage of the evidence given by the Chairman Lord Bew, and former Chairman Sir Christopher Kelly to the House of Lords Select Committee on the Trade Union Bill. The Select Committee's report was published on 2 March and debated in the House of Lords on 9 March.
- An update on the Committee's approach to policing, in light of the Committee's June 2015 published report "Tone from the top: Leadership, ethics and accountability in policing" and the forthcoming PCC elections, with all candidates urged by the Committee to sign up to an Ethical Checklist;
- The Committee's further response to the Government's 21 October 2015 response to the Committee's November 2013 report on "Strengthening Transparency Around Lobbying";
- Publication of a new online guide for public services providers which follows up on the Committee's June 2014 report – this offers short practical guidance on building and embedding ethical standards in an organisation;
- The Committee's response to the Law Commission's review of the offence of misconduct in public office – the response focussed on the definition of "public office holders", sanctions for misconduct, principles, and culture.
- The Committee's response to the publication on 21 January 2016 of a consultation exercise by Kathryn Hudson, the Independent Parliamentary Commissioner, to help her review the current Code of Conduct for MPs. The response argues for a principles-based approach, and considers leadership is essential in promoting and supporting the seven principles and that the Code of Conduct should reinforce those fundamental values. On 15th March Lord

Bew also gave evidence to the Parliamentary Standards Committee as this is exploring the same issue;

- Notification that that the Committee has been joined by a new member, Monisha Shah, who has been appointed for a 5 year term;
- Highlighting a number of blogs published by the Committee, some covering the above issues.

Members are invited to note the Newsletter, which provides a valuable public insight into the work that the Committee is undertaking and the areas it views as worthy of investigation.

It is proposed that subsequent newsletters be presented to the Committee on a regular basis.

Options

There are no options.

Conclusions

Access to the newsletters by Members generally will support the Committee's work to uphold good standards of conduct by drawing attention to areas of work that the CSPL is dealing with which affect wider standards and ethics.

Next Steps

Future reports will be presented to Committee.

Background Papers

None, other than those referred to in the report.

Agenda Item 5

ETHICAL STANDARDS FOR THE PROVIDERS OF PUBLIC SERVICES

Officer contacts:

Charles Meakings Charles.meakings@wycombe.gov.uk 01494-421980

Julie Openshaw Julie.openshaw@wycombe.gov.uk 01494-421252

Wards affected: All

PROPOSED DECISION

To note and endorse the action points arising from the self-assessment of the guidance on ethical standards for providers of public services.

Reason for Decision

To ensure the Council continues to adhere to high standards in the way it works.

Corporate Implications

Corporate governance of the Council is essential to ensure the high standards of conduct expected of a public body are in place, meeting all our legal obligations and the seven principles of public life (known as the “Nolan” principles).

There are no financial implications to the actions set out in this report.

This item is being submitted to the Standards Committee and the Audit Committee, given their respective roles in overseeing the corporate governance activities of the Council. No issue have been identified for referral to the Regulatory and Appeals Committee.

Executive Summary

Guidance was issued in December 2015 to help public bodies assess themselves, with suggested measures to undertake such a review. Although not a requirement, as a matter of good practice, a review has been undertaken. No areas of non-compliance have been identified but a number of development actions were identified by the Officer Corporate Governance Group to continue to maintain our high standards, which the Committee is asked to consider and endorse.

Sustainable Community Strategy/Council Priorities - Implications

The way we work underpins all of the Council’s priorities as set out in the Corporate Plan.

Background and Issues

The Council has robust corporate governance measures in place, which are reviewed and updated each year in the Annual Governance Statement considered by the Audit Committee and signed on behalf of the Authority by the Leader and Chief Executive. This statement is informed from the annual assurance statements signed by each head of service and actions identified as appropriate. These actions

have been included in the Council's Strategic Risk Register and reviewed on a regular basis with six-monthly reports to Audit Committee and Cabinet.

In December 2015, the Committee on Standards in Public Life issued guidance on ethical standards for providers of public services. This identified a number of suggested measures for bodies to use as a self-assessment, to be used to be explicit about their expectations on ethical standards. The suggested measures are to identify evidence of:

- Leadership commitment to ethical standards.
- Board and individual responsibility for ethical standards.
- Establishing an ethical awareness and capability in recruitment, induction, progression, training and professional development.
- Appraisal, promotion and reward procedures that take account of values and ethical behaviour.
- Commissioner-provider and user-provider dialogue.

Attached as Appendix 1 is the completed self-assessment for Wycombe District Council, together with suggested action points, for the Committee's consideration.

Conclusions

No areas of non-compliance have been identified but a number of development actions have been identified to continue to maintain our high standards, which the Committee is asked to consider and endorse.

Next Steps

Implementation of the agreed development actions.

Background Papers

Ethical Standards for providers of Public Services – guidance issued by the Committee on Standards in Public Life December 2015.

**Ethical Standards for Providers of Public Services
Self-Assessment**

Measures	Ethical Expectations	WDC current position (Jan 2016)	Action Points?
<p>Evidence of leadership commitment to ethical standards - What is the tone from the top and how is this lived out throughout the organisation? What are the values and behaviours this organisation is encouraging and discouraging?</p>	<p>Public statements and day-to-day behaviour that demonstrate visible commitment to ethical standards and taking responsibility – being publicly accountable – for ethical standards.</p>	<p>We are a public body and operate in a transparent way in line with government requirements. Decisions are taken having regard to ethical standards in line with our Corporate Plan and core values.</p> <p>The Council has chosen to retain a separate Standards Committee as part of its public statement of its commitment to maintaining high ethical standards. The Committee has shown itself to be highly supportive of on-going training.</p> <p>Clear and up-to-date policies and processes are in place to deal with Member and officer code of conduct issues.</p> <p>New starters (Officers) have to read the Code of Conduct as part of their induction.</p> <p>Both Standards Committee and Audit Committee will be involved in reviewing this self-assessment.</p>	<p>A summary of the training provided to the Standards Committee could be included in Members' Update.</p>

Measures	Ethical Expectations	WDC current position (Jan 2016)	Action Points?
	<p>In a small organisation this could be as simple as telling all staff about the ethical expectations of those in the organisation delivering public services.</p>	<p>Core values have been communicated and promoted to all staff during 2015. Induction course includes coverage of ethical expectations of working for, and representing, the Council.</p> <p>Both Member and Officer codes of conduct are incorporated into the Constitution.</p>	
<p>Evidence of board and individual responsibility for ethical standards - how are employees and (if applicable) board members held to account collectively and individually for ethical issues?</p>	<p>Board level oversight of ethical matters and board level responsibility for or championing of ethical compliance.</p>	<p>Corporate Governance Group notes are submitted for review/approval by Strategic Management Board.</p> <p>Core values refreshed during 2015 and personally promoted by the Chief Executive at staff meetings and in weekly newsletters to staff.</p>	
	<p>Ethics committees can be used as a mechanism to improve and scrutinise ethical decision making but they should be integrated to the governance arrangements and not a "bolt-on".</p>	<p>We have no separate ethics committee. Audit Committee and Standards Committee perform this role for the Council, each with clear terms of reference and reporting lines into the governance of the Council, which are publically available.</p> <p>As noted above, the Council has chosen to retain a separate Standards Committee, evidencing that this is not</p>	

Measures	Ethical Expectations	WDC current position (Jan 2016)	Action Points?
		viewed as a “bolt-on”.	
	Annual attestations - individual annual sign off of compliance with the company’s Code of Conduct and compliance regulations or policies.	Annual Governance Statement is produced each year and signed by the Leader of the Council and the Chief Executive, following consideration by Audit Committee, and published.	
	Employees are aware of the code of conduct and the consequences of failing to adhere to the Code.	Employees are made aware through the induction process and reminded at regular frequencies, e.g. Review Point.	
Evidence of internal control and accountability measures - what is the internal control environment for maintaining ethical behaviour and standards in the organisation?	A suitable code of conduct - typically a series of Do’s and Don’ts, publically available and adherence to the code monitored.	Clear and up-to-date policies and processes are in place to deal with Member and officer code of conduct issues.	
	Identification of key indicators or measures of an ethical culture within the organisation and periodic reviews of their effectiveness.	Periodic reviews of policies are undertaken and scheduled via Review Point.	
	Existence of and adherence to whistleblowing policy or speak up mechanisms, gifts and hospitality registers, anti-bribery and corruption, declarations of interests requirements, procedures for dealing with conflicts of interest, which are regularly reviewed.	These policies are in place and reviewed on a regular basis with reminders to staff of the requirements. The AAS (Annual Assurance Statement) requires each Head of Service to confirm that staff are aware and reminded on an annual basis, of the systems, processes and procedures	

Measures	Ethical Expectations	WDC current position (Jan 2016)	Action Points?
		relating to employee's code of conduct, registration of interests, gifts and hospitality, as well as effective whistle blowing arrangements.	
	Ethical risks captured and controlled in the risk management process and evidence they have been identified, assessed and where required mitigated.	Strategic and operational risk registers in place. We include a potential risk around Member standards, self- certification via the AAS, although ethical risks not explicitly covered.	An article in Members' Update as regards ethics and use of some external cases where it has gone wrong would be useful.
	Transparency and reporting arrangements which encourages "intelligent accountability" putting out good quality information in intelligible and adaptable formats creating a genuine dialogue with stakeholders.	We have complied and embraced the transparency agenda, with a "Data Share" section on the Council's website. Annual report on our priorities. Public information on financial accounts, with opportunity to make representations.	More data sets to be made public as required and resources allow.
Evidence of establishing an ethical awareness and capability in recruitment, induction, progression, training and professional development - how is ethical awareness embedded in the organisation?	Recruitment procedures that take account of values and ethics alongside other skills.	All posts have a person specification, as well as a job description, with scoring based on the person specification. Core training for managers on recruitment and selection undertaken November 2015.	
	Induction processes that give new starters an understanding of the	Induction process in place	Continue to strengthen the focus on core values.

Measures	Ethical Expectations	WDC current position (Jan 2016)	Action Points?
	ethical expectations of them, the Codes of Conduct and ethical framework operating in the organisation.		
	Training and guidance on ethical standards generally through ethical and values based training online and face to face. Self-assessment often web based tools.	Comprehensive training in place at Member and officer level. Member induction process following the May 2015 elections covered standards of conduct in detail. Performance management training has been identified as part of the “Successful Wycombe Manager Development Programme” for April/May 2016.	
	Employees encouraged to demonstrate achievement of e.g. ethical component of commercial capability requirements such as Chartered Institute of Purchasing and Supply’s ethical procurement and supply e-learning module.	Commercial awareness is being developed. Initial workshop held for Strategic Management Board on 8 December 2015.	To be considered as part of roll-out of commercial awareness training.
Evidence of appraisal, promotion and reward procedures that take account of values and ethical behaviour - how does	Codes of conduct linked to performance incentives.	SMB (16/12/15) considered the linking of core values to performance objectives.	To be included in a refreshed scheme from April 2016.
	Assessing staff on behaviour based criteria the “how” as well “what” they	SMB (16/12/15) considered personal objectives to have a greater focus on	To be included in a refreshed scheme from

Measures	Ethical Expectations	WDC current position (Jan 2016)	Action Points?
the organisation encourage (or not) its intended values and behaviours?	have achieved. Assessing behaviours against core values - e.g. do they role model behaviours consistently, do they coach and encourage others to achieve similar high standards, for leaders do they develop a working culture which emphasises integrity and ethics? Do they champion the company values?	the “how”, not just the “what”.	April 2016.
	Including questions on ethical matters in employee’s surveys.	Relevant questions regarding our core values and ethics are included in our staff surveys, which are undertaken annually.	Full staff survey scheduled for summer 2016.
Evidence of commissioner-provider and user-provider dialogue - what is the success or failure for this contract including the supply chain and what are the essential behaviours to deliver success? How does the organisation learn from criticism and compliments?	Use of staff feedback surveys and self-assessment.	We have introduced in 2015 a contract review framework and annual process. First year’s learning has been reviewed and refinements made for 2016. (CGG 07/12/15)	Undertake the revised annual contract review process for 2016.
	Responding to and acting on feedback.	We have introduced in 2015 a contract review framework and annual process. First year’s learning has been reviewed and refinements made for 2016. (CGG 07/12/15)	Undertake the revised annual contract review process for 2016.
	Robust complaints system and evidence of good complaints handling; the effective use of complaints data to evaluate how well	We have a well embedded corporate complaints system, with a focus on reviewing and identifying service improvements. Quarterly reviews by	Further work is planned during 2016 on capturing service improvements.

Measures	Ethical Expectations	WDC current position (Jan 2016)	Action Points?
	standards are being achieved and to help deliver service improvements.	Strategic Management Board with public information sheets to Standards Committee and Cabinet.	
	Setting out clear expectations and standards throughout the supply chain, monitoring compliance with them and clear explanation provided as to the consequences of failing to meet the standards expected.	Review of Contract Standing Orders is currently being undertaken – is this aspect being considered?	Consider a defined Supplier Code of Practice that we invite/encourage/mandate our suppliers to demonstrate adherence to, and can be used to consolidate existing rules and requirements?

Agenda Item 6

QUARTERLY UPDATE ON STANDARDS COMPLAINTS

Officer contact: Julie Openshaw District Solicitor and Monitoring Officer 01494 421252 julie.openshaw@wycombe.gov.uk

Wards affected: All

PROPOSED DECISION

To note the report.

Reason for Decision

To provide the Committee with an overview of complaints about Member conduct since January 2016.

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.
2. In order to enable Standards Committee to maintain an overview of complaints and any trends emerging, reports will be presented quarterly.

Executive Summary

3. This report provides Standards Committee with an overview of recent complaint cases.

Sustainable Community Strategy/Council Priorities - Implications

4. None.

Background and Issues

5. Standards Committee is presented with quarterly updates on member conduct complaints.
6. Since the most recent report to committee in January 2016, three complaints have been dealt with. As reported in January, two were already ongoing at that time, and in the meantime a third has been submitted and dealt with. Two complaints related to members of Parish Councils and the third related to a member of WDC. Whilst all three complaints proceeded to Stage Two, after consultation with an Independent Person it was decided that none of them justified a full investigation being carried out. Decision notices issued to complainant and subject member in each case set out detailed reasoning for the decisions. By way of reminder, Stage 1 is the point at which the complaint is sent to the subject member for response, and Stage 2 is the point at which the subject member has responded but after seeing the response, the complainant has then indicated that they are not satisfied with the response and wish the Monitoring

Officer in consultation with an Independent Person to consider whether the matter should be referred for investigation. There are no current outstanding complaints.

Options

7. None, this report for noting only.

Conclusions

8. The continuing relatively small number of complaints suggests that ethical standards continue to be taken seriously by District, Town and Parish Councillors.

Next Steps

9. Further updates will continue to be provided quarterly.

Background Papers

None.

Agenda Item 6

Standards Complaints						
Complaints submitted under Localism Act procedure:						
Ref No	Date Recd	Complainant	Against Councillor:	Council	Outcome	Date
SC31	08/11/2015	Dr L Derrick	Cllr P Williams	Hughenden PC	Complaint not referred for investigation. Public benefit not served by further investigation.	04/02/2016
SC32	15/12/2015	Ms P Brooks	Cllr B Gay	Downley PC	Complaint not referred for investigation. Public benefit not served by further investigation.	10/02/2016
SC33	05/02/2016	Cllr K Ahmed	Cllr M Hussain	Wycombe DC	Complaint not referred for investigation. Public benefit not served by further investigation.	15/03/2016