



Standards Committee

Date: Tuesday, 11 July 2017
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 M Clarke

Councillors K Ahmed, D J Carroll, A R Green, R Newman, S Saddique and J A Savage

Independent Members: Mr G Houalla and Mr M Pearce

Parish Council Members: Parish Councillor Mr A Cobden

Standing Deputies

Councillors: A D Collingwood, H L McCarthy, R Raja and R J Scott

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Agenda

Item		Page
1	Apologies for Absence To receive any apologies for absence.	
2	Declarations of Interest	

Item	Page
<p>To receive any disclosure of any 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, he or she is asked if possible to contact the District Solicitor prior to the meeting.</p>	
<p>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.</p>	
3	<p>Minutes of Previous Meeting 1 - 2</p> <p>To confirm the minutes of the previous meeting held on 8 February 2017.</p>
4	<p>Review of Independent Person Training 3 - 4</p>
5	<p>Quarterly Complaints Update 5 - 7</p>
6	<p>Supplementary items (If Any)</p> <p>If circulated in accordance with the five clear days' notice provision.</p>
7	<p>Urgent Items (If Any)</p> <p>Any urgent items of business as agreed by the Chairman.</p>

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

Standards Committee Minutes

Date: 8 February 2017

Time: 6.15 - 6.37 pm

PRESENT: Councillor C Etholen (in the Chair)

Councillor Mrs J A Adey, Councillor M Clarke, Parish Councillor Mr A Cobden, Councillor R Raja and Councillor J A Savage, Councillor A D Collingwood and Councillor R J Scott

Parish Council Member: Parish Councillor Mr A Cobden

15 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor S Broadbent, Councillor A Green, Mr G Houalla and Mr Pearce.

16 DECLARATIONS OF INTEREST

There were no declarations of interest.

17 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the meeting held on 15 November 2016 be confirmed as a correct record and signed by the Chairman.

18 MODERN SLAVERY TRANSPARENCY STATEMENT

The Committee received a report which set out the reasons for publishing a voluntary Modern Slavery Transparency Statement. The Statement set out the steps the Council could take to seek to prevent slavery and human trafficking being involved in its supply chains and invited the support of the Standards Committee and Council.

It was reported that one other local authority, East Lindsey DC, had published a voluntary statement and in September 2016 the Corporate Governance Group agreed that, although it was not a statutory duty for the Council to provide a Statement, it was considered good practice. Also in view of the Home Office approach with regard to tackling modern slavery it was possible that future legislation could make the publication of such statements mandatory.

It was noted that a number of Council services had fed into the Statement including HR, Fraud Prevention, Procurement and the Prevent and partnership work done by the Communities and Environment teams.

At the meeting in November 2016, the Standards Committee confirmed its support for the principle of a Statement and expressed the view that following its own approval, full Council should also be invited to support it.

Members asked how new and existing contractors would be checked and monitored to make sure they were not involved in slavery or human trafficking. In response it was reported that best practice on procurement continues to develop and measures would be in place to check tenderers' compliance when bidding for contracts. Officers would continue to review existing contracts and monitoring would be in place. It was suggested that existing and new contractors be required to confirm that they abide by the Modern Slavery Transparency Statement. The District Solicitor confirmed that this would be investigated and reported back to the committee.

Recommended: That the Modern Slavery Transparency Statement be approved and that full Council be recommended to support its publication.

19 QUARTERLY COMPLAINTS UPDATE

A report was submitted which provided an overview of recent complaint cases regarding Member conduct since November 2016.

It was noted that since the last meeting two complaints had been concluded. One of these complaints, which sought to revive an earlier withdrawn complaint, was rejected prior to the preliminary Stage 1. Another complaint progressed to Stage 2, at which stage after consideration it was not taken forward for investigation. The complainant chose to remain anonymous and therefore the subject member's identity was also anonymised in the report to ensure the complainant could not be identified. There were no current outstanding complaints.

It was noted that the continuing small number of complaints suggested that ethical standards continue to be taken seriously by local Councillors.

Members requested that information be included on the associated appendix to the report with regards to the involvement of the Independent Person where relevant.

RESOLVED: That the report be noted.

Chairman

The following officers were in attendance at the meeting:

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

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 Independent Person training course which has taken place, receive feedback on aspects raised, 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 recently been offered to the Independent Persons with the objective of sharing practical information about their roles within different Councils, and best practice, and one of the Independent Persons has attended the training course.

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. They are also invited to committee meetings and routinely attend to participate in debate, as observers, but with a valuable role and bringing added insight to the committee's work.

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 at the time to guide future involvement.
6. Since, then, each Independent Person has gained practical experience of involvement in the complaints handling process. 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 the most recent seminar took place in March 2017. One of the Independent Persons, Mr Gilbert Houalla was able to attend the training; it will be recalled that Mr Michael Pearce and the Monitoring Officer attended a similar course in late 2014, and reported back to Committee in January 2015.
7. Elements of the training course included 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. This report enables feedback to be provided so that the committee can discuss any aspects raised.

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, how other Independent Persons carry out their roles, 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 further training for the Independent Persons will continue to be monitored.

Background Papers

None.

Agenda Item 5

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 February 2017.

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 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 report to Committee on 8 February 2017, at which time two completed complaints were reported with none outstanding, four new complaints have been submitted. Of these, two have been concluded and are set out in Appendix 1. Of the other two, the subject member has responded on each, one is proceeding to Stage 2, and at the time of compiling this report, the other is awaiting a response within the relevant deadline from the complainant. Progress will be reported at the next meeting.

Options

7. None, this report is for noting only.

Conclusions

8. As with recent reports, there continues to be overall a small number of complaints, and so far no referrals for investigation. The involvement of the view of an Independent Person in each decision, as required by the legal framework, provides a check and balance to ensure that decisions made at Stage 2, i.e. whether or not to have an investigation carried out into a complaint, are proportionate and reasonable. Whilst it is more difficult to judge the degree of public knowledge of, or confidence in, the member complaints system, the relatively small number continues to suggest that ethical standards are taken seriously by District and Parish members on the whole.

Next Steps

9. Further quarterly updates will be provided.

Background PapersNone.

Standards Complaints

Complaints submitted under Localism Act procedure:

Ref No	Date Recd	Complainant	Subject Member:	Council	Outcome	Date completed
SC36	04/04/2017	Mr R Chavez	Cllr C Whitehead	Wycombe DC	Complaint not referred for investigation; complainant did not indicate dissatisfied with Member's response.	08/06/17
SC37	05/05/2017	Mr D Lord	Cllr S Adoh	Wycombe DC	Complaint not referred for investigation; complainant satisfied with Member's response.	08/06/17