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ANNUAL REPORT OF WYCOMBE DISTRICT COUNCIL STANDARDS COMMITTEE 2017-18

1.0 Foreword by Cllr Carl Etholen, Chairman of Standards Committee

- 1.1 I am pleased to present this, the first annual report of the current Standards Committee since its inception in 2012, which outlines the Committee's work over the past year. Wycombe District Council's Standards Committee plays a key part in the Council's support for and promotion of high ethical standards and probity, and meets at least quarterly to fulfil this role. In this way it provides a vital contribution towards the Council's governance arrangements. As well as 8 WDC elected members, appointed in accordance with political proportionality, the Committee also includes 3 Parish Council co-optees, and its two Independent Persons, in non-voting roles. In 2017, for the first time in the past couple of years, the Committee has been able to recruit to the two vacant Parish Council places, so all three roles are now filled. Work is ongoing to recruit to a recent vacancy for one of the two Independent Persons.
- 1.2 I would like to thank all Members who have served on the Standards Committee during the year and those officers who have supported the work of the Committee in presenting and discussing reports.



2.0 Standards Committee Membership 2017-18

2.1 The Standards Committee is currently comprised as follows:

- Cllr Carl Etholen (Chairman)
- Cllr Marten Clarke (Vice Chairman)
- Cllr Khalil Ahmed
- Cllr David Carroll
- Cllr Tony Green
- Cllr Richard Newman
- Cllr Saeed Saddique
- Cllr John Savage
- Parish Councillor Andy Cobden
- Parish Councillor Tim Nolan
- Parish Councillor Hilda Stearn
- Mr Gilbert Houalla (Independent Person)
- Vacancy (Independent Person)

2.2 The Standards Committee consists of 8 WDC elected members, politically balanced according to representation, and appointed by their respective groups, the three co-opted representatives drawn from members of the Parish Councils in the District and two Independent Persons who have been appointed by the Council. In accordance with the requirements of legislation, the Independent Persons and Co-opted members are non-voting. Nonetheless, they have full speaking rights and the ability to influence the Committee's work.

2.3 Parish Councillor Cobden has been in the role since 2015; Parish Councillor Nolan and Parish Councillor Stearn were appointed in 2017.

2.4 Under the Localism Act 2011, the Council was required to appoint one or more Independent Persons to assist in the Standards process, and chose to appoint two. The functions of the Independent Persons within the work of Standards Committee are that they must be consulted by the Authority before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decide on action to be taken in respect of that member, they may be consulted in respect of a Standards complaint at any other stage, and they may be consulted by a member or a co-opted member of the Council against whom a complaint has been made.

2.5 Mr Gilbert Houalla was appointed in May 2013 to fulfil the role and following the death of Mr Michael Pearce, who was appointed at the same time, a recruitment process is currently being pursued to appoint to the vacancy.

2.6 The Council's Monitoring Officer, together with the Deputy Monitoring Officer and other officers from Legal Services and Democratic Services, support the Standards Committee in its work and Members to comply with the Code of Conduct. The Monitoring Officer has a statutory role to ensure that the Council's decisions through its members and officers are lawful.

3.0 Remit of committee/terms of reference/constitution/scope of this report

- 3.1 Wycombe District Council's Standards Committee in its present format was first set up in July 2012, following the coming into force of the Localism Act 2011.
- 3.2 Members of the Standards Committee have a common interest in championing high standards of conduct amongst local politicians.
- 3.3 Its Terms of Reference, as set out in the Council's Constitution, are:
- To promote and maintain high standards of conduct by the Members and co-opted Members of Wycombe District Council.
 - To assist Members and co-opted Members of the District Council to observe the Council's Code of Conduct.
 - To advise the District Council on the adoption or revision of a Code of Conduct.
 - To monitor the operation of the District Council's Code of Conduct, having regard to any national or local guidance.
 - To consider and grant dispensations in respect of Member interests as provided in the Localism Act 2011.
 - To advise, train or arrange the training of Members and Co-opted Members of the District Council on matters relating to the authority's Code of Conduct.
 - To consider any matters referred to it by the Monitoring Officer (delegated to ad hoc Hearings Panel).
 - To discharge the first four functions above in relation to Parish Councils within the area of the Wycombe District.
 - To advise the Council on the adoption or revision of Codes of Conduct.

4.0 Work programme

- 4.1 The items of business dealt with by the Committee are summarised in Appendix 1.
- 4.2 Three particular areas of importance covered in 2017-18 were the adoption of more detailed guidance around the use of social media, and the acceptance and declaration of gifts and hospitality, and a review of the way in which the process for handling of complaints of alleged member misconduct is operated.
- 4.3 In 2012, following the implementation of the Localism Act 2011 and associated changes to the Standards regime, the Monitoring Officer was appointed to receive complaints of failure to comply with the Code of Conduct. The Monitoring Officer has delegated power, after consultation with an Independent Person, if appropriate, to determine whether or not a

complaint merits formal investigation. Wherever practicable, the Monitoring Officer is able to encourage resolution of complaints without formal investigation.

- 4.4 The Standards Committee receives a regular report at each meeting on the discharge of this function. A list of all matters reported to Standards Committee in 2017-18 is at Appendix 2. Future annual reports will enable comparison of annual numbers and outcomes to be undertaken.
- 4.5 In July 2017, Mr Houlla provided an update to the Committee on an Independent Person training session he had attended. The training covered legislation, process and the role of the Independent person including case studies and information from other experienced Independent Persons. He noted and informed the Committee that the training demonstrated that Wycombe District Council is following best practice guidance. During the year, training was also provided to the new, and existing, Parish Council members, covering the Monitoring Officer role, the history of the current standards and ethics legislation, the work of the Committee, and the role of the Parish Council members. Whilst no update training to members has been undertaken this year training was carried out after the 2015v elections, and in 2016, and further update training will be considered as necessary.
- 4.6 Under the provisions of the Localism Act 2011, the Standards Committee and in some circumstances the Monitoring Officer have power to grant dispensations. The grounds for granting a dispensation are:
- without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
 - without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
 - granting the dispensation is in the interests of persons living in the authority's area;
 - without the dispensation each member of the Council's Cabinet would be prohibited from participating in any particular business to be transacted by the Cabinet;
 - it is otherwise appropriate to grant a dispensation.
- 4.7 In 2017-18 no dispensations have been applied for or granted.

5.0 Conclusion

- 5.1 The Standards Committee has continued to promote the principles and values of high standards of conduct and good governance across the Council. Its work will continue and annual reports of its work will highlight its work and enable trends to be identified.

Appendix 1

Standards Committee agenda items 2017-8

8 February 2017

- Modern Slavery Transparency Statement
- Quarterly Complaints Update

11 July 2017

- Review of Independent Person Training
- Quarterly Complaints Update

10 October 2017

- Selection and appointment of Co-opted Members of Standards Committee
- Adoption of Guidance on use of Social Media by Members
- Adoption of Guidance on Acceptance of Gifts and Hospitality
- Annual Standards Report to Council
- Quarterly Complaints Update

9 January 2018

- Recruitment and Appointment of Independent Person
- Review of Member Standards Complaints process
- Quarterly Complaints Update

20 March 2018

- Intimidation in Public Life – review by the Committee on Standards in Public Life
- Committee on Standards in Public Live – Local Government Ethical Standards Stakeholder Consultation
- Protocol between Wycombe District Council and Thames Valley Police
- Independent Person Appointments
- Annual Report of Standards Committee
- Quarterly Complaints update

Appendix 2

Standards Complaints						
Complaints submitted under Localism Act procedure:						
Ref No	Date Recd	Complainant	Against Councillor:	Council	Outcome	Date completed
SC34	05/01/2017	Ms E Plowman	Cllr B Pearce	Wycombe DC	Complaint rejected at preliminary stage as previous complaint withdrawn.	20/01/2017
SC35	02/12/2016	Anonymised	Anonymised	Wycombe DC	Complaint not referred for investigation. Public benefit not served by further investigation.	20/01/2017
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.	08/06/2017
SC37	05/05/2017	Mr D Lord	Cllr S Adoh	Wycombe DC	Complaint not referred for investigation; complainant satisfied with Member's response.	08/06/2017
SC38	15/05/2017	Cllrs A Baughan, M Knight, J Wassell	Cllr B Pearce	Wycombe DC	Complaint not referred for investigation; alternative resolution suggested and agreed to by subject member.	04/08/2017
SC39	18/05/2017	Cllr A Hill	Cllr B Pearce	Wycombe DC	Complaint not progressed to Stage 2; complainant did not wish to proceed further.	03/07/2017
SC40	05/07/2017	Mrs L Cannon Clegg	Cllr D Johncock	Wycombe DC	Complaint not progressed to Stage 2; complainant did not wish to proceed further.	07/08/2017
SC41	11/08/2017	Anonymised	4 Councillors	Wycombe DC	Complaint not referred for investigation. Public benefit not served by further investigation.	02/11/2017
SC42	11/08/2017	Anonymised	1 Councillor	Wycombe DC	Complaint not referred for investigation. Public benefit not served by further investigation.	23/10/2017
SC43	20/08/2017	Mr I Harrison	Cllr K Wood	Wycombe DC	Complaint not referred for investigation. Public benefit not served by further investigation. Referred to BCC's service complaint process.	30/10/2017
SC44	15/11/2017	Ms C Harris	Cllr M Detsiny	Lane End PC	Complaint not referred for investigation. Public benefit not served by further investigation.	09/01/2018