

STANDARDS COMMITTEE

28 September 2015

STANDARDS ISSUES - UPDATE

REPORT OF CHIEF OPERATING OFFICER

Contact Officer: Stephen Whetnall/David Blakemore Tel No: 01962  
848220/848217 [swhetnall@winchester.gov.uk](mailto:swhetnall@winchester.gov.uk) or [dblakemore@winchester.gov.uk](mailto:dblakemore@winchester.gov.uk)

RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

This report updates Members on a number of issues and outlines the future work programme.

RECOMMENDATIONS:

That the Independent Persons and Parish Representatives be requested to undertake further evaluation of committee meetings to ascertain the level of compliance with the Code of Conduct and other guidance.

## STANDARDS COMMITTEE

28 September 2015

### STANDARDS ISSUES - UPDATE

#### REPORT OF CHIEF OPERATING OFFICER

##### DETAIL:

#### 1 Complaints 2015/16

- 1.1 To date, formal Code of Conduct complaints have been received by the Council about three City Councillors and three complaints about Parish Councillors during the 2015/16 Municipal Year.
- 1.2 A complaint about two City Councillors was withdrawn by the complainant before the formal Assessment stage.
- 1.3 Another complaint involved two individual Parish Councillors and one City Councillor. This matter is to be formally considered by a Standards (Assessment) Sub Committee.
- 1.4 One complaint involving a Parish Councillor was the subject of an investigation and assessment by the Monitoring Officer and one of the Independent Persons; the conclusion was that the facts of the case did not justify further action. However, the complainant (supported by supplementary evidence) has asked that the decision made under the Monitoring Officer's delegated powers be reviewed. This matter is to be formally considered by a Standards (Review) Sub Committee.
- 1.5 The Council has also received queries with regard to other complaints to be potentially taken forward and advice has been given whether the matters raised could be formally considered as part of the process. Another complaint was made against a parish clerk, and the complainant was advised as to how that matter may be resolved outside of the formal Code of Conduct Complaints process.

#### 2 Monitoring of Committee Proceedings by Independent Persons and Parish Representatives

- 2.1 The Monitoring of Committee Proceedings by Independent Persons and Parish Representatives has previously been carried out every two years and another exercise is now due.
- 2.2 Meetings of Cabinet, The Overview & Scrutiny Committee and Planning Committee have been monitored in the past, being those that generate the highest levels of public interest. The monitoring process involves one each of

the Independent Persons and Parish Representatives (in various combinations) attending selected committee meetings as members of the public. They are not 'mystery shoppers', as this Committee decided that everyone at the meeting to be monitored should be aware of their attendance and their role, which was to observe proceedings from the public viewpoint and make comments regarding the observance by Members of the Code of Conduct and other protocols.

- 2.3 The exercise also provides a good opportunity to comment on a number of general 'housekeeping' issues, such as meeting facilities, signage and acoustics. The feedback has always proved useful and highlighted areas for improvement, many of which have since been addressed. The Committee is requested to consider whether it wishes similar visits to be carried out in the forthcoming cycles of meetings.
- 2.4 An updated copy of the questionnaire is attached as Appendix 1 to this report and, if the above is agreed, comments about the questions asked and possible changes would be welcomed.

### 3 Training

- 3.1 The usual Code of Conduct / Probity and Ethics training was held on 16 June 2015. 22 Members attended along with four Independent Persons/Parish Representatives.
- 3.2 A similar session is held annually for Parish Councils and this year this is to be held on 5 October 2015. To date, 22 attendees have confirmed. City Councillors and those Independent Persons/Parish Representatives who were unable to attend in June have also been invited.

### OTHER CONSIDERATIONS:

#### COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):

An Efficient and Effective Council

#### RESOURCE IMPLICATIONS:

Local investigations/determinations will need to be carefully monitored, to see if there is a need for additional consultancy support. This may be the case if existing staff have a potential conflict of interest through earlier involvement in the case in question. It could also arise if the volume of work referred to is significant. In these circumstances, budget provision would need to be identified as there is no longer a specific budget for this purpose.

#### RISK MANAGEMENT ISSUES

None

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix 1 - Monitoring of Proceedings Questionnaire



**STANDARDS COMMITTEE - QUESTIONNAIRE FOR MONITORING MEETINGS**

**(Please circle the best description)**

1. How clear was the signage at the Guildhall to indicate where and when the meeting would be held?

Excellent / Good / Average / Poor / Very Poor

Further  
 Comments.....  
 .....  
 .....  
 .....

2. To what extent was it clear who the Councillors, the officers and (if appropriate) the applicants were?

Completely / Quite well / Partly / Not at all

Further  
 comments.....  
 .....  
 .....  
 .....

3. How good were the facilities in the meeting room? (eg seating and, if appropriate, monitors, projector screens etc)

Excellent / Good / Average / Poor / Very Poor

Further  
 comments.....  
 .....  
 .....  
 .....

4. Were copies of the agenda available on the public seating?

Yes / No

Further  
comments.....  
.....  
.....

5. To what extent did the agenda sheet clearly explain the process of public participation?

Completely / Quite well / Partly / Not at all

Further  
comments.....  
.....  
.....

6. How clearly was the opportunity for public participation announced at the beginning of the meeting?

Completely / Quite well / Partly / Not at all

Further  
comments.....  
.....  
.....

7. Were you asked directly by the Committee Administrator or the Chairman if you wanted to speak during public participation?

Yes / No

Further  
comments.....  
.....  
.....

8. If there was public participation, how did the Chairman deal with it and to what extent were the questions/concerns answered fairly?

Completely / Quite well / Partly / Not at all

Further comments.....  
.....  
.....  
.....

9. How well could both the public speakers and the Councillors be heard?

Completely / Quite well / Partly / Not at all

Further comments.....  
.....  
.....  
.....

10. Councillors who are not members of the Committee can sometimes contribute to the debate, including Portfolio Holders, Ward Members and the Leader. If applicable, how well was this fact communicated to the public?

Completely / Quite well / Partly / Not at all

Further comments.....  
.....  
.....  
.....

11. Following on from question 10 above, and specifically relating to the Planning Committee, to what extent was the Planning Protocol followed (eg: Members of the Committee not voting because of perception of bias/pre-determination or choosing to speak as a Ward Member to advocate a particular view)?

Completely / Quite well / Partly / Not at all

Further comments.....  
.....  
.....  
.....

12. If any Councillors declared an interest, how well was it made clear what the actual interest was (i.e. Disclosable Pecuniary Interest, personal or personal & prejudicial and a brief mention of the circumstances)?

Completely / Quite well / Partly / Not at all

Further  
comments.....  
.....  
.....  
.....

13. Did any Member leave the room after declaring an interest, perhaps after making a statement under Public Participation as permitted by the Code of Conduct?

Yes / No

Further  
comments.....  
.....  
.....  
.....

14. When items were debated, how well did the Chairman achieve a fair and balanced discussion?

Completely / Quite well / Partly / Not at all

Further  
comments.....  
.....  
.....  
.....

15. How well did the Chairman summarise the debate prior to a decision being made?

Completely / Quite well / Partly / Not at all

Further  
comments.....  
.....  
.....  
.....



16. How clearly did you understand the actual decision reached by the meeting on each item?

Completely / Quite well / Partly / Not at all

Further comments.....  
.....  
.....  
.....

17. Overall, to what extent was the debate and decision easy to follow for the lay person?

Completely / Quite well / Partly / Not at all

Further comments.....  
.....  
.....  
.....

**OTHER COMMENTS:**

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....