



Minutes

Name of meeting	ETHICAL STANDARDS COMMITTEE
Date and time	MONDAY, 18 MAY 2009 COMMENCING AT 6.00 PM
Venue	COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	<u>Independent Members:</u> Mr Mark Southwell (Chairman), Mr Anthony Brindle, Mr Keith Fagan, Mr George Hibberd, Mr Peter Tautz <u>Representative of Town and Parish Councils:</u> Mr Richard Day, Mr Ron Mew <u>Isle of Wight Council Members :</u> Cllrs Mike Cunningham, Heather Humby
Officers Present	Davina Fiore, Julie Martin
Apologies	Cllrs Muriel Miller, Erica Oulton Mr Bruce Claxton, Mr Denis Russell

37. **Minutes**

RESOLVED :

THAT the Minutes of the meeting held on [16 March 2009](#) be confirmed.

38. **Declarations of Interest**

There were no declarations received at this stage

39. **Update from the Chairman**

The member induction plan was now available on the Council's web site. The sessions relevant to the Ethical Standards Committee would be held in the Council Chamber on Tuesday, 9 June 2009 commencing at 2.00 pm and on Wednesday, 10 June 2009 commencing at 6.00 pm. Members of the Committee were welcome to attend any of the sessions.

A meeting of the Consideration and Hearing Sub Committee had been held to consider a complaint relating to Mr Maley. The complaint had originated under the old system. The Sub Committee considered there had been a breach of the Code of Conduct and therefore as Mr Maley was no longer a Councillor the Sub Committee could only censure him.

The Chairman had attended the Full Council meeting on 15 April 2009 at which the Ethical Standards Committee Annual Report was presented. Two questions arose from that meeting; the first was with regard to advising a member when a complaint about them had been received and the second was how new members to the Ethical Standards Committee were recruited.

Two places had been booked for the Standards Board for England Conference due to be held in October 2009.

40. **Reports of the Director of Corporate Services**

(a) Response to Consultation with Parish Councils on Feedback

A consultation with Parish and Town Councils had been held on a possible scheme whereby Independent Members of the Ethical Standards Committee who visited Parish and Town Council meetings could give feedback on their visit. It was believed from the responses received that feedback was not generally supported.

There was some discussion whereby some members believed it had been agreed the Committee would take a step back and revisit the process at a future date. It was noted that Parish and Town Council meetings were open to anyone to attend and members would be happy to continue observing meetings as had been done for a number of years. Members of the Committee believed their attendance was to obtain a better understanding of how Parish and Town Councils operated.

RESOLVED :

THAT following consideration of the comments by Parish and Town Councils, members of the Committee were happy to continue to observe meetings as had been done for a number of years.

(b) Consideration of the Practice of not Informing Members when a Complaint Against them has been Received

The existing practice of not informing a member against whom a complaint had been made until after the Assessment Sub Committee had determined what action to take was discussed.

The Director gave an outline of the first complaint received whereby the member was advised before the hearing and the stress that had caused that member.

There had been some discussion at the full council meeting in April 2009 whereby councillors indicated they would prefer to be told a complaint had been made against them prior to the Assessment Sub Committee being held.

RESOLVED :

THAT the arrangements be amended so that subject to the Monitoring Officer's discretion, members would usually be informed of the following as soon as a complaint against them has been received:

- (i) That a complaint has been made;
- (ii) State the name of the complainant (unless the complainant has requested confidentiality and the standards committee has not yet considered whether or not to grant it) and
- (iii) The relevant paragraphs of the Code of Conduct that may have been breached.
- (iv) The date of the meeting of the Assessment Sub Committee, and
- (v) That a written summary of the allegation will only be provided once the Assessment Sub Committee has met to consider the complaint.

(c) Initial Assessment Review and Report Back

The Monitoring Officer reported on the latest statistics following assessment of complaints against members.

RESOLVED :

THAT the report be noted.

(d) Future Frequency of Meetings

Members noted that since the introduction of local filtering of complaints the Committee's workload had substantially decreased. It was suggested that the cycle of meeting be altered to a 12 week cycle which would fit in with other Council committee's. The informal meetings currently held between the formal meetings, would continue to be held.

RESOLVED :

THAT the frequency of formal meetings be changed to a 12 weekly cycle.

(e) Standards Bulletin 43

Members noted the latest issue of the Bulletin.

RESOLVED :

THAT the content of the Bulletin be noted.

41. **Updates from Monitoring Officer**

An Annual Monitoring report had been submitted to the Standards Board for England.

The Standards Board for England investigation was still ongoing.

42. **Workplan**

The next scheduled meeting was due to be held in August, this would now be moved to September 2009.

Discussion on how to advertise for new Independent members of the Ethical Standards Committee should be included on the workplan for the next meeting.

43. **Thanks**

The Chairman and members of the Committee thanked Councillors Mike Cunningham and Muriel Miller, who were both not standing for election, for all the work they had done during their time on the Committee.

CHAIRMAN