



Minutes

Name of meeting	ETHICAL STANDARDS COMMITTEE
Date and time	MONDAY, 28 MAY 2012 COMMENCING AT 6.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	<u>Independent Members:</u> Mr Mark Southwell (Chairman), Mr George Hibberd, Ms Liz Mackenzie <u>Representative of Town and Parish Councils:</u> Mr Richard Day, Mr Ron Mew, Mr Denis Russell <u>Isle of Wight Council Members :</u> Cllrs John Howe, Gary Taylor
Officers Present	Julie Martin, Chris Mathews, Helen Miles
Apologies	Mr Ray Smith

1. [Election of Chair](#)

RESOLVED :

THAT Mark Southwell be elected Chairman of the committee for the ensuing year.

2. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [4 April 2011](#) be confirmed.

3. [Election of Vice Chair](#)

RESOLVED :

THAT George Hibberd be elected Vice Chairman of the committee for the ensuing year.

4. **Declarations of Interest**

There were no declarations received at this stage.

5. **Update from the Chair**

The Chairman extended the Committee's thanks to Captain Anthony Brindle and Mr Keith Fagan for their contribution to the Committee over the past.

He advised there were two investigations currently being undertaken.

6. **Reports of the Deputy Director of Resources (Corporate Governance)**

(a) **Replacement Code of Conduct and Complaint Process**

Members discussed the proposed replacement Code of Conduct for Isle of Wight and Town and Parish Councillors. The draft Code had been circulated to all Isle of Wight Council members and all parish and town councils and the Isle of Wight Association of Local Councils.

One comment had been received suggesting that when a member is initially sent a copy of a complaint they are informed that the matter should remain confidential. This amendment was supported.

Feedback had also been received from the Isle of Wight Association of Local Councils (IWALC). The Chairman of the Ethical Standards Committee and the Monitoring Officer had been invited to attend the next IWALC meeting due to take place in June.

The National Association of Local Councils (NALC) had produced a template Code of Conduct for parish councils, which had been circulated to members. It was noted that two items of importance were missing from NALC's template, relating to compromising impartiality and having regard to any relevant advice from the clerk. It was also NALC's view that it was not for parishes to consider sanctions for their members.

The Deputy Monitoring Officer suggested two changes to the Code of Conduct as follows :

- Paragraph (c) and (d) of paragraph 2 be withdrawn and paragraph (b) be re-written.
- Paragraph 10 - Declaration of Pecuniary Interest – to include the requirement to declare an interest alongside the need to leave the room if a pecuniary interest declared.

It was noted that it would be a requirement by law that a councillor's register of interest would have to be displayed on the council's website. Town and Parish Councils would also be required to do this.

There was a suggestion that the four parish representatives should work on a rota basis. Two would be in office for two years and two for four years. It was proposed that they could have a four year term of office with no member standing for more than two terms.

RESOLVED TO RECOMMEND TO FULL COUNCIL :

- (i) THAT the proposed Code of Conduct as at Appendix A attached to and forming part of these minutes) be adopted.
- (ii) THAT the proposed process for dealing with complaints as at Appendix B (attached to and forming part of these minutes) be implemented.
- (iii) THAT (subject to the detailed regulations on process to be followed and any interim arrangements) of 5 Designated independent Persons be appointed;
- (iv) THAT the Isle of Wight Association of Local Councils be invited to appoint 4 town/parish councillors who the Monitoring Officer or Appeals Committee can consult when considering complaints against parish/town councillors;

RESOLVED TO RECOMMEND TO ALL PARISH AND TOWN COUNCILS ON THE ISLE OF WIGHT

- (v) THAT the proposed Code of Conduct as attached at Appendix A (attached to and forming part of these minutes) be adopted;

RESOLVED :

- (vi) THAT the Monitoring Officer, in consultation with the Chairman be authorised to agree any minor changes to the appendices to ensure accuracy and compliance with any regulations that may be issued.
- (vii) THAT the Monitoring Officer be requested to provide training and briefing for Isle of Wight Councillors and Parish and Town Councillors on the new arrangements.

(b) [Annual Report](#)

The Chairman indicated that he would need to update his statement prior to putting the report to Full Council meeting in June 2012.

RESOLVED:

THAT the finalisation of the report be delegated to the Monitoring Officer in consultation with the Chairman.

7. **Updates from Monitoring Officer**

The Monitoring officer advised members that there were only two outstanding items. It was intended that they would be considered by the end of June.

8. **Approval to Sign Minutes**

As this was the last meeting of the Ethical Standards Committee, approval was sought to enable the Chairman to sign off the minutes.

RESOLVED

THAT the Chairman be given approval to sign off the minutes.

CHAIRMAN