



Minutes

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| Name of meeting | STANDARDS COMMITTEE |
| Date and time | MONDAY, 16 JULY 2007 COMMENCING AT 6.00 PM |
| Venue | COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT |
| Present | <u>Independent Members:</u> Mr M Southwell (Chairman), Mr B Claxton, Mr K Fagan <u>Representative of Town and Parish Councils:</u> Mr D Russell, Mr R Mew (1 st Deputy), <u>Isle of Wight Council Members :</u> Cllrs Mike Cunningham, Muriel Miller, Erica Oulton Cllr Jilly Wood |
| Members (non voting) | |
| Officers Present | John Barker, Chris Bentley, Sue Chilton, Chris Mathews, Julie Martin, Pat Szatter |
| Apologies | Mr R Day, Mr G Hibberd, Heather Humby |

Members were advised that since the last meeting, Mrs Joy Harding had resigned from the committee. The Head of Democratic Services had written thanking her for her service to the Committee, she had been a member for six years.

7. **Minutes**

RESOLVED :

THAT the Minutes of the meeting held on [21 May 2007](#) be confirmed subject to a number of grammatical changes to be made by the Committee Administrator in consultation with the Chairman.

8. **Declarations of Interest**

There were no declarations received at this stage.

9. **Update from the Chair**

The Chairman advised the Committee that he had received a personal letter from a member of the public outlining general concerns regarding the handling of a particular planning application. After reading the relevant file given to him by the Head of Democratic Services he did not believe there had been any impropriety.

10. **Parish and Town Council Development**

The Cabinet Member for Customers and Parish Empowerment, Cllr Jilly Wood, advised the Committee that the Government White Paper was about partnerships and working together. She expected that the Island would be fully emparished by 1 April 2008. There were currently five submissions awaiting a decision from the Secretary of State. If Parish and Town Councils wanted to deliver services on behalf of the Isle of Wight Council then they must achieve Quality Status.

Sue Chilton, Parish and Community Development Manager told the Committee that the Isle of Wight Council had three key objectives. To emparish the whole Island, promote quality parishes and to devolve services to quality councils.

Management Committees had been set up whilst waiting for a decision from the Secretary of State.

Providing Parish and Town Councils had quality status then services could be devolved to them. Two pilot schemes were currently being trialled in Brading and Wootton. Once they had been completed there would be a model which could then be rolled out across the Island.

A Parish Task Group had been established which had regular meetings. A training and development programme had been implemented for clerks and councillors and a helpline had also been created. The second tranche of training was to start in September 2007.

It was reported that the Isle of Wight had the highest percentage of quality councils in the country.

RESOLVED :

THAT the Chairman write a letter of congratulations to all the quality councils on the Isle of Wight.

11. **Reports of the Interim Director of Legal and Democratic Services**

(a) Feedback on Code of Conduct Training

Members were advised that to date 31 Isle of Wight Councillors and 10 officers had attended the training sessions on the revised Code of Conduct. There was one further session to be held.

RESOLVED :

THAT a final report be brought to the next meeting.

(b) Response to Advert for New Members

The Head of Democratic Services informed the Committee that 29 application packs had been sent out and a total of 12 completed applications forms had been returned.

It was expected that interviews would be held during August 2007, followed by the successful candidates meeting the Group Leaders. It was anticipated that Full Council would formally appoint the new members at the 19 September 2007 meeting.

RESOLVED :

THAT the report be noted.

(c) Ethical Governance Audit – Final Report

The Committee was reminded that a team from the I&DeA had come to the Island for two days in February 2007 and the final report arising from that visit was now presented.

The report made the distinction between the historical and the present.

One of the main focuses of attention was around further developing the role and remit of the Standards Committee.

Some members expressed concern with the report as they believed that the questions had been written around the answers.

RESOLVED :

THAT the recommendations in the Ethical Governance Audit be adopted in principle and an Action Plan be brought back to the next meeting.

(d) The Revised Code of Conduct

Several members of the Committee along with officers had attended the Standards Board for England (SBE) Roadshow on the Revised Code of Conduct held in Winchester on 21 June 2007. It was anticipated that in the near future the SBE would publish a draft protocol on confidential information on their website.

There was some discussion relating to confidentiality and circumstances whereby information could be disclosed. It was believed that the advice of the Monitoring Officer must always be sought if there was any doubt.

Local mechanisms to deal with Local Hearings and Filtering needed to be in place by April 2008.

RESOLVED TO RECOMMEND TO FULL COUNCIL :

THAT Draft Protocol (as attached to the Monitoring Officers report) on Confidential Information be adopted.

(e) Staff Survey Update

The Committee was given an update on the work to date. A revised policy was being prepared, and there would be zero tolerance to bullying.

Members indicated that they would like to have known the numbers involved in order to know the extent of bullying. The Head of Democratic Services explained that the Staff Survey results did not deal with individual cases and he was unaware of any specific complaints against Councillors by employees.

There was some discussion around the definition of bullying and indeed how it had been defined by the people completing the survey.

RESOLVED :

THAT staff survey updates be included as a standing item.

(f) Member and Officer Indemnity

The Council's Risk Manager outlined the difference between indemnity and insurance. An indemnity was the right to receive compensation from another for a loss. Although it did not alter the assignment of liability but permitted the indemnified to effectively escape the burden of paying for the liability incurred.

The Isle of Wight Council did have an insurance policy that covered members and officers in a variety of ways. However the

Council could choose to extend this insurance cover by itself indemnifying members to cover their costs and liabilities in civil proceedings. It was suggested that those costs should be repaid by the member if the offence was admitted or was subsequently proven.

To ensure that such indemnities were provided prudently it was suggested that the Monitoring Officer and Chief Financial Officer approve all such cases in advance with an appeal against their decision to this Committee.

The Committee supported the proposal which was aimed at ensuring that members were able to undertake their civic duties without unnecessary fear of defending actions against them.

RESOLVED TO RECOMMEND TO FULL COUNCIL :

- (i) THAT the authority provides indemnity for members to cover their costs and liabilities in Civil proceedings and in Criminal and Standards proceedings (to include hearings before the local Standards Committee, subject to :
 - (1) Repayment if the offence is admitted or the offence is proven;
 - (2) Only being payable where the member had acted in good faith.
 - (ii) THAT any such indemnity be limited to insurance cover limits and conditions except in exceptional circumstances.
 - (iii) THAT each case be considered on its own merits within those conditions by the Monitoring Officer and Chief Finance Officer.
 - (iv) THAT an appeal lies from the Monitoring Officer and the Chief Finance Officer to the Standards Committee save in cases before the local Standards Committee when alternative reciprocal arrangements with other Standards Committees would be established.
- (g) Standards Committee Participation in the ACSeS Model Induction Pack for New Members

ACSeS had asked if the Isle of Wight Council's Standards Committee would be prepared to take the lead in preparing a model induction pack for new members. Members of the Committee were enthusiastic to help with the project, but the Head of Democratic Services advised members that whilst he too was enthusiastic given current resources he would be unable to offer much help at the present time.

There was a suggestion that as he the Head of Democratic Services had to work on a pack for the Isle of Wight Council he could be offer to share it with ACSes once it had been completed.

RESOLVED :

THAT the Head of Democratic Services work on the Induction Pack for the Isle of Wight Council and once it had been finalised offer to share it with ACSes.

(h) Isle of Wight Festival

The Committee was told that following discussions with the promoter's of the festival the Isle of Wight Council had been able to provide a VIP reception facility at the event. This facility had two purposes, one was to recognise the work that Partners carried out to improve services and the other to bring investment to the island.

The Council had also received an allocation of complimentary tickets. Those tickets had been given to Looked After Children and their carers, people with learning disabilities and other people within the Councils care. The tickets were also used for staff working at the event.

During the course of the three days there had been six senior members and six senior officers in attendance in the VIP area, who had acted as hosts to the Councils invited guests. They were there either in their role as a member or as part of their employment as Council staff. All had been advised to enter their attendance onto the Council's Hospitality Registers.

RESOLVED :

THAT the report be noted.

12. **Updates from Monitoring Officer**

Members were reminded that at the last meeting the Committee was told that it would have the outcome from the Standards Board of the ongoing investigation. Unfortunately that outcome was still not available. The Standards Board had recommenced their investigation in May 2007 and as yet could not indicate when the investigation would be complete. The Monitoring Officer would continue to monitor the situation.

There had been an alleged Breach of the Code of Conduct in respect of a Parish Councillor. The Standards Board indicated that no information had been provided in support of the allegation. If information was subsequently provided then they would consider afresh whether the matter should be referred for investigation.

13. **Workplan**

The Committee was advised that updated information on the staff survey should now be included as a standing item.

Local Mechanisms relating to how the Council would deal with Local Hearings and Local Filtering should be in place for April. It was therefore agreed that should be added to the workplan for November 2007 and January 2008.

The first report on an Induction Pack for new members would be added to the workplan for March 2008, bearing in mind that it would not be needed until May 2009.

CHAIRMAN