

INDEPENDENT MEMBERS' FORUM

Berkshire, Oxfordshire and Wiltshire Standards Committees

Notes of a meeting of the Independent Member's Forum held at Shaw House, Newbury, Berkshire on Friday 20 April 2007.

PRESENT:

Albert Gregory	Independent Member	Royal Berkshire Fire Authority
Michael Field	Independent Member	Slough Borough Council
Paul Lipscomb	Independent Member	Slough Borough Council
James Rees	Independent Member	West Berkshire Council
John Bingham	Independent Member	West Berkshire Council
David Holling	Monitoring Officer and Head of Legal & Electoral Services	West Berkshire Council
Andy Day	Deputy Monitoring Officer and Policy Manager	West Berkshire Council
Vicky Wheatley	Policy & Research Officer	West Berkshire Council
David Comben	Independent Member	Wokingham District Council
David Soane	Independent Member	Wokingham District Council
Paul Thomas	Solicitor	Thames Valley Police Authority
Douglas Frewer	Independent Member	Cherwell District Council
John Lay	Independent Member	Oxford City Council
Jeremy Thomas	Monitoring Officer	Oxford City Council
David Howard	Independent Member	Vale Of White Horse
Stuart Harrison	Independent Member	West Oxford
Alan St G Savill	Independent Member	Kennet
James Carine	Independent Member	North Wiltshire & Wiltshire Fire
Rodney Job	Independent Member	Salisbury District Council
Trevor Davies	Independent Member	Swindon Borough Council
Keith Shipman	Independent Member	Wiltshire County Council
Peter McGuigan	Independent Member	Wiltshire County Council
Nick Verginis	Policy Adviser	The Standards Board for England

1. Welcome

James Rees, Independent Chairman of the West Berkshire Council Standards Committee, welcomed participants to the meeting.

2. Apologies for Absence

Apologies for absence were received from:

Paul Lefever		
Rosemary Lansdowne	Monitoring Officer	Royal Berkshire Fire
Frederick Ashmore	Independent Member	Slough
Steven Quayle	Monitoring Officer	Slough
June Cook		Slough
Charles Elly	Independent Member	Windsor & Maidenhead
Roger Sparrow	Independent Member	Windsor & Maidenhead
Anita Grosz	Independent Member	Wokingham
David Best	Officer	Cherwell
Ken Giles	Independent Member	Cherwell
Christopher Turner	Independent Member	Oxford
Margaret Thompson	Independent Member	West Oxford
Bob Philpott	Independent Member	North Wiltshire
Jane Clarkson		Salisbury
Keith Strickland	Monitoring Officer	Wiltshire & Swindon Fire
Ron Flux	Business Manager	Wiltshire Police
John Adams	Independent Member	Wiltshire Police
Anthony Hadfield	Independent Member	Wiltshire Police
David Jones	Independent Member	Thames Valley Police
Peter Cleasby	Independent Member	Thames Valley Police
Gordon Anderson		Bracknell Forrest
Kevin Jacob		Wokingham
Mike Rowan		Kennet

3. Notes of the Previous Meeting

The Forum received the notes of the previous meeting held on 27 October 2006.

Members of the Forum queried how many Independent Members had joined the Independent Standards Committee Members Association following the presentation by Bruce Claxton at the Forum meeting on 27 October 2006. It was felt take-up had been low.

4. Presentation by Nick Verginis (Policy Advisor), the Standards Board for England.

The Forum received a presentation on the Revised Code of Conduct from Nick Verginis, a Policy Advisor for the Standards Board for England. He reported that:

- The new Code would come into effect on 3 May 2007, with Council's being required to adopt the Code by 1 October 2007,
- The new Code aimed to be clearer, clarify rules on interests, empower members to act as community advocates and express objection or support openly, remove the duty to report breaches, provide advice on bullying, give greater clarity on confidential information and cover criminal activities,
- Guidance on declaring interests had been revised so that fewer interests would be declared and Members could become better advocates for their Ward,

- There would be no need to declare an interest in a meeting (such as being a school governor) if a Member had already registered this with the Council,
- The intention of the Code was to give Members the same rights as members of the public. Members with prejudicial interests would have the opportunity to speak on the item and then leave the meeting,
- The Standards Board would provide help to Parishes to adopt the new Code,
- Councils would be able to adapt the Code to their own local requirements but not change the core principles, to ensure consistency,
- Guidance on the disclosure of confidential information would be available on the Standards Board website. It aimed to minimise disclosure of confidential information abuses, such as for political purposes. Members would be advised to contact the Head of Legal or Chief Executive before disclosing any confidential information and consider the Council's own guidance,
- The private conduct of Members would only be considered by the Code when that conduct was criminal and led to a conviction. Cautions or fixed penalty notices would not be included.

Members of the Forum were asked to note that the provision for allowing Members to speak on prejudicial interests was not mandatory for Parishes and other non-local authority organisations. Parishes must also choose to adopt paragraph 12(2).

Members of the Forum expressed concern with the timing of the introduction of the new Code being so close to the local elections, and that the timescale to adopt the Code was short. Nick Verginis reported that the Standards Board were aware of these concerns, and would provide guidance on their website. They were also aware that where Members were part of 2 different bodies (such as District and Town/Parish Councils) the Code may be introduced at different times.

Nick Verginis confirmed that in the new Code bullying was defined as someone having influence with personal or malicious intent or undermining someone's ability to carry out their job. Bullying could be a single event as well as over a sustained period of time.

5. **Open Forum** Members raised the following matters:

(a) Stature of Standards Committees in Councils

The Forum debated whether Councils could make more use of Standards Committees by referring more matters to them or allowing them to consider other topics. In Wiltshire, for example, the Standards Committee were seen as guardians of the Constitution and had carried out a review of the decision making process. In Swindon the Committee also considered the Code for Employees and whistle blowing. It was acknowledged that the role of the Standards Committee depended on the local authority and the leadership.

(b) Adjudication Panels

Members of the Forum expressed concern that there were not always aware when an Adjudication Panel was being held in their area and the cases were not well publicised.

6. **Date and Venue of Next Meeting**

AGREED: That the next meeting would be hosted by the Royal Borough of Windsor and Maidenhead Council, at a date to be confirmed.

(Duration of Meeting 11am to 1pm)

These notes were drafted by Vicky Wheatley, Policy & Research Officer, West Berkshire Council. E-mail vwheatley@westberks.gov.uk