

WYRE FOREST DISTRICT COUNCIL

ETHICS AND STANDARDS COMMITTEE

**THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,
KIDDERMINSTER**

29TH JULY 2008 (6:00PM)

Present:

Councillors: P Dyke, Mrs J Fairbrother-Millis, D R Godwin, M J Hart and Mrs S M Hayward.

Independent Members:

Rev J A Cox (Chairman)

Parish/Town Council Representatives:

R Hobson (Parish Council representative)
Miss A Mace (Town Council representative)

Observers:

There were no members present as observers.

ES.1 Apologies For Absence

Apologies for absence were received from Councillors: Mrs H E Dyke, G H Eeles, M B Kelly, C D Nicholls, K J Stokes and from Mr C J Brighton and Mrs C A Noons (Independent Members).

ES.2 Mr C J Brighton (Chairman)

The Vice-Chairman informed Members of the sad news that the Chairman had rendered his resignation on ill health grounds. The Chairman had told the Monitoring Officer that if he conquered his illness that he would be prepared to return and act as an Independent Member. All Members of the Committee were sad to receive this news and wished to send him their best wishes.

DECISION:

The Principal Committee Officer to write to Mr Brighton on behalf of all members of the Committee to send him their best wishes.

ES.3 Appointment Of Substitutes

Councillor Mrs J Fairbrother-Millis was a substitute for Councillor G H Eeles.

ES.4 Declaration of Interests

No declarations of interest were made.

ES.5 Minutes

DECISION:

The minutes of the meeting held on 6th March 2008 be confirmed as a correct record and signed by the Chairman.

ES.6 Breach of Code of Conduct – Local Investigation of Complaints

A report was considered from the Monitoring Officer that appraised Members of the new arrangements for the local investigation of complaints where there had been an alleged breach of the Code of Conduct.

The Monitoring Officer commented that at the last meeting the proposed changes for the determination of alleged breaches of the Code of Conduct had been discussed. The report that had been presented to Members detailed the work that had been carried out in order to achieve the required changes.

Members noted that three sub-committees had been approved by Council at its annual meeting in May 2008. Each of the Sub-Committees would be chaired by an Independent Member. After receipt of a complaint by the Monitoring Officer the Referrals Sub Committee would assess a complaint. If it was decided that there had been a breach of the Code of Conduct the complaint would be referred to a Hearings Sub-Committee for determination. Following determination of the complaint, if a decision of no action was reached, the complainant had the right of appeal and this would be heard by the Appeals Sub-Committee.

The Monitoring Officer told Members that following the first complaint determined by the sub-committees, she intended holding a review of the process to ascertain that all the arrangements had worked satisfactorily.

DECISION:

- 1. The establishment of three sub-committees by the Ethics and Standards Committee be noted and authorisation be given to them to deal with assessments, hearings and reviews regarding allegations that Members have breached the Code of Conduct.**
- 2. It be noted that each sub-committee should consist of four Members and be chaired by an Independent Member of the Ethics and Standards Committee. Where the complaint concerns a Parish or Town Council Member the Sub-Committee will include a Parish or Town Council Member.**
- 3. It be agreed that the membership of the sub-committees be not fixed nor allocated according to the political balance of the**

Council, but will be drawn from Members of the Ethics and Standards Committee on a case by case basis by the head of Legal and Democratic Services and Chair of the Ethics and Standards Committee.

- 4. Authorisation be given to the Head of Legal and Democratic Services to implement arrangements for local assessments, review and hearings by issuing guidance and documentation as necessary.**

ES.7 Member Activity Reports

A report was considered from the Monitoring Officer that advised Members of the Committee that four Members of the Council had not submitted Member Activity Reports to Annual Council for the year 2007/08. The Chairman considered that this was probably an oversight and suggested that he wrote to the Members concerned asking them to send in their reports as soon as possible.

A discussion ensued on the production of these reports, particularly with regard to the section which contained the percentage attendance at committees for the year. One Member was concerned that some Members had 100% attendance when they were probably only sat on one committee that only met a couple of times a year. Whereas other Members who sat on numerous committees that met on a regular basis would find it hard to achieve 100% attendance. Another Member commented that the purpose of the reports was to give the public an idea of what Councillors do by publishing their reports on the internet.

DECISION:

A letter be sent by the Chairman to those Members who have not completed a Member Activity Report for 2007/08 asking them to complete one as soon as possible.

The meeting finished at 6.15 pm.