

WYRE FOREST DISTRICT COUNCIL

ETHICS AND STANDARDS COMMITTEE

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

31ST JULY 2007 (6 PM)

PRESENT:

Councillors: P Dyke, Mrs L Edginton, G H Eeles, M J Hart, Mrs S M Hayward and J C Simmonds.

INDEPENDENT MEMBERS:

C J Brighton (Chairman), Rev J Cox (Vice-Chairman), Councillor R Hobson and Mrs C A Noons.

OBSERVERS:

There were no members present as observers.

ES. 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M B Kelly.

ES. 2 APPOINTMENT OF SUBSTITUTES

No substitutes were appointed.

ES. 3 DECLARATION OF INTERESTS

No declarations of interest were made.

ES. 4 MINUTES

DECISION:

The minutes of the meeting held on 8th March 2007 be confirmed as a correct record and signed by the Chairman, subject to the addition of Councillor R Hobson's name to the list of members present.

ES. 5 CHAIRMAN'S ANNOUNCEMENTS

Meeting of Worcestershire Standards Committee Chairmen and Vice-Chairmen

The Chairman announced that the Chairman of Wychavon District Council's Standards Committee had suggested that members of standards committees in Worcestershire get together to discuss issues facing them. If there was

support for this idea, he was prepared to arrange an initial meeting for Standards Committee Chairmen at Wychavon Civic Centre in Pershore.

Members supported this suggestion and agreed that the Chairman and Vice-Chairman should participate in this meeting.

DECISION:

The Chairman and Vice-Chairman attend a meeting of Worcestershire Standards Committee Chairmen at Wychavon and the Committee Officer make the necessary arrangements.

COUNCILLOR MISS A MACE, TOWN COUNCIL REPRESENTATIVE

DECISION:

It be noted that Councillor Miss A Mace, Town Council representative, had been appointed to replace Councillor T Whatmore as an independent Member of the Committee.

ES.6 FEEDBACK ON WEST MERCIA INDEPENDENT MEMBERS' FORUM 26TH JANUARY 2007

Mrs C A Noons gave the following verbal report on the West Mercia Independent Members' Forum held on 26th January 2007:

- a) About thirty people had been present, including independent members from Fire and Rescue Authorities in the West Mercia area, i.e. Worcestershire, Herefordshire and Shropshire.
- b) The main item of business had been a talk by Patricia Hughes, Vice Chairman of the Standards Board for England, on the Revised Code of Conduct. A key point had been the delegation of powers from the Board to Standards Committees in April 2008.
- c) A training exercise had been held on recruiting new members to Ethics and Standards Committees, designed to tease out prejudices and aimed at providing a set of independent members that reflected the make up of the local community. In some local authorities, the Ethics and Standards Committees were responsible for appointing their independent members.
- d) Peter Rowland, the Convenor of the West Mercia Independent Members' Forum was happy to come and speak to the Committee about Forum matters if members so wished.

A further meeting of the Forum had been held in July 2007, which Mrs Noons had been unable to attend. A guest speaker had been David Laverick, President of the Adjudication Panel for England.

DECISION

- 1. The feedback from Mrs C A Noons regarding the West Mercia Independent Members' Forum be noted.**
- 2. The minutes of the meetings of the Independent Members' Forum be circulated to Ethics and Standards Committee members for information.**
- 3. It be noted that Mr C J Brighton will provide the feedback about the Forum to the Committee's next meeting.**

ES. 7 PUBLICITY OF MEMBERS' ANNUAL REPORTS

Further to Minute No. ES. 19 of its 6th March 2006 meeting, the Committee considered a report from the Monitoring Officer on the reports submitted to the May 2007 Annual Council by Members detailing their activities in their role as Councillors for the 2006/07 municipal year.

The Monitoring Officer advised that the introduction of members' activity reports arose from guidance received from the Independent Remuneration Panel, at the time when it had recommended increased allowances payable to Members. The Panel had seen a need for increased accountability and had therefore recommended also that Members should give an annual report of their activities as Councillors. The Council on 19th April 2006 had accepted the unanimous recommendation from the Ethics and Standards Committee that activity reports for all Councillors be included in the agenda of Annual Council meetings. However, seven members had failed to submit a report. The Monitoring Officer, therefore, asked the Committee to determine what further action should be taken.

Members discussed the merits of the scheme and reference was made to some of the reports that had been submitted. It was noted that they varied in length and style and Members found them interesting. Furthermore, the provision of a template was helpful.

In conclusion, the Committee firmly endorsed its previous view that all Councillors should submit an activity report in the interests of accountability to the public. It was, therefore, agreed that the Chairman should write to the Members who were still Councillors and who had failed to submit reports to ask them to do so.

The Committee also wished to ensure that new Members were made aware of the need to compile an activity report and given an explanation of the reasons behind this requirement.

DECISION:

- 1. The Chairman write to the Members who omitted to submit a Member Activity report to request details of the work they had done during the municipal year 2006/07.**

- 2. The Committee Section include in new Councillors' induction packs an explanation of the requirement for Councillors to submit an annual report to the Annual Meeting of Council on their activities in their role as Councillors.**

In accordance with Standing Order C.3 (5) Councillor G H Eeles required that it be recorded in the Minutes that he abstained from voting on the above decisions.

Councillor P Dyke left the meeting at this point (6.30pm)

ES. 8 PROTOCOL FOR THE DISCLOSURE OF CONFIDENTIAL INFORMATION

The Committee considered a report from the Monitoring Officer on a proposed protocol regarding the disclosure of confidential information.

The Monitoring Officer drew members' attention to the provision, within the new Code of Conduct, which specified that members must not disclose confidential information, except under the circumstances detailed in paragraph four of the Code. The proposed protocol was designed to be read alongside the Code to assist members to interpret this provision.

The Committee endorsed the need for the protocol and agreed the wording, except for the last sentence, which they wished to be more robust. This read "Members are advised to contact the Monitoring Officer in order to decide whether a disclosure is reasonable and in the public interest." It was agreed to substitute "should " for "are advised".

Members also raised the possibility of including a note on each exempt report to the effect that members should not disclose the information under any circumstances, unless an exception applied under paragraph four of the Code, in which case they should first contact the Monitoring Officer. The Committee asked for a further report to enable members to agree the exact form of wording to be used.

ES. 9 RECOMMENDED TO COUNCIL:

- 1. The Protocol on disclosure of confidential information, as contained within the report be adopted, subject to the substitution of "should" for "are advised" in the penultimate line.**
- 2. The Monitoring Officer submit a report setting out a form of wording which could be included on each exempt report to draw members' attention to the provisions relating to exempt information, as described in the preamble to this minute.**

The meeting ended at 6.40 pm.