

WYRE FOREST DISTRICT COUNCIL

ETHICS AND STANDARDS COMMITTEE

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

29TH NOVEMBER 2007 (6.00PM)

PRESENT:

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

INDEPENDENT MEMBERS:

Rev J Cox (Chairman), Mrs C A Noons, Councillor R Hobson (Parish Council representative) and Miss A Mace (Town Council representative).

OBSERVERS:

There were no members present as observers.

ES.10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr C J Brighton (Chairman) and Councillor Mrs L Edginton.

ES.11 APPOINTMENT OF SUBSTITUTES

No substitutes were appointed.

ES.11 DECLARATION OF INTERESTS

No declarations of interest were made.

ES.12 MINUTES

DECISION:

The minutes of the meeting held on 6th September 2007 be confirmed as a correct record and signed by the Chairman.

ES.13 WELCOME AND INTRODUCTION - COUNCILLOR MISS A MACE, TOWN COUNCIL REPRESENTATIVE

The Chairman welcomed Miss A Mace to her first meeting of the Ethics and Standards Committee. Miss Mace had been appointed to replace Councillor T Whatmore as the Committee's Town Council representative.

ES.14 **CHAIRMAN'S ANNOUNCEMENTS**

Meeting of Worcestershire Standards Committee Chairmen and Vice-Chairman

The Chairman informed Members that at the last meeting of the Committee on 31st July 2007 , (Minute Number ES.5 refers), a letter had been received from the Chairman of Wychavon District Council's Standards Committee suggesting that members of Worcestershire Standards Committees might get together to discuss issues of commonality facing them. He informed Members that although this Council was in agreement with this suggestion, unfortunately no interest had been shown by the other Councils in Worcestershire and therefore the idea had been dropped.

DECISION:

The information be noted.

ES.15 **EXEMPT REPORT WORDING**

A report was considered from the Monitoring Officer that proposed a form of wording for inclusion on each exempt report to the effect that Members should not disclose exempt information under any circumstances unless an exception is applicable under paragraph 4 of the Local Authorities (Model Code of Conduct) Order 2007.

At the last meeting of the Committee (Minutes Number ES.9 refers), the Committee asked for a report to enable members to agree the exact form of wording that should be included on exempt reports.

The Monitoring Officer commented that there had been a request by Members at the Code of Conduct training for the New Code of Conduct for guidance whereby in very special circumstances it might be appropriate for a member to disclose exempt information. She told Members that the categories under which a member could do this were tightly drawn by the guidance from the Standards Board and she had therefore brought a guidance report to the last meeting of the committee which included 4 checks and the requirement for political parties to take guidance. It was from this that it was suggested that a form of wording be drawn up for inclusion on exempt reports to act as a reminder to members of all committees who don't attend the standards committee that there were very limited circumstances whereby the contents of an exempt report could be disclosed.

Members asked for clarification of the categories under which a report was defined as exempt. The Monitoring Officer agreed to circulate to members details of the statutory categories for exempt reports. She also thought it would be pertinent to consider this matter as an agenda item at a future committee meeting.

DECISION

1. **The following form of wording be included on each exempt report:**

NOTE: The contents of this report are confidential. Members should not disclose any details *unless* they can meet the four requirements as laid down in the Council's 'Protocol on the Disclosure of Confidential Information' (which is contained in the Constitution) and have sought advice in advance from the Monitoring Officer.

2. **The Monitoring Officer circulate to all members of the Committee a copy of the statutory categories for exempt reports.**

ES.16 MEMBER ACTIVITY REPORTS

At the last meeting of the Committee held on 31st July 2007, (Minute Number ES.7 refers), it was noted that a number of Members had not submitted an activity report as required by Council. The Committee discussed what action should be taken and it was agreed that the Chairman should write to the Members who had omitted to submit their reports to request details of the work they had completed during the municipal year 2006/07.

Since the last meeting, four member activity reports had been received and these were considered by the Committee.

The Chairman perceived that the reports that had been received were excellent. However some Members were still concerned that the production of an annual report by Members became something of a contest whereby some Members saw it as an opportunity to boast about what they had achieved during the year. The Chairman, however, commented that as a member of the public looking at the website, these reports gave a flavour of what involvement the Members had within the community and how they dealt with the needs and concerns of the people whom they represented.

The Monitoring Officer commented that the Independent Remuneration Panel that had considered the level of expenses paid to Members, had suggested that members of the public should be able to access a site that demonstrated what their elected members were doing for them.

It was noted that three members had still not submitted their activity reports and a discussion ensued regarding the best way forward to deal with this.

DECISION:

1. **The Chairman to write to the three Members who had not submitted a Member Activity Report expressing his deep regret that that they had still not submitted an Activity Report, despite being reminded on three occasions.**

2. A copy of the letter(s) be sent to the appropriate Group Leader.

ES.17 REPORT BACK ON INDEPENDENT MEMBERS' FORUM - MR BRIGHTON

Members received a copy of a report that Mr Brighton had prepared on the recent Independent Members' Forum.

DECISION:

The report be noted.

ES.18 EXCLUSION OF THE PRESS AND PUBLIC

DECISION:

Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 8 and 9 of Part I of Schedule 12A of the Act.

ES.19 SUMMARY OF MINUTES

The following proceedings were considered after the press and public had been excluded from the meeting. A summary of the minutes relating to these items has been made as "exempt information" would be disclosed if the minutes were published in full.

ES.20 MINUTES

DECISION:

The exempt minutes of the meeting held on 6th September 2007 be confirmed as a correct record and were signed by the Chairman.

ES.21 OMBUDSMAN REPORT

The Committee considered a report from the Chief Executive that outlined the outcome of complaints to the Local Government Ombudsman in accordance with Council Policy for the period April 2006 to March 2007. The Committee discussed the complaints and the report was noted.

ES.22 URGENT ITEM - DISPENSATION FOR A MEMBER - NON ATTENDANCE AT MEETINGS

The Monitoring Officer drew Members' attention to the need to grant a dispensation for a Member of the Council who had been unable to attend Council meetings due to illness. The Committee granted a dispensation to the Member.

The meeting ended at 6.35 pm.