

WYRE FOREST DISTRICT COUNCIL

ETHICS AND STANDARDS COMMITTEE

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

27TH JANUARY 2010 (6 PM)

Present:

Councillors: H E Dyke, P Dyke, D R Godwin, M J Hart, S M Hayward, C D Nicholls,
K J Stokes, J Thomas.

Independent Members:

Rev J A Cox (Chairman), and R Reynolds.

Parish and Town Council Members:

Councillors: R Hobson and J Swift.

Observers:

There were no Members present as observers.

ES.23 Apologies for Absence

Apologies for absence were received from Councillors: R L Akathiotis, A Mace and
Independent Member C A Noons.

ES.24 Appointment of Substitutes

No substitute Members were appointed.

ES.25 Declaration of Interests

No declarations of interest were made.

ES.26 Minutes

**Decision: The minutes of the meeting held on 15th December 2009 be
confirmed as a correct record and signed by the Chairman.**

ES.27 Review of Protocol on Disclosure of Confidential Information

A report was considered from the Monitoring Officer that asked the Committee to
review the Council's Protocol on the Disclosure of Confidential Information.

The Monitoring Officer advised the Committee that the Council had received
confirmation that as from Tuesday 6th April 2010 anyone found guilty of breach Data
Protection Legislation would be liable to pay a penalty of up to £500,000.

In light of this, it was considered pertinent to review the Protocol and update it to reflect this requirement.

Decision:

- 1. The importance of the Protocol be reiterated to all Members of the Council.**
- 2. The Protocol be updated to reflect changes regarding Data Protection that take effect from 6th April 2010.**

ES.28 Protocol on the Use of Mobile Phones in Council Meetings

The item was withdrawn from the agenda and would be considered at a future meeting when further consultation had taken place.

ES.29 Draft Standards in Partnership Protocol

A report was considered from the Monitoring Officer that advised Members of a Draft Protocol from Standards for England that encouraged high standards of behaviour in partnership working arrangements.

The Draft Protocol had been circulated to Members in order for them to consider the comments they wished to send back to Standards for England.

The Monitoring Officer advised Members that Standards for England were proposing that Councils imposed standards on the partners with whom they worked.

Members considered the draft protocol and the following comments were made:

- It was an unworkable protocol.
- It was perceived to be Impractical.
- It was not appropriate to impose a protocol on partners as it might alienate them.
- There were no powers to enforce the protocol.
- The protocol was unnecessary.
- Partners were subject to the standards of their own organisations.
- If working in a formal partnership agreement, within the agreement there would contain a section about operating within ones own partnership standards.

Members of the Committee were thanked for their comments and advised that these would be used by the Monitoring Officer in her reply to Standards for England on the consultation.

Decision: Delegated authority be given to the Monitoring officer to respond to the consultation on the Draft Standards in Partnership Protocol.

ES.30 Review of Members' Interests

A report was considered from the Monitoring Officer that asked the Committee to review the arrangements for the recording and reporting of Members' Interests.

The Monitoring Officer advised Members that Standards for England encouraged Councils to publish Members' interests on Council websites as it made the information electronically available and more accessible. Making the information available on the Council's website would meet National Indicator 14 (Avoidable Contact). However, it was emphasised that if the Council decided to include Members' interests on the website the file would still be available for inspection at the Council's offices.

A Member stated that Worcestershire County Council had included Members' Interests on their website for a few years and perceived that by including Members' interests on the Council's website it might reduce the number of Freedom of Information requests.

Members concurred with the view of the Standards Board regarding publishing interests on the website. Following concerns raised by Committee Members, it was agreed that each member of the committee would be sent a copy of the advice the Council issued on how to complete Members' interests form.

Decision:

- 1. It be agreed that Members' Interests forms be included on the Council's website forthwith.**
- 2. The Principal Committee Officer to send to each member of the Committee, for information, a copy of the advice on how to fill out a Members' Interest form.**

ES.31 Complaints to the Local Government Ombudsman 2008/2009

A report was considered from the Information and E-Government Officer that reported the outcome of complaints to the Local Government Ombudsman in accordance with Council Policy for the period of April 2008 to March 2009.

Members were advised that in previous years the information had been contained within the Exempt section of the agenda. However, it had been considered there would be greater transparency with an anonymised report that included a summary of the complaints dealt with in the open section of the agenda.

Members were advised that in the last financial year 3 complaints had been investigated by the ombudsman and this was the lowest number of complaints received in the past 9 years. Moreover, that for the fourth year running the Ombudsman had concluded that there had been no maladministration or injustice.

Decision: The report be noted.

The meeting ended at 6.20 pm.