

Standards Committee – Meeting held on Tuesday, 19th July, 2022.

Present:-

Elected Members:-

Councillors Mann (Chair), Sabah (Vice-Chair), P. Bedi, Minhas and Mohammad

Parish Councillor Representative:-

Parish Councillor Kevin Barry (Britwell)

Apologies for Absence:- Councillors S. Malik and S. Parmar.
Raymond Tomkinson (Independent Person, Observer)

PART 1

1. Declarations of Interest

None were declared.

2. Councillors' Code of Conduct and Standards Committee terms of reference

The Monitoring Officer introduced a report that set out the terms of reference for the newly formed Standards Committee. Members were asked to agree to recommend minor changes to the terms of reference to Council to remove the requirement for independent members and to the procedure for determining complaints to reflect the role of the new committee. The proposed changes were detailed in Appendix 1 and 3 to the report.

It was noted that with effect from the municipal year 2022/23 a separate Standards Committee had been established to assist the Council to meet its duty under s.27 of the Localism Act 2011. Previously the functions had been the responsibility of the Audit & Corporate Governance Committee. The new structure had been implemented at the suggestion of the DLUHC Commissioners. The core functions of the Committee, proposed changes and working arrangements were outlined.

In relation to the proposed removal of the requirement for independent members on the committee it was noted that it was good practice for audit committees to have co-opted membership of this kind, but it was not considered to be required for standards which already had independent input from the Independent Person and from parish council co-optees on relevant issues. Parish Council representatives were non-voting members of the Standards Committee. The Committee supported the proposed change and agreed to recommend the revised terms of reference to Council.

A Member asked about the reasoning why there could not be any cross-membership between the standards committee and audit & corporate governance committee. It was responded that good practice from other authorities could be explored and the matter could be considered in future reviews of the terms of reference.

A summary of complaints received about borough and parish councillors under the Code of Conduct to date in 2022/23 was reviewed. Members asked a number of questions about specific cases which the Monitoring Officer responded to as far as possible without disclosing any confidential aspects of the cases. It was noted that all of the four complaints received during 2022/23 had been either determined or closed with none requiring any formal investigation. The update was noted.

Recommended to Council -

- a) That the Constitution's Article 9A and Part 5.1 Councillors' Code of Conduct be amended as set out in Appendices 1 and 3 to the report.

Resolved -

- b) That the outcome of complaints determined to date in 2022/23 as set out in Appendix 2 to the report be noted.

3. Whistleblowing annual report

The Monitoring Officer introduced the report which provided Members with an annual update in relation to the Council's whistleblowing arrangements.

The provision of an annual report to the committee increased the profile of whistleblowing across the Council and provided an opportunity to highlight areas of good practice and requirements for improvement. Members agreed that an annual report on whistleblowing be provided to the committee by the Monitoring Officer.

The Committee were reminded that in response to an internal audit report, the Whistleblowing Code was reviewed by Audit and Corporate Governance Committee in July 2021. The Code had been amended in response to recommendations in the internal audit report and it was agreed that the Code should be formally reviewed annually. The current code had been reviewed against the requirements of the Department for Business, Energy & Industrial Strategy's guidance and it was considered that the Council's code was compliant. Minor changes to the Confidential Whistleblowing Code were proposed, as set out in Appendix 2 to the report, and the Committee agreed that they should be recommended to Council for approval.

In 2021/22 the Council's internal auditors, RSM, conducted a review of the Council's whistleblowing arrangements which included a survey of staff, although the response rate had been very low with only 35 responses. The results indicated that nearly half of those respondents had either not been

informed about or knew where to find the whistleblowing code, the majority did not understand the procedure and a significant proportion did not feel that the culture of the organisation encouraged whistleblowing where necessary or were confident that a concern would be handled appropriately.

Members noted that the 2021 governance review of the Council did not specifically refer to whistleblowing as a concern, it did raise significant concerns about the culture and leadership, including the lack of an annual governance statement for 2020/21 or an action plan for the previous statement. It was noted that whilst an effective whistleblowing code and associated procedures were important they were part of a much wider system to ensure ethical practices were understood and complied with and that the Council was a learning organisation, seeking continuous improvement and encouraging staff to raise concerns. The Monitoring Officer stated that the Council's corporate plan had raised leadership and culture and governance as two of its seven recovery themes.

Members asked about the number of whistleblowing complaints received in the past year. The Monitoring Officer confirmed that none had been received. A small number of concerns raised by individuals had been termed whistleblowing at the point they had been submitted, but on examination did not fall under the definition of whistleblowing as set out in the code. It was recognised for example that some 'whistleblowing' concerns raised were often in fact grievances which would be dealt with under the relevant policy.

At the conclusion of the discussion, the Committee agreed that the changes to the whistleblowing code be recommended to full Council for approval.

Resolved -

- (a) That the contents of the report be noted.
- (b) That the minor changes to the Confidential Whistleblowing Code as set out in Appendix 2 be agreed and recommended to full Council for approval.
- (c) That the Committee receive an annual report on whistleblowing.

4. Annual Update on Members' Register of Interests and Gifts & Hospitality

The Democratic Services Lead introduced a report which provided the first annual on the Members' register of interest and declarations of gifts & hospitality for the 2021/22 municipal year.

Section 29 of the Localism Act 2011 required that the Monitoring Officer establish and maintain a register of interest for Members of the authority, to ensure that the authority, public and any other interested parties know of any interests a councillor may have that might give rise to a conflict of interest. The Councillors' Code of Conduct in Part 5.1 of the Constitution set out the relevant interests that should be declared and disclosed in both the register

and at meetings. It was highlighted that Members were personally responsible for registering and declaring their interests.

The current procedure for registration of interest forms was outlined and activity in relation to the register and declarations at meetings since the start of the 2021/22 municipal year was summarised. Members were informed that following a review of the processes, areas for improvement had been identified as maintaining accuracy, compliance and ensuring declarations relating to outside bodies were up to date.

Members were reminded that the Council had also strengthened its transparency process relating to Gifts and Hospitality and that from June 2021 all registrations by Members had been published on each councillor's webpage. Older declarations were maintained in a file held by democratic services and available for public inspection on request.

Since the start of the 21/22 municipal year no declarations were made for the receipt of gifts or hospitality over an estimated value of £50. However, the Council was not complacent about the relatively low levels of declarations of gifts and hospitality and Members would be regularly reminded of their responsibilities under the Code of Conduct to declare any such matters.

Members of the committee asked about the report on councillors performance which usually came to committee and it was responded that this matter remained in the Audit & Corporate Governance Committee's remit.

Resolved - That the report be noted.

5. Update on Government's Response to Committee on Standards in Public Life

The Monitoring Officer provided the Committee with an update on the Government's response to the Committee on Standards in Public Life report and recommendations arising from its review of Local Government Ethical Standards and explained how these recommendations would apply in the local context of Slough. The update was noted.

Resolved - That the update and the Council's local procedures be noted.

6. Date of Next Meeting

The date of the next meeting was confirmed as 2 February 2023.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.58 pm)