

STANDARDS WORKING GROUP

Monday, 4 February 2013

Councillors	C Blakeley WJ Davies T Harney	D Roberts L Rowlands P Williams
Independent Person	Mr D Burgess- Joyce	

1 ELECTION OF CHAIR

RESOLVED:

That Councillor WJ Davies be elected Chair of the Working Group for the rest of the Municipal Year.

2 MEMBERS' ICT POLICY

Members of the Standards Committee had previously raised concerns over the Code of Practice for Members on the Use of Council IT Facilities and specific issues around Council email addresses. Consequently, it had been agreed that the Working Group would look at this in detail and propose amendments.

RECOMMENDED: That

- (1) **the Use of Council IT Facilities Code of Practice should include the requirement under the Data Protection Act 1998 for all Councillors to be registered as data controllers as they process personal data;**
- (2) **the Acting Director of Law, HR and Asset Management to establish how the Council's systems monitor and manage personal/sensitive data and provide Members with a briefing note and appropriate training, to include best practice and case studies;**
- (3) **the following paragraphs of the Use of Council IT Facilities Code of Practice be amended to take account of Members' comments and observations as follows:**

- Para 5.** Family members can provide assistance to Members so long as the Member remains in overall control of the PC;
- Para 10.** Officers be requested to revisit this paragraph and update it as necessary;
- Hotmail requires the use of java script and the Acting Director agreed to pick this up with the Senior IT Officer;
- Para 13.** A policy is needed (based on reality) on what Members should and should not print;
- Para 14.** Further guidance is required, a shared understanding on what Members can and can not do;
- Para 16.** Further guidance is required;
- Para 17.** “four working hours” be replaced with as soon as possible;
- Para 18.** e. the word “receipt” be removed and g. to be combined to clarify the situation;
- Para 20.** delete c.
Add to the end of d. if the Council finds that a criminal act has been committed.

3 DISCLOSING INVESTIGATION REPORTS UNDER THE NEW STANDARDS REGIME

The Working Group considered Minute No. 19 on Disclosing Investigation Reports under the New Standards Regime which had been referred to it by the Standards Committee at its meeting on 19 November 2012.

Members were asked to consider whether a complainant’s name should be placed in the public domain at the offset, when a complaint was made that warranted investigation and that complainants should not be allowed to remain anonymous irrespective of the outcome.

It was noted that the introduction of the New Standards Regime from 1 July 2012 had seen a significant reduction in the number of complaints being received against Members and the filtering process undertaken by the Acting Director of Law, HR and Asset Management had ensured that only legitimate and valid complaints were investigated. The current arrangements did not have the same restrictions upon them as those of the previous regime.

However, a protocol was in place and confidentiality was introduced through it. Following an investigation a complainants name was not kept confidential and was a matter of public record.

4 **REVIEW OF THE NEW STANDARDS REGIME**

The Working Group reviewed the New Standards Regime having regard to Wirral Council's Members' Code of Conduct including Schedule 1, the Seven Principles of Public Life. It also had regard to the Members' Code of Conduct – Protocol which set out arrangements for Investigating and Making Decisions in relation to allegations made under the Members' Code of Conduct.

The Acting Director of Law, HR and Asset Management reported that, in the light of the discussion during the previous item of business, he would amend the documentation provided and bring it back to the next meeting of the Working Group for further consideration.

The Working Group questioned the need for a Standards Committee meeting five times a year or whether it should meet ad hoc as and when necessary. It was noted that the Merseyside Fire and Rescue Authority had abolished its Standards Committee. It asked what other Councils were doing on Merseyside and suggested that a visit be arranged so that the Working Group could see a Standards Regime working elsewhere.

The Acting Director of Law, HR and Asset Management informed that under the Localism Act 2011 it was no longer a statutory requirement for the Council to have a Standards Committee. He proposed to consider whether the work of the Standards Committee could be combined with that of another Committee or Group.

RECOMMENDED: That

- (1) the three Political Group Leaders be asked for their comments on whether the Council should continue to have a Standards Committee;**
- (2) the Acting Director of Law, HR and Asset Management be requested to ascertain whether the other Merseyside Councils still have a Standards Committee and if not what arrangements have been put in place instead; and**
- (3) the New Standards Regime be further considered at the next meeting of the Working Group when the information requested will be provided.**