

STANDARDS AND CONSTITUTIONAL OVERSIGHT WORKING GROUP

Wednesday, 24 February 2016

Present: Councillor WJ Davies (Chair)

Councillors RL Abbey Jones
Cummings J Salter
P Gilchrist G Ellis (In place of
J Hale C Blakeley)

Independent Mr B Cummings
Members: Professor R S Jones

29 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C Blakeley and M McLaughlin.

30 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

No declarations of interest were received.

31 REVIEW MEMBERS' CODE OF CONDUCT

Members discussed the current Members' Code of Conduct.

Members raised queries in respect of paragraph 16.5. The Head of Legal and Member Services referred to the provisions within Section 25 of the Localism Act 2011 and advised Members that they may express a view and make representations at a meeting of a committee which exercises overview and scrutiny functions of the Council, however, this must not amount to predetermination.

RESOLVED: That

- (1) paragraph 16.5 be amended to provide further clarification and to include reference to paragraph 13 – Pre-determination or bias; and**
- (2) subsequent to these amendments being made, the Members' Code of Conduct be brought back to the Working Group for further consideration.**

32 **REVIEW PROTOCOL FOR DEALING WITH COMPLAINTS AGAINST MEMBERS**

Members considered the need for definitive timescales to be implemented by which time a complaint must be investigated.

The Head of Legal and Member Services advised Members that the vast majority of complaints were dealt with in good time and most well within a six month period despite challenges in respect of resources.

It was suggested by Members that an update be provided to the Standards Committee should a complaint not be dealt with within six months. The Head of Legal and Member Services advised Members in respect of the implications of setting specific timeframes and the possibilities of conflict for Members should any matters require referral to a Standards Panel.

RESOLVED: That

- (1) the word 'inquisitorial', paragraph 15.3 be replaced by the word 'questioning'; and**
- (2) the Head of Legal and Member Services report back to the Working Group in respect of timeframes for responses to complaints and the possibilities of conflict should any matters require referral to a Standards Panel.**

33 **REVIEW MEMBERS ICT POLICY**

Members had regard to the draft Members' ICT Policy and requested that the terminology be simplified.

The Chair suggested that the Policy be circulated to all Members and they be requested to respond with any comments within seven days.

The Head of Legal and Member Services agreed that the Policy would be revised to be made more user friendly and that Members would be advised as to what support is available to them.

RESOLVED: That

- (1) the Policy be revised and brought back to the Working Group for further consideration ; and**
- (2) Members be provided with an updated report in respect of what support is available.**

34 **DRAFT GUIDANCE TO MEMBERS: APPOINTMENTS TO OUTSIDE BODIES**

The draft Guidance to Members for Appointments to Outside Bodies was welcomed by the Working Group.

Members discussed their responsibilities when representing outside bodies and raised queries in respect of the wording of paragraph 2.1 of the Guidance.

The Head of Legal and Member Services clarified the definition of a personal interest and advised that the example provided in paragraph 2.1 was to illustrate an invested interest.

RESOLVED: That

- (1) the wording in the example provided in paragraph 2.1 be changed to read “treasurer or other person involved in the decision”; and**
- (2) further to this amendment, it be recommended to the Standards and Constitutional Oversight Committee that the draft Guidance to Members for Appointments to Outside Bodies be approved.**

35 **DRAFT CIVIC HANDBOOK**

The Head of Legal and Member Services invited comments from Members upon the draft Civic Handbook.

A handbook was referred to which had been previously circulated to all Members and it was considered that some of the information contained within this handbook should be incorporated into the Civic Handbook which included:

- A list of previous Mayors and their terms of office
- A list of senior officers, departmental heads and section heads
- Contact numbers for officers
- Calendar of meetings
- A section for note taking

Members also highlighted a number of issues within the Handbook which they would like to be readdressed and given further consideration.

RESOLVED:

That a reviewed Civic Handbook be circulated to Members for further consideration.

36 **DRAFT FLAG FLYING PROTOCOL**

The Head of Legal and Member advised Members that a draft Flag Flying Protocol had been drawn up with regard to the guidance provided by the Lord Lieutenant's Office to provide clarification on which days certain flags should be flown and for how long.

Members were advised that the Protocol would be included in the Wirral Civic Handbook once it had been agreed.

In response to Members' queries in respect of which flag should be flown on St George's Day, the Head of Legal and Member Services advised that he would provide further clarification on this matter.

RESOLVED:

That the Head of Legal and Member Services report back to Members in respect of which flag should be flown on St George's Day.

37 **DATE AND TIME OF NEXT MEETING**

Members noted that the next meeting of the Working Group was scheduled for 10.00 am on Monday 29 February 2016.