



Democratic Services

# Standards Committee

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**Tuesday, 13 December 2016**

**18:00**

**Room 2 (Civic Offices)**

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Miles (Chair) Alexander (Vice-Chair) McDonald (Vice-Chair) Webb (Vice-Chair)  
Hopkins McKenzie McPake Patey-Smith Small Wallis

If you have any enquires about this agenda please contact:

Clerk Name: Tina Milner

Clerk Telephone: 01908 254737

Clerk Email: [tina.milner@milton-keynes.gov.uk](mailto:tina.milner@milton-keynes.gov.uk)

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## **A G E N D A**

**1. Welcome and Introductions**

The Chair to welcome and introduce all in attendance at the meeting.

**2. Apologies**

To receive any apologies of absence.

**3. Minutes**

5 - 8

To approve, and the Chair to sign as a correct record, the Minutes of the meeting of the Standards Committee held on 14 June 2016 (Item 3).

**4. Disclosures of Interest**

Councillors to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests) they may have in the business to be transacted, and officers to disclose any interests they may have in any contract to be considered.

**5. Public Involvement**

(a) Deputations and Petitions

No deputations have been submitted for consideration at this meeting.

Any petitions received will be reported at the meeting.

(b) Questions from Members of the Public

To receive questions and provide answers to questions from members of the public.

**6. Periodic Report from the Monitoring Officer**

9 - 12

To consider a report and to receive an oral update from the Monitoring Officer in respect of complaints and investigations covered in the period 1 September 2016 to 30 November 2016 (Item 6).

**7. Parish Councillor Recruitment**

13 - 26

To consider a report from the Monitoring Officer in respect of the recruitment of Parish Councillors (Item 7).

**8. Date of Next Meeting**

To note the next scheduled meeting of the Standards Committee is Tuesday 14 March 2017 at 6.00 pm.





Minutes of the meeting of the STANDARDS COMMITTEE held on TUESDAY 14 JUNE 2016 at 6.00 pm.

- Present:** Councillor Miles (Chair)  
Councillors Alexander (Vice-Chair), D Hopkins, McDonald, McKenzie, McPake, Patey-Smith, Small, Wallis and Webb (Vice-Chair).  
Parish Councillor Ballantyne
- Officers:** S Bridglalsingh (Monitoring Officer/Acting Service Director ([Legal and Democratic Services]) and T Milner (Committee Manager).
- Apologies:** Councillor Small and Parish Councillor Walker

**ST01 WELCOME AND INTRODUCTIONS**

The Chair welcomed new and returning Committee members along with the new Acting Service Director (Legal & Democratic Services), to the first meeting of the Standards Committee for 2016/17.

**ST02 MINUTES OF PREVIOUS MEETINGS**

RESOLVED -

That the Minutes of the meetings of the Standards Committee held on 8 March 2016 and the special meeting of the Standards Committee held on 25 May 2016 be approved and signed by the Chair as correct records.

**ST03 DECLARATION OF INTEREST**

None declared.

**ST04 PERIOD REPORT OF THE MONITORING OFFICER**

The Committee considered the Monitoring Officer's Periodic report in respect of complaints and investigations covered during the period from 1 March 2016 to 1 June 2016.

The Committee heard that there had been 9 complaints concerning Borough Council members, and as informed at the last Standards Committee meeting held on 8 March 2016. Seven of the complaints were linked to one Borough Councillor's behaviour at a meeting, and upon conclusion of discussions between the Monitoring Officer and the Independent Person, the view was that the complaints had no merit and did not justify further investigation. The remaining 2 complaints were in the early stages of consideration, and any outcomes would be reported to a future meeting of the Committee.

The Monitoring Officer reassured the Committee that the process in place to investigate complaints under the Localism Act 2011 was very thorough and that since 1 July 2012, the Council had seen a large decrease in the number of complaints made against Borough Councillors and Parish Councillors, which was also reflected nationally.

The Committee also heard that there had been no recent reported complaints against Parish Councillors.

RESOLVED -

That the report be noted.

**ST05**

### **PARISH COUNCILLOR RECRUITMENT**

The Committee received an oral update in respect of Parish Councillor Recruitment from the Monitoring Officer.

The Committee heard that the 4 year membership of co-opted Parish Councillors to the Standards Committee was due to expire on 1 May 2017. Additionally, due to the resignation from Parish Councillor Carman at the meeting on 8 March 2016, there was an opportunity to look at either recruiting up-to 2 additional co-opted Parish Councillors to the Committee, or for the Council to commence the Parish Councillor recruitment exercise for up-to 4 co-opted members to be in place with effect from 2 May 2017. A draft recruitment package would be provided to a future Committee meeting.

RESOLVED -

1. That the oral update be noted.
2. That the Monitoring Officer be requested, to undertake a Parish Councillor recruitment exercise for representation of between 2 to 4 Parish Councillors on the Standards Committee, ahead of the commencement of new Council year 2017/18.
3. That, prior to advertising, the Monitoring Officer be requested to submit the draft Parish Councillor Recruitment package to a future meeting of the Standards Committee.

**ST06**

### **RECRUITMENT OF INDEPENDENT PERSONS – SECTION 28 LOCALISM ACT 2011**

The Committee received an oral update in respect of the Recruitment of Independent Persons – Section 28 of the Localism Act 2011 from the Monitoring Officer.

The Committee heard that the Council had 2 options available to them, either to extend the current arrangement in place, which had proved to have worked extremely well over the last 4 years, or to look hosting a full recruitment process, working alongside Central Bedfordshire, to appoint a new Panel of Independent Persons.

On being put to the vote the proposal to extend the current arrangements in place at the Council was carried, and it was;

RESOLVED -

1. That the oral update be noted.
2. That the current arrangements for the appointment of Independent Persons be extended for an additional 4 year period to commence from September 2016, subject to approval by Council, as required by the Localism Act 2011 (Commencement No. 6 and Transitional Savings and Transitory Provisions) Order 2012 (as amended).

**ST07**

**STANDARDS TRAINING - BOROUGH AND PARISH COUNCILS**

The Committee received an oral update in respect of Standards Training for Borough and Parish Councils.

The Committee heard that Standards training sessions were being looked into for the autumn 2016 and upon finalisation of arrangements, the Councillor and Electoral Services Manager would inform Borough Councillors and Parish Councils of the details.

The Monitoring Officer informed the Committee that she would incorporate an update on Standards training after the next meeting of the Committee.

RESOLVED -

1. That the oral update be noted.
2. That the next training session on Code of Conduct and the Localism Act 2011 for Borough and Parish Councillors be held after the conclusion of the meeting of the Standards Committee on 13 September 2016.

**ST08**

**DATE OF NEXT MEETING**

It was noted that the date of the next meeting of the Standards Committee would be held on 13 September 2016 at 6.00pm.

THE CHAIR CLOSED THE MEETING AT 6.20 PM





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**PERIODIC REPORT OF THE MONITORING OFFICER TO THE STANDARDS COMMITTEE**

Contact Officer: Sharon Bridglalsingh, Monitoring Officer, Tel: 01908 252095  
Service Director (Legal and Democratic Services)

**1. Purpose**

- 1.1 This periodic report is to advise Councillors and Committee members of standards issues, including complaints and investigations over the last 5 months since the Monitoring Officer last reported to the Standards Committee.

**2. Recommendations**

- 2.1 That the report be noted.

**3. Issues and Choices**

- 3.1 Since 1 June and 1 November 2016 there have been:

(a) Three complaints concerning Milton Keynes Council Members:

Date	Complainant	Subject matter	Outcome
June 2016	Member of the public	Councillor's leafleting activities	Rejected – trivial, unsubstantiated
July 2016	Member of the public	Councillor failing to act re highway obstruction	Rejected – trivial, not reasonable, apology offered
August 2016	Member of the public	Contents of Councillor's email to the complainant	Referred to Assessment Panel

(b) One complaint concerning a Milton Keynes Parish Council Member:

Date	Complainant	Subject matter	Outcome
July 2016	Chair of the parish council	Councillor's Facebook posts	Rejected – not acting in her capacity as a Councillor

- (c) One complaint against a Milton Keynes Councillor in his capacity as appointed member of a separate authority, which has been dealt with under that separate authority's Code of Conduct.
  - (d) One complaint regarding a Milton Keynes Councillor's activities in conducting car parking surveys which did not escalate to a Code of Conduct complaint and was resolved by Highways staff corresponding with those concerned.
- 3.2 There have been no matters referred to the Committee for investigation.
- 3.3 In arriving at her judgement on complaints received the Monitoring Officer applied the following criteria:
- (a) Does the allegation reveal a prima facie breach of the code?
  - (b) Is there a reasonable prospect that the allegation would be upheld?
  - (c) Is the matter complained of trivial?
  - (d) Is the allegation merely an attempt to initiate an investigation to 'embarrass' the Councillor, for e.g. political purposes?
  - (e) Is the matter essentially a dispute or difference of opinion between Members?
  - (f) Is the use of the Code of Conduct the appropriate way to resolve concerns?
  - (g) Given the range of sanctions available to a council is an investigation likely to improve the good working of the Council; in particular is any finding and sanction likely to improve public confidence in the democratic process?
  - (h) Consideration of the case law and guidance.
  - (i) Any other substantial consideration particular to the allegation.
- 3.4 In all cases where the Monitoring Officer has been required to consider a Code of Conduct complaint she has consulted with the Independent Person, as required by the Localism Act 2011.
- 4. Implications**
- 4.1 The continuing fairly low number of formal complaints brought against councillors in Milton Keynes is not untypical of councils across the region since the Localism Act 2011 revised the standards regime in England.
- 4.2 Whereas the standards regime in fact exerts little control over the behaviour of individuals on a day to day basis, the method of evaluating and concluding complaints at an early stage where possible has been streamlined by the Act, which is a welcome development.

- 4.3 The Monitoring Officer periodically presents Code of Conduct training to elected members of both Milton Keynes Council and those of its numerous parish councils. Parish council training was conducted on 10 October 2016 at which there were 38 attendees.
- 4.4 The Monitoring Officer is consulted fairly regularly by parish councillors and their staff seeking guidance on conduct issues, help with interpreting constitutions and other matters concerning the conduct of parish council business. Occasionally, members of the public raise concerns about their parish councils not amounting to formal complaints and the Monitoring Officer has been able to assist in resolving the issue.

Background Papers: None



## PARISH COUNCILLOR RECRUITMENT

Contact Officer: Sharon Bridglalsingh, Monitoring Officer, Tel: 01908 252095  
Service Director (Legal and Democratic Services)

### 1. Purpose

- 1.1 To provide the Committee with an update on the current position of Parish Councillor Recruitment in Milton Keynes, following the decision from the last Standards Committee meeting held on 14 June 2016, and to provide a draft Parish Councillor Recruitment package to the Committee for consideration.

### 2. Recommendations

- 2.1 That the report be noted.
- 2.2 That a shortlisting and interview panel be formed on a 1-1-1 basis and officers be authorised to engage one Independent Person to sit on that panel in an advisory capacity be agreed.
- 2.3 That the letter to parishes and recruitment pack be agreed.

### 3. Issues and Choices

- 3.1 The Committee is reminded that the 4 year membership of co-opted Parish Councillors to the Standards Committee is due to expire on 1 May 2017, and due to resignation from Parish Councillor Carman at the meeting on 8 March 2016, the Committee has a choice of options, which are:
- (a) to look at recruiting up-to 2 additional co-opted Parish Councillors to the Committee, or
  - (b) that the Council seek to commence the Parish Councillor recruitment exercise for up-to 4 co-opted members being in place with effect from 2 May 2017.
- 3.1 In order to advertise and appoint up-to 4 co-opted members, a draft letter and recruitment pack is attached at **Annexes A and B**, and if approved, the documentation will be sent out to all the Parish/Town/Community Councils within the Borough of Milton Keynes.



**Nicole Jones - Corporate Director Resources**

**Sharon Bridglalsingh - Monitoring Officer  
Service Director (Legal and Democratic Services)**

**Our Ref:**

**Your Ref:**

**Reply To:** Sharon Bridglalsingh

**Direct Line:** 01908 252095

14 December 2016

Dear Chairperson

**Re: Milton Keynes Council Standards Committee Parish Members**

From 1 July 2012 it has been the duty of every authority (including Parish/Town and Community Councils) to have a Code of Conduct and further it has been the duty of the principal authority to have in place arrangements for the consideration and determination of complaints made against both Borough Councillors and Town/Parish/Community Councillors under that Code.

Milton Keynes Council has formed a 'Standards Committee' to discharge these duties.

In recognition of the role that Town/Parish/Community Councils play in upholding high standards across Milton Keynes, the Standards Committee has the power to co-opt between 2 and 4 Parish Councillors who may sit on the main Committee in an advisory capacity. Further to this, Milton Keynes Council Standards Committee complaints arrangements require that one Parish Council co opted Member must sit on any Sub Committee tasked with determining complaints about the Conduct of Parish Councillors.

The Standards Committee is wishing to co-opt between two and four new parish councillors onto the Standards Committee and would welcome applications from Parish Councils, putting forward councillors for this task.

Short listing will take place in early February 2017 and interviews will take place at the end of February 2017.

The successful candidates will be required to sit on the Standards Committee from May in the 2017/2018 municipal year and will be invited to attend sub-committees as appropriate.

Co-opted members are subject to the Milton Keynes Council Members Allowances scheme and will be able to claim for reasonable mileage and parking expenses for attendance at meetings.

If you would be interested in nominating a member of your Council for this role, I would be grateful if you could complete the attached application form and return to;

Standards Committee  
c/o The Monitoring Officer /Service Director (Legal and Democratic Services)  
Milton Keynes Council  
Civic Offices  
1, Saxon Gate East  
Milton Keynes  
MK9 3EJ

No later than 23 January 2017.

Please contact me on the number above if you require any further details.

Yours faithfully,

**Sharon Bridglalsingh**  
**Monitoring Officer**  
**Service Director (Legal and Democratic Services)**



# RECRUITMENT PACK FOR APPOINTMENT OF CO-OPTED PARISH MEMBERS



## **APPOINTMENT OF CO-OPTED PARISH MEMBER - BACKGROUND INFORMATION**

Under the provisions of the Localism Act 2011 the way that an authority will deal with complaints about the conduct of its elected members and town and parish councillors in its area has changed.

The current statutory regulatory framework has been abolished and each council or authority is responsible for deciding how to deal with standards issues at a local level, including adopting its own local code of conduct for members. Milton Keynes Council is also responsible for determining what arrangements it will adopt to deal with complaints in respect of town and parish councillors in their area as well as their own members.

At the same time, each authority and council will adopt a code of conduct, consistent with what are known as the Nolan Principles, by which the conduct of their members will be judged. As part of that code, members will also be required to complete a register of personal interests for publication and take steps to ensure that a conflict of interest does not arise between those personal interests and the public interest that they serve as a councillor, which will be supported in addition by a number criminal offences if they fail in those steps.

The Nolan Principles are:

### ***Selflessness***

Holders of public office should act solely in terms of the public interest.

### ***Integrity***

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

### ***Objectivity***

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### ***Accountability***

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### ***Openness***

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### ***Honesty***

Holders of public office should be truthful.

***Leadership***

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

DRAFT

## **CO-OPTED PARISH MEMBER**

### **SELECTION CRITERIA - SKILLS AND COMPETENCIES**

Co-opted parish members will:

- be a current elected member of a Parish/Town/Community Council in the Borough of Milton Keynes.
- have a keen interest in standards in public life.

Co-opted parish members will:

- be a people in whose integrity the public can have confidence.
- understand and comply with confidentiality requirements.
- have a demonstrable interest in local issues.
- have an awareness of the importance of ethical behaviours.
- be a good communicator.

Desirable additional criteria are:

- working knowledge/experience of the previous and new standards regime.
- knowledge and understanding of judicial/quasi-judicial or complaints processes.

You should demonstrate in your application how you meet the above criteria as this will assist the short-listing process.

Means of assessment will be by application form and by interview.

NOTE: You will be required to attend ordinary Standards Committee meetings (approximately 5 per year) which take place in the evening.

You may be invited to attend Sub-Committee meetings which will also take place in the evenings, or hearings, which may take place in the day.

## **ROLE OF CO-OPTED PARISH MEMBER**

### **ROLE DESCRIPTION**

Responsible to: The Authority

Liaison with: Monitoring Officer, members of the Standards Committee, officers and members of the Authority and Town and Parish Councillors within the Authority's area, key stakeholders within the community.

1. To assist the Authority in promoting high standards of conduct by elected and co-opted members Milton Keynes Council and in particular to uphold the Code of Conduct and the seven principles of public office, namely selflessness, honesty, integrity, objectivity, accountability, openness and leadership.
2. To be consulted by the Authority through the Standards Committee both on matters of policy and specific Conduct matters involving Parish Council members.
3. To develop a sound understanding of the ethical framework as it operates within the authorities listed and its town and parish councils.
4. To attend training events organised and promoted by the Milton Keynes Council Standards Committee.
5. To act as advocate and ambassador for the Authorities in promoting ethical behaviour.

## Co-opted Parish member for Standards – Person Specification

CRITERIA	Essential / Desirable
<b>Skills and Abilities</b>	
Ability to actively contribute to a meeting effectively	E
Ability to remain calm under pressure	E
Inclusive and empathetic approach to making enquiries	E
<b>Experience</b>	
Experience of hearing and adjudicating cases in a judicial or quasi-judicial capacity.	D
Experience of working closely with local government officers or councillors	E
<b>Knowledge</b>	
Ability to obtain or hold a sound knowledge of the administrative framework of local government	D
Sound knowledge of the role of councillors and officers within a local authority	E
<b>Other Requirements</b>	
Demonstrate a desire to serve the local community and uphold democracy.	E
Ability to demonstrate your personal integrity.	E
A current elected councillor at a parish/town/community council in the Milton Keynes Borough	E

*You should demonstrate in your application how you meet the above criteria as this will assist the short listing process.*

*Means of assessment: - will be by assessment of application form and by interview.*

## **APPLICATION FOR THE POSITION OF CO-OPTED PARISH MEMBER**

Individuals who wish to be considered for appointment as co-opted parish member at Milton Keynes Council are requested to provide the following information to support their application. All information provided will be treated in the strictest confidence and will only be used for the purposes of selection. Please feel free to use a separate continuation page if you wish to expand upon your answer to any question outlined below.

### **1. PERSONAL DETAILS**

**Name:**

**Address:**

**Postcode:**

**Contact Details:**

**Daytime Telephone Number:**

**Email Address:**

### **2. CURRENT ROLE**

### **3. SUMMARY OF EXPERIENCE**

(Please give a brief account of your experience including public and voluntary work)

**4. RELEVANT EXPERTISE/SKILLS**

(Please outline briefly any knowledge or expertise which you believe would be particularly relevant to your role as an co-opted parish member having regard to the selection criteria and role description)

**5. ADDITIONAL INFORMATION**

(Please provide any additional information you may wish to give in support of your application)



Blank area for drawing or notes.

**7. References will be taken up for all applicants who are invited for interview**

1. Name:	2. Name:
.....	.....
Address:	Address:
.....	.....
.....	.....
.....	.....
.....	.....
Telephone No. ....	Telephone No. ....
Email: .....	Email .....

Signed .....

Date .....

Please return this application form to the addressee below form by:  
**No later than 23 January 2017**

[Sharon.Bridglasing@milton-keynes.gov.uk](mailto:Sharon.Bridglasing@milton-keynes.gov.uk)

**Standards Committee  
c/o The Monitoring Officer  
Legal & Democratic Services  
Milton Keynes Council  
Civic Offices  
1, Saxon Gate East  
Milton Keynes  
MK9 3EJ**

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