## MINUTES OF THE MEETING OF THE PARISH COUNCIL OF OGBOURNE ST GEORGE HELD ON THURSDAY 5 APRIL 2012 IN THE CHURCH MEETING ROOM AT 6.30PM

Those Present: Mr K Macdonald (Chairman)

> Mr T George Mr K Howard Mr R Iliffe

Mrs W Reardon Smith Mr C Freeman (Clerk)

Apologies were received from Mrs M Cook Mr K Wallace Mrs J Milton (Wiltshire) 1 resident was present

Clerk's advice:

The Clerk reiterated his advice that this meeting, called as an EGM by the Councillors, was not necessary as an urgent meeting. The advice that the Chairman appeared to have conveyed to the Councillors was misleading as he had repeatedly alleged that WALC and Wiltshire Standards had given advice, as 'higher authorities', contrary to the Clerk's advice. The Clerk read from an email from Nina Wilton, Head of Governance and Deputy Monitoring Officer of Wiltshire Standards that stated; "I did say that if a member of the Standards Committee were to be involved they would be providing assistance purely on a voluntary basis and not in their capacity as a member of the Standards Committee". Cllr Macdonald noted that this response set out the position of an individual employee of Wilts Council. It was consistent with the obligations of an employee of a public authority, as defined by the Information Commissioners Office (ICO). It is also consistent with the guidance notes that go with the Model Publication Templates for Local Authorities and Parish Councils (available on the ICO's website). These guidance notes also make it clear that there are distinct and separate rules for council employees and elected councillors. The response read by The Clerk appeared to make no mention of correspondence that exists between councillors and members of Wilts Standard Board, and was limited to councillors communication with the one council employee (Nina Wilton). On the subject of those members of Wilts Standard Board, The Clerk was keen to point out that they would not be serving on the Complaints Committee as members of the Standards Board. Cllr Macdonald agreed that this was already understood by the Complaints Committee and that is why they had been invited to join as independent members, in a non-voting advisory capacity. The Clerk was asked to forward a copy of Nina Wilton's response to all councillors, and agreed to do so. The Chairman pointed out to Councillors that 1) The Clerk had taken this action without informing the PC, and without

- its authority.
- 2) The Clerk had not informed the PC that he had received a response. Neither had he given at least three clear days notice so that councillors could be properly informed in advance of the EGM meeting. The Clerk advised that neither of the above were necessary nor relevant.

**Complaints Committee** Membership

A motion to amend membership of the Complaints Committee to include Cllrs Reardon-Smith and Iliffe was passed unanimously. The clerk requested that the Chairman confirm the names of the members of the Complaints committee. The Chairman believed that Cllr Cook was a

member but the Clerk stated she had resigned from it in writing. The Chairman was unsure and would ask her. Cllr George stated it would be an ad hoc committee meeting only when required.

Terms of Reference:

A Motion to authorise the committee to propose terms of reference for the Complaints Committee, to be circulated by email, and put to the Parish Council at the next meeting for confirmation was proposed. Cllr Macdonald checked with the councillors present that they were happy to vote on this as a single item. That being the case, the councillors voted unanimously in favour.

**Independent Members:** 

A Motion to co-opt two independent members onto the committee. These are Philip Gill (JP and Parish Clerk, with expertise on procedure), and Gerry Robson (expertise on employee and employment issues). The councillors voted unanimously in favour.

There being no further bus	iness the meeting clo	osed at 18:48.	
Signed as a true record			
	Keith Macdonald	Chairman. 3 <sup>rd</sup>	May 2012