

STANDARDS COMMITTEE

Wednesday, 21 July 2021

PRESENT – Councillors, Councillor Tony Humphrys (Chair), Casey, Fletcher, Liddle, Rawat and Whittle.

INDEPENDENT MEMBERS – Paul Fletcher

OFFICERS – David Fairclough, Asad Laher, Phil Llewellyn, Corinne McMillan & Shannon Gardiner

RESOLUTIONS

1 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Councillor Samim Desai and Independent Members, Alan Eastwood and Miranda Carruthers-Watt.

A one minute silence was held to pay respects to former Councillor Roy Davies who sadly passed away.

The Chair expressed his disappointment that no Members of the opposition had attended the meeting and that the Standards Committee was an important meeting to attend. Other Members of the Committee also shared the same views.

2 **Declarations of Interest**

There were no Declarations of Interest received.

3 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the previous meeting held on 24th March 2021 be agreed as a correct record.

4 **Update on receipt of Declarations of Member Interests 2021/22**

Each Elected Member must update their Declarations of Interest information each year. It was noted that all Declarations of Interest forms should be returned by the end of the week.

RESOLVED – That the update be noted.

5 **Councillor Disclosure & Barring Service (DBS) Checks**

Phil Llewellyn, Corporate and Democratic Lead, advised the Committee of the latest position in relation to DBS (Disclosure and Barring Service) checks for Councillors.

Following discussions at the Standards Committee and Council Forum, it was previously agreed that all Councillors would be required to undertake a DBS

check appropriate to their role, either Standard or Enhanced. The Council Forum in July 2019 agreed the DBS Policy.

Members were assisted in the application process, but it was the individual Members responsibility to ensure that they had the necessary current DBS Certificate. Individual Members also had to fund their own DBS Check.

Given that DBS Certificates last for four years, the majority of current Councillors who received DBS clearance will be covered until at least 2022, however, DBS checks were required for newly elected Councillors, and the Governance Team as part of this process would be checking that all other Members had current DBS Certificates or were assisted in the application process to receive one.

The Standards Committee will receive regular updates on DBS checks to ensure that all Members have the necessary clearances.

RESOLVED –

- That the update be noted.
- All Members will be reminded of the requirement to undergo DBS checks when the Chair gives his Standards Committee update on 22nd July 2021 at Council Forum.

6 Member Training

The Monitoring Officer, David Fairclough, asked the Committee to review the Member Training Programme for 2020/21 and consider the programme for 2021/22.

Members training and development was under the remit of the Standards Committee and the programme was agreed and updated each year. The programme included items that this Committee considered mandatory and areas that the committee feel it necessary for members to be aware of in carrying out their duties as a Councillor.

At their meeting in June 2019 the Committee received a presentation on the MeLearning e-learning solution and confirmed the move to e-training as part of a blended approach to learning, and noted the selection of courses now open and available to all members. The committee also discussed the identification of additional areas/courses that they would like to see covered/developed for the platform.

Given the pandemic the move to 'on-line' training provided a vital method of ensuring members could be kept up to date with key aspects of their responsibilities. In 2020/21 three key training courses were made available 'on line' targeted directly at Councillors in their role with many more generic courses covering a range of subjects and personal skills also available for Councillors to access.

The 3 essential courses were:

- Civil Contingencies for Elected Members
- DOJO Cyber Security Awareness
- Information Governance for Elected Members

All elected members are expected to undertake and refresh their training each year in these 3 key areas.

RESOLVED – That the below be approved;

- The continuation of the expectation into 2021/22 that all Members undertake the mandatory e-learning packages:
 - Civil Contingencies for Elected Members
 - DOJO Cyber Security Awareness
 - Information Governance for Elected Members
- Confirm that the Equality & Diversity Training be arranged ‘in person’ during the course of this municipal year, as restrictions are lifted.
- Endorse a message to all members to take the opportunity to review the LGA elected member course portfolio now accessible direct to them via the MeLearning Portal and access the training and development which they consider would best assist their continued effectiveness as a councillor.
- Approve an outline local programme of additional ‘online’ and ‘in person’ training events as set out in the Appendix to this report to support elected members of the Borough to fulfil their duties and responsibilities in an effective and safe manner.

7 Virtual Meetings Member Protocol

The Committee was asked to adopt a protocol for all Members to follow in meetings where Teams or a similar e-meeting product was utilised.

Following the emergency legislation introduced in 2020 the prevalence of ‘Teams’ and similar e-meeting meetings had increased. Although in general meetings had gone well there have been instances when problems had occurred due to general protocols not being consistently followed. This report sought to introduce a simple written guide/protocol for adoption by councillors when participating in such meetings.

In March 2021 at the request of the Standards Committee, an ‘online’ training session was conducted for elected members in respect of Social Media. At the conclusion of that event a number of members commented on the distractions to this event and others, by protocols, not being fully followed by all members, for example, inappropriate use of the ‘chat function’ and, a request was made for the Standards Committee to set out some clearer protocols for adoption by the Council.

The Standards Committee formally requested officers to prepare a report for this meeting addressing issues such as the appropriate use of the chat function alongside developing some other simple and supportive elements for a member protocol for ‘Teams/Zoom’ meetings.

At the start of the Pandemic most Council meetings had to move quickly to be conducted virtually and emergency legislation was introduced which allowed this. Although physical meetings had recommenced since May 2021, the advantages offered by virtual meetings, will mean that in the modern digital age, e-meetings will play an important part in the conduct of business going forward.

Increasingly such meetings with partners, other agencies and the public will ensure that Councillors can more easily engage quickly and efficiently, but protocols need to be in place and be followed to ensure the meetings run effectively and efficiency and the good reputation of the Council maintained. For this reason it was suggested that our current protocol be reviewed and updated to a be a more generic protocol for use outside of that introduced to respond quickly at the outset of the pandemic.

RESOLVED – That the updated Protocol be approved by the Committee and agreed for all elected members to follow in meetings where Teams or a similar e-meeting product is utilised

8 Complaints Update

The Monitoring Officer updated the Committee on complaints received regarding Members under the Arrangements for dealing with complaints about the Code of Conduct for Members up to 9th June 2021.

From October 2020 through to June 2021 there had been 10 initial complaints received by the Monitoring Officer in respect of 8 different Councillors

The first complainant when sent details of how to register formally their complaint against 2 Councillors to allow for investigation and consideration did not proceed with their complaints (ref 2160). The second complaint was handled by way of an informal resolution when the Monitoring Officer wrote with advice to the Member concerned following comments made at a public meeting (ref 2161). The third related to a question of a member participation in a meeting which was determined and clarified by the Monitoring Officer (ref 2162), The fourth was in respect of the conduct of a meeting by the Chair for which there was no evidence of failure to follow due process (ref 2163). The fifth involved a complaint about comments made by a councillor, for which an apology was accepted (ref 2164). The sixth was in respect of the forwarding of a 'WhatsApp' message which contained inappropriate comments, for which an apology was given (ref 2165).

For the seventh (ref 2166), eighth (ref 2167), ninth (ref 2168) complainants, when the complainants were sent details of how to register formally their complaint to allow for initial investigation and consideration they chose not to proceed with their complaints.

The tenth complaint was in respect of a social media message attributed to a councillor (ref 2169), on initial assessment no breach of the code was identified.

Up to 9th July 2021 there were no further complaints received under the Members Complaints Procedures.

RESOLVED – That the report be noted.

9 Proposed Work Programme

The Committee's role is as set out in the Constitution and to effect business, it was suggested that the Committee set out a work programme for the Municipal year ahead. At the meeting in March the Committee agreed that in

the work programme for the new Municipal year it should develop a protocol for adoption in respect of the 'chat function' in 'online' council meetings.

Personal Safety for Members remains a continuing concern with the number of incidents of abuse via social media or direct physical confrontations being noted nationally as on the increase. The Committee had previously approved the adoption of local Guidance supplementing that provided by the Local Government Association and considered that it would be appropriate to review and re-fresh this Guidance during the course of this year.

In 2020/21 the Committee considered the Code of Conduct and in particular whether to maintain the local arrangements, with some improvements or adopt the relatively recently developed LGA model code. The Full Council subsequently approved the continuation of the local updated Code of Conduct in March 2021. The Committee agreed consider to schedule towards the end of the 2021/22 Municipal Year a review after 12 months operation of the updated local Code.

The Committee also asked that a report be prepared updating which Councillors had not attended the mandatory training courses prior to the end of the year.

RESOLVED – That the Committee agree its work programme for Municipal Year 2021/22 including, E-Meeting Protocol (as discussed at this meeting), a review of local Guidance on Personal safety for Members, review of the Code of Conduct after 12 months operation of the local Code adopted earlier this year, a review of the Complaints Procedure (Arrangements) and the production of a register of mandatory training attendance.

Other matters

On behalf of the Members and Officers of the Committee, the Chair thanked the Monitoring Officer, David Fairclough, for his guidance, help and commitment to the Standards Committee through the years and wished him a happy retirement.

The Committee noted that Paul Fletcher continued his role, as Independent Member, for the next 4 years on the Standards Committee.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed