

STANDARDS COMMITTEE

Wednesday, 27 October 2021

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

ALSO IN ATTENDANCE – Miranda Carruthers-Watt and Paul Fletcher

OFFICERS – Asad Laher and Shannon Gardiner

RESOLUTIONS

10 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Councillor Samim Desai and Alan Eastwood (Independent Member)

The Chair expressed his disappointment again 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.

11 **Minutes of the Previous Meetings**

RESOLVED – That the minutes of the previous meeting held on 21st July 2021 be agreed as a correct record.

Councillor Sylvia Liddle enquired if all the Disclosure & Barring Service (DBS) Checks had been received from all Elected Members and it was noted that the majority of the checks had been completed and any outstanding would be looked at imminently.

12 **Declarations of Interest**

There were no Declarations of Interest received.

13 **Update of Personal Safety Guidance for Elected members**

The Committee was asked to approve the Local Guide to handling intimidation to supplement the Local Government Association (LGA) Guide published on 4th July 2021 and updated in October 2021.

The Local Government Association (LGA) published the Guide to handling intimidation for Councillors in 2019 and this had been updated in 2021

The guide covered topics such as how to handle abuse, both face-to-face, letters or online, and the legal and practical remedies, including the nature of the criminal offences involved and the LGA have confirmed this will be continuously updated with the latest advice and information available.

The Monitoring Officer circulated the web link to the Guide to all Councillors in Blackburn with Darwen Borough Council on the date of publication and

advised that the Standards Committee would consider a review of the Guide alongside our current local general advice to members.

At the Standards Committee in October 2019 the Committee discussed the Guide and suggested that a shortened local Guide be produced to supplement the national one. This had been updated in October 2021 to meet current national guidance.

This had been drafted by officers and due to the General Election was circulated in draft form to all elected members to assist them in the event of any issues arising during the campaigning

It is now proposed that the Standards Committee consider recommending to the Full Council the adoption of the updated local Guide to supplement that produced by the LGA. Both Guides to be available on the Council's website for easy access.

The Chair reminded the Committee to be mindful and aware of their own safety when out and about and when visiting residents. The Members were aware that they could contact officers for advice and also they could refer to the caution list.

RESOLVED –

- That the action taken to date following the update of the LGA Guide in 2021 be noted
- That the local short guide was approved

14 Petitions - advice for Councillors

Asad Laher, Strategic Head of Legal informed the Committee of the Council's Petitions Scheme and request the Members to consider any implications for Councillors who may be involved in supporting or leading on petitions to the Council.

The Council has had a petition scheme since 2010, which was revised in January 2021 following Council approval. The adopted petition scheme was contained in the Council Constitution (Part 7) detailing the procedure for submission and consideration of petitions.

The petition Scheme stated that anyone who lives, works or studies in Blackburn with Darwen can submit a petition. Therefore, under the scheme Councillors were eligible to sign and submit petitions to the Council. Under the Petition Scheme, "Ordinary" petitions signed by at least 50 people who live, work or study in Blackburn with Darwen were considered by the Executive Board, and petitions containing 4,200 signatures or more were debated by full Council. The Council may also respond to petitions by referring them to an Overview & Scrutiny Committee.

All Members (and co-opted Members) were required to comply with the adopted Members Code of Conduct, which includes the general principles of conduct, the general obligations in Part 1, and the registration/declaration of interests in Part 2 of the Code. Members should also avoid any conflict of interests particularly when acting in their role as Councillors.

Many councillors also hold additional responsibilities in the Council (such as Executive Member, Assistant Executive Member and Chair/Vice-chair of committees), and appointed to committees of the Council and outside/joint bodies.

The Localism Act 2011 places the Council under a duty to promote and maintain high standards of conduct for members (and co-opted members). This was delegated by the Council in August 2012 to the Standards Committee. Under the Constitution, the Standards Committee also has a role in assisting councillors (and co-opted members) to observe the Members Code of Conduct, and make appropriate recommendations to the Council with respect to:

- promoting and maintaining high standards of conduct and
- the provision of training, guidance and assistance for Members in relation to the Members' Code of Conduct

Whilst Councillors are eligible to sign and submit petitions to the Council under the Council's petition scheme, they must also comply with the Members Code of Conduct and avoid any potential conflict of interests, particularly when they are subsequently involved in dealing with the submitted petition or any issues relating to it.

RESOLVED –

- That the report be noted
- To prepare an advisory note for Councillors on petitions

15 Complaints Update

The Strategic Head of Legal updated the Committee on complaints received regarding Members conduct under the Arrangements for dealing with complaints about the Code of Conduct for Members up to 18th October 2021.

From June 2021 through to October 2021 there had been 3 complaints received by the Monitoring Officer.

The first complaint was made by a Member against another Member following an altercation at a residents meeting. Although the member subsequently confirmed that he did not wish to pursue it further, there were issues that came to light from enquires made. The Monitoring Officer arranged mediation meeting between the parties and resolved the matter informally.

The second complaint was by a member of the public in relation to messages/comments posted on social media by a Member. It is alleged that the messages/comments were sarcastic and unprofessional. Further information had been requested from complainant before the complaint can be progressed.

The final complaint was from a parish councillor in relation a message posted on social media by a Member, questioning the accuracy and truthfulness of the statements made. The Monitoring Officer was currently in the process of consulting with the Independent Person before an Initial Assessment can be made.

Up to 18th October 2021 there were no further complaints received under the Members Complaints Procedures.

The Chair expressed that Elected Members need to be very aware on social media and on social platforms when 'liking' or 'commenting' on posts as previously Members have been suspended and dismissed for their actions online.

RESOLVED – That the update report be noted.

16 **Date of Next Meeting**

The Committee provisionally agreed to hold the next Standards Committee on Monday 17th January.

RESOLVED – To inform all Committee Members of the new proposed date

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed