

# Public Document Pack

## Standards Committee

Wednesday, 27th October, 2021

6.00 pm

Meeting Room 1&2, Blackburn Library

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### AGENDA

1. **Welcome and Apologies**
2. **Minutes of the Previous Meetings**  
**Minutes of Previous Meeting** 2 - 6
3. **Declarations of Interest**  
**Declarations of Interest** 7
4. **Update of Personal Safety Guidance for Elected Members**  
**Councillors Guide to Handling Intimidation October 2021** 8 - 16  
**Personal Safety for Elected Members**
5. **Petitions - advice for Councillors**  
**Petition Report** 17 - 18
6. **Complaints Update**  
**Complaints Report** 19 - 21
7. **Date of Next Meeting**

Date Published: 19<sup>th</sup> October 2021  
Denise Park, Chief Executive

## 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 24<sup>th</sup> 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 9<sup>th</sup> 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 9<sup>th</sup> 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



**REPORT OF: STRATEGIC HEAD OF SERVICE – LEGAL  
& GOVERNANCE AND MONITORING OFFICER**

**TO: STANDARDS COMMITTEE**

**ON: 18 October 2021**

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**SUBJECT: Councillor’s guide to handling intimidation and personal safety**

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## **1. PURPOSE OF THE REPORT**

To approve the local Guide to handling intimidation to supplement the LGA Guide published on 4<sup>th</sup> July 2019 and updated in October 2021.

## **2. RECOMMENDATIONS**

The Standards Committee is asked:

1. To note the action taken to date following the update of the LGA Guide in 2021
2. To approve the local short Guide.

## **3. BACKGROUND**

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

The Guide is available to download in full via the link below.

[www.local.gov.uk/councillors-guide-handling-intimidation](http://www.local.gov.uk/councillors-guide-handling-intimidation)

The guide covers 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 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 their meeting in October 2019 the Standards Committee discussed the Guide and suggested that a shortened local Guide be produced to supplement the national guide. This has been updated in October 2021 to meet current National guidance.

This has 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 formal 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.

#### **4. RATIONALE**

The Standards Committee's role and function includes oversight of the development of quality information being provided to members in their roles as decision makers and Ward councillors. It also includes the direct provision of related member development training and advice, promoting high standards in the conduct of council business.

The national Guide in its introduction describes becoming and serving as a councillor as a responsibility, a privilege and a hugely rewarding undertaking, but also advises that we are aware that an increasing number of councillors and candidates are being subjected to abuse, threats and public intimidation, undermining the principles of free speech, democratic engagement and debate. The growth of social media has provided an additional and largely anonymous route for individuals and groups to engage in such activity.

The Guides are not designed to alarm, but to suggest some steps councillors and their council can continually undertake to protect councillors as a person in a public position, and how to respond should an incident occur.

#### **5. POLICY IMPLICATIONS**

There are no direct policy implications from the report.

#### **6. FINANCIAL IMPLICATIONS**

There are no financial implications from this report.

#### **7. LEGAL IMPLICATIONS**

Councillors are not employees of the council and do not have the benefit of safeguards in employment legislation if they suffer intimidation. However, the council does seek to support councillors to undertake their duties safely and without fear or intimidation. Political parties may also offer direct support. In undertaking activities as a councillor, councillors are protected by the same legislation relating to intimidation or threats as to any member of the public.

#### **8. RESOURCE IMPLICATIONS**

Support to members by the provision of local advice and support is provided via existing resources in Governance Services and Human Resources (Health, Safety and Wellbeing) teams.

#### **9. EQUALITY IMPLICATIONS**

There are no equality implications as the Guide has been produced to support a healthy democracy and provide guidance to councillors supporting existing legislation designed to protect not only councillors but the general public as a whole and ensure that equality of treatment and access to advice and services for all are maintained.

#### **10. CONSULTATIONS**

The Standards Committee is being consulted through this report.

Contact Officer:  
Strategic Head of Service – Legal & Governance and Monitoring Officer  
Strategic Head of Service - HR

Date: 18<sup>th</sup> October 2021



# **Personal Safety for Elected Members**

## Introduction

Our personal safety is something many of us take for granted, and it is only when a major incident occurs that we stop and think about our own vulnerability. The murder of MP Sir David Amess will have caused even the most confident amongst us to take a step back to reflect on the way that we manage any risks associated with our role.

There have been very few major incidents involving violence toward local or national politicians, although when attacks do take place they are widely reported. There are no statistics to prove that public figures are at more risk than anybody else who is involved in carrying out a front-facing role.

Whilst most of the aggression councillors experience will usually sit at the 'low to modest' spectrum of unacceptable behaviour, severe abuse can tip into the legal definition of violence even if no physical interaction is involved.

We should all take time out of our busy schedules to reflect on the systems and processes we should have in place to help keep us safe, and to reduce any risks we may be exposed to in our councillor role.

Below is some information that has been compiled from LGIU and LGA guidelines. For more information, visit the government website: [www.hse.gov.uk/risk/casestudies/](http://www.hse.gov.uk/risk/casestudies/)

## General principles of personal safety

There are four broad principles to consider linked to personal safety:

1. Organic risk assessment
2. Gut feel
3. Early choices
4. Routine

### 1. Organic risk assessment

Organic risk assessment is more focused on assessing risk in the here and now, based on the signals we are picking up from our environment.

It is generally believed that a person who is new into a role is much better at identifying and assessing risk than somebody else who has been carrying out the same activity for a period of time who can sometimes become complacent.

### 2. Recognise and use your gut feel

No risk assessment can replace using our own senses to determine what feels safe, versus what feels wrong. This is often referred to as 'gut feel'.

Unfortunately, as adults we often silence our gut feeling in an attempt to intellectualise it. In personal safety terms, gut feel is one of the most important tools we have.

Remove yourself immediately from the situation if you feel unsafe, analyse later but your immediate safety is the priority.

### **3. Early choices**

Early choices are conscious decisions we make about our personal safety that can help to protect us if we have a problem.

De-briefing people who have been involved in events where their personal safety has been compromised, and it is estimate that most, if not all, have expressed regrets about early choices they could have made and didn't.

### **4. Routine**

Routine is often described as the enemy of personal safety because it makes our behaviour predictable and reliable. Whilst reliability is often a prized characteristic, in safety terms it can make us vulnerable, particularly when an habitual activity is known to others.

Whilst it isn't always possible or practical to vary patterns a huge amount, when you are able to do so, change your routine so that you vary the time and places you do things.

## **Handling intimidation**

### **Introduction**

This document is not designed to alarm, but to suggest some steps you can undertake to protect yourself as a person in a public position, and how to respond should an incident occur.

The most important determining factor in deciding how to respond to intimidation is the impact it is having on you. Regardless of what others may think, if it is having an effect on you, then that is sufficient for you to take action.

Key points:

- Councillors are encouraged to keep a record of any intimidatory communication or behaviour
- Contact with unknown or anonymous individuals should be undertaken with care

### **General advice**

Below are a suggested set of actions that you could undertake if you consider you are being subjected to intimidation:

- Make sure that your immediate safety is not at risk. Make sure you are safe.
- If possible, record or diarise the encounter or communication. In the case of an email or letter, you can copy or save it. A telephone call or face-to-face discussion and social media incident should be written in a diary as soon as possible after the event, recorded, screen-shot or saved. You can also take photos of damage or even a computer screen. Even if this is the first or only incident, others may also have been subjected to intimidation. A collective record is important if future action is

going to be taken. It is also important that incidents relating to the same individual or individuals should be recorded as such evidence could be critical should the matter gives rise to a criminal prosecution.

- Raise the incident with a view to discussing it or obtaining support from a nominated council officer and/or political group nominated person. This will also help you establish if others have been subjected to the same or similar intimidation.
- If a serious potential crime has occurred, it is advisable to formally report it to the council and/or to the police, particularly in the context of a serious threat to life or anticipated violence.
- If you are concerned about your personal safety, raise this with the council and the police so that there is a record of the impact the incident is having and review your own security and personal safety. This could include your personal or work activities and those of your family.
- Under the Health and Safety at Work Act, councils have a duty to safeguard their staff against potentially violent persons and BwDC maintain a Caution list with names of such parties. This will enable you to ascertain if the individual or individuals who have intimidated them are on the Caution List, if not; ensure that that their name is added using the appropriate processes.
- Every situation will be different, and it will need a personal judgement about whether it is worthwhile to pursue the incident, ignore it or politely acknowledge.
- If the letters or emails continue further steps may need to be considered such as advising the individual that such abuse will result in a referral to the police and the stopping of further correspondence.

## Shield Principles

In addressing public intimidation, the LGA has developed the following SHIELD principles:

**Safeguard** – where possible, protect yourself online and in person. For example, set out in any online biography or page that abusive, threatening or intimidatory communication or actions will be reported, utilise security features, take personal safety precautions and have a point of contact in the local police for any incidents.

**Help** – in any situation ensure you are safe before you take further action and get help if needed. If the threat is not immediate, you can contact officers at the council who have been given the responsibility to support you or someone with that role from your political group.

**Inform** – you can inform the individual or group that you consider their communication or action as intimidating, threatening or abusive. There is a growing movement of ‘digital citizenship’, which encourages the labelling of poor online conduct as a way of challenging such behaviour.

**Evidence** – if you consider that a communication or action is intimidatory, threatening or abusive, gather evidence. For example, photos, recordings, screen-shots, letters, emails, details of witnesses, etc.

**Let people know** – report the incident to your social media platform/officers/party contact/lead member/the police, depending on the nature and severity of the incident(s). Be prepared that the police



and courts will look to determine if the incident is intimidation based on the theoretical opinion of the average person.

**Decide** – determine whether you want to continue receiving communications from the individual or group and block or mute if on social media where appropriate. Decide if you want to pursue any action to inhibit the ability of the individual or group to approach you.

## Specific safety tips

A number of safety tips have been compiled from a variety of sources including guidance from councillors, which have been shared during training sessions. They relate to the different activities councillors are involved in as part of their role and come from the Police and from personal safety agencies. Most of the approaches are simply common sense. The full list can be found at the end of this document.

**You must always check the Caution list located on the Intranet [here](#) prior to any visit or meeting with someone not known to you.**

## Incident reporting

If you are involved in an incident, or have concerns around an individual's behaviour, it is important to report this to the Democratic Services team.

An incident report must be completed as soon as possible after an event, whilst memories are fresh and so that issues can be investigated and appropriate action taken. This should be forwarded to the Health and Wellbeing team.

If the incident involves acts of a potential criminal nature the Police Authority have created a helpful guide to understanding what constitutes criminal acts and how you can report this. You can access this information by clicking the link below:

[https://www.electoralcommission.org.uk/sites/default/files/pdf\\_file/Joint-Guidance-for-Candidates-in-Elections.pdf](https://www.electoralcommission.org.uk/sites/default/files/pdf_file/Joint-Guidance-for-Candidates-in-Elections.pdf)

- This link provides information about common cyber-attacks seen against those in politics, and suggests preventative measures <https://www.ncsc.gov.uk/guidance/guidance-for-individuals-in-politics> .

Key Contact Information: Report an incident - [report.ncsc.gov.uk](https://report.ncsc.gov.uk) or [incidents@ncsc.gov.uk](mailto:incidents@ncsc.gov.uk) ;  
Enquiries: [enquiries@ncsc.gov.uk](mailto:enquiries@ncsc.gov.uk)

Social Media companies have also provided guidance on online security and how to report incident. This guidance can be accessed using the links below



9. Online Security  
Information - CSP Gui

- Online Security Information for Candidates  
<https://uk.internetassociation.org/blog/resource-for-parliamentary-candidates/>  
Key Contact Information: Twitter: [@govuk](https://twitter.com/govuk); Facebook: [@ukpol](https://www.facebook.com/ukpol);  
Google and YouTube: [ukpublicpolicy](https://www.youtube.com/channel/UCpublicpolicy)

## Other sources of help

One of your key sources of help should be the council's safety procedures. These will include policies around Lone Working, and general support associated with safety in the councillor role.

The Suzy Lamplugh Trust is particularly well known for the quality of their advice. Their website is: <http://www.suzylamplugh.org>.

We also offer the following me-learning courses:

- Handling intimidation for elected members
- Stress Management and Personal Resilience for Elected Members
- Handling Complaints for Service Improvement for Elected Members
- Facilitation and Conflict Resolution for Elected Member
- Supporting your Constituents for Elected Members
- Community Engagement and Leadership for Elected Members
- Information Governance for Elected Members
- Lone Working

These courses can be located on the Blackburn with Darwen Learning site [here](#) .

To view these courses go to the course library, select online courses and a list of all online courses will appear. The above courses can be searched for by using the search bar on the right hand side of the page.

## And finally

Please remember, we live in a world where by far the majority of people are friendly and gentle, and where many kind acts go unnoticed and unreported.

Personal safety is about taking sensible steps to minimise risk, so that we are confident and comfortable in our councillor role.





**REPORT OF:** The Monitoring Officer

**TO:** Standards Committee

**DATE:** 27 October 2021

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**SUBJECT:** Petitions – advice for Councillors

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## 1. PURPOSE OF THE REPORT

To inform the Committee of the Council's Petitions Scheme and request it to consider any implications for Councillors who may be involved in supporting or leading on petitions to the Council.

## 2. RECOMMENDATIONS

The Committee is asked to note the report and consider any implications and guidance for Councillors.

## 3. BACKGROUND

The Council has had a petition scheme since 2010, which was revised in January 2021 following Council approval ([Constitution Update - Revised Petitions Scheme Council Forum.pdf](#) ([blackburn.gov.uk](http://blackburn.gov.uk))). The adopted petition scheme is contained in the Council Constitution (Part 7) detailing the procedure for submission and consideration of petitions. The petition Scheme states that anyone who lives, works or studies in Blackburn with Darwen can submit a petition and must include the name, address and signature of any person supporting the petition. Petitions must also be accompanied by contact details for the petition organiser who the Council will liaise with in dealing with the petition. Therefore, under the scheme Councillors are 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 are considered by the Executive Board, and petitions containing 4,200 signatures or more are 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) are 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.

#### **4. RATIONALE**

Under the Council's Petition Scheme, Councillors are eligible to sign and submit petitions to the Council. Councillors are also required to comply with the adopted Members Code of Conduct, and avoid any conflict of interests that may arise.

It would be helpful for Councillors to understand their position in relation to petitions to the Council, under the adopted petition scheme.

#### **5. LEGAL IMPLICATIONS**

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.

#### **6. POLICY IMPLICATIONS**

A good governance framework in local authorities is necessary to promote and maintain high ethical standards, and to ensure public confidence. In this regard, Councillors need to be provided with the necessary training, advice and guidance to assist them in their public role.

#### **7. FINANCIAL IMPLICATIONS**

None

#### **8. CONSULTATIONS**

The Standards Committee is invited to discuss the role of Councillors in relation to petitions made to the Council, and make any recommendations that it considers appropriate.

#### **Chief Officer/Member**

Contact Officer: Asad Laher, Strategic Head of Service – Legal & Governance and Monitoring Officer.

Date: 15<sup>th</sup> October 2021

Background Papers: None



to light from enquires made. The Monitoring Officer arranged mediation meeting between the parties and resolved the matter informally.

2. A complaint 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 has been requested from complainant before the complaint can be progressed.
3. A complaint 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 is currently in the process of consulting with the Independent Person before an Initial Assessment can be made.

#### **4. RATIONALE**

The Committee has a role in promoting and maintaining high standards of conduct and make appropriate recommendations to Council in this regard. The Committee should therefore be informed and updated of the complaints received by the Monitoring Officer and update its progress.

#### **5. LEGAL IMPLICATIONS**

The Localism Act 2011 (“the Act”) 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.

The Act also requires local authorities to adopt a Code of Conduct that is consistent with the ‘Nolan’ principles, and include provisions to regulate pecuniary and other interests. In addition, the local authorities are required to put in place arrangements for dealing with complaints both about Council Members and Parish/Town Council members. Under these arrangements, local authorities must appoint at least one ‘Independent Person’ who must be consulted before making a decision on a Member conduct complaint.

The Council has delegated authority to the Monitoring Officer to handle complaints and refer an investigation finding of breach to the Hearing Panel of the Standards Committee. The Monitoring Officer must handle the complaints in accordance with the Arrangements for dealing with complaints about the Code of Conduct for members

#### **6. POLICY IMPLICATIONS**

A good governance framework in local authorities is necessary to promote and maintain high ethical standards, and to ensure public confidence. In this regard, the Committee must have confidence that complaints made for alleged breaches of the Code are considered impartially and objectively, and in accordance with the arrangements adopted by the Council.

## **7. FINANCIAL IMPLICATIONS**

None.

## **8. CONSULTATIONS**

The Committee has a role in promoting and maintaining high standards of conduct. This report seeks to update the Committee of recent complaints received and progress, which would inform the Committee when considering any general recommendations to Council in relation to promoting and maintaining high standards of conduct.

### **Chief Officer/Member**

Contact Officer: Asad Laher, Strategic Head of Service – Legal & Governance and Monitoring Officer.

Date: 18<sup>th</sup> October 2021

Background Papers: None