

STANDARDS COMMITTEE

Wednesday, 28th October 2020

PRESENT – Councillors; Afzal (Chair) Casey, Connor, Davies, Khonat, Liddle, Rawat, Slater N and Whittle.

ALSO IN ATTENDANCE – Paul Fletcher (Independent Member), Stewart Wright and Alan Eastwood (Independent Persons).

OFFICERS – David Fairclough, Asad Laher, and Phil Llewellyn.

RESOLUTIONS

7 Welcome and Apologies

The Chair welcomed all present to the meeting, and asked Phil Llewellyn to read out the statement explaining that this was a virtual meeting.

8 Minutes of the Previous Meeting

RESOLVED – That the minutes of the previous meeting held on 20th July 2020 be agreed as a correct record, subject to the inclusion of Paul Fletcher and Alan Eastwood as being present, and attendance of Stewart Wright being moved out of the Councillors present heading.

9 Declarations of Interest

There were no Declarations of Interest received.

10 Verbal Update on Register of Interests 2020/21

Phil Llewellyn reported that due to the COVID-19 pandemic, Members Register of Interest forms for 2020/21 had been unable to be submitted, signed and processed in the usual way, but that a summary sheet was available on the Council website, in the Library section in the Democracy area, which gave details of returns from Members and any changes recorded since the forms returned in 2019/20, and that the sheet would be updated throughout the year.

RESOLVED – That the update be noted.

11 Member Training 2020/21 Half Year Update

A report was submitted which reviewed Member training to date.

Currently 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 targeted courses this year were:

- Civil Contingencies for Elected Members

- DOJO Cyber Security Awareness (2020)
- Information Governance for Elected Members

All elected Members were expected to undertake and refresh their training each year in these 3 key areas, however at the half year stage in the municipal year not all Members had completed all the courses and the Standards Committee was advised that:

27 Councillors had yet to commence the Civil Contingencies for Elected Members course.

10 Councillors had yet to commence the DOJO Cyber Security Awareness (2020)

30 Councillors had yet to commence the Information Governance for Elected Members

The Committee was asked to endorse a request from the Monitoring Officer that each Councillor who had yet to complete their course be provided a further reminder of their need to complete by the due date of end November 2020. The Committee was also asked to advise the Monitoring Officer of its view as regards any Councillor who fails to complete by the deadline.

It had also been agreed by the Committee in the previous Municipal Year that all elected Members complete a equality and diversity related training & workshop, but this externally arranged `in person` event had to be postponed due to the Covid-19 restrictions coming into place in March 2020. The Committee was asked to note that the plan remained for this programme to be scheduled for a date later in the Municipal Year 2020/21 when it would hopefully be possible to deliver this training safely and securely respecting any remaining Covid-19 restrictions that may be in place at that time. A further update would be provided at the next meeting.

The Committee discussed the importance of Members attending the identified training and were supportive of the proposals in the report to encourage Members to complete the training in a timely fashion.

Councillor Neil Slater at this point made comments about the arrangements and circumstances around the recent Call-in Committee, but was advised that this matter would be discussed later in the meeting.

RESOLVED – That the Standards Committee:

1. Note the Member training – Half Year Update report;
2. Endorse a request from the Monitoring Officer that each Councillor who has yet to complete their course be provided a further reminder of the need to complete by the end of November 2020;
3. That the Monitoring Officer notify the Standards Committee in writing of any Councillor who fails to complete the 3 courses via a report to the next meeting.
4. Note that all elected Members are due to complete equality and diversity related training & workshop, but this externally arranged `in

person` event had to be postponed due to the Covid-19 restrictions coming into place in March 2020 and;

5. Note in respect of 4 above, that the plan remains for this programme to be scheduled for a date later in the Municipal Year when it would hopefully be possible to deliver this training safely and securely respecting any remaining Covid-19 restrictions that may be in place at that time and that a further update be provided at the next meeting.

12 Local Government Ethical Standards

The Committee was provided with an update and proposal on the recommendations made in the Committee on Standards in Public Life report of January 2019 on local government ethical standards. In addition, the report invited Members to review and update the current Member Conduct Complaints Form.

The Committee on Standards in Public Life made a number of recommendations in their January 2019 report on local government ethical standards. As reported at the July Standards Committee meeting in that report, they identified 15 best practice recommendations which they consider represent a benchmark for ethical practice and which they expect any local authority should implement.

The Monitoring Officer and Head of Legal & Governance were reviewing the recommendations made against the current Code of Conduct and Arrangements for dealing with Complaints about the Code of Conduct for Members. However at the last meeting of the Standards Committee in July the Committee commented upon the development of a revised National Code of Conduct by the Local Government Association, which to date had not been produced.

Given however the likely revised National Code of Conduct being published by the LGA soon, it was suggested the Standards Committee delay consideration of making local changes to the existing Code until January 2021 to allow time for the new national Code of Conduct to be published. In the event that the new Code being developed by the LGA was not published by January 2021, the Committee was recommended to revisit the recommendations with a view to incorporating them, where not already covered, into the current local Code of Conduct. The Committee discussed this proposal and were in favour of this approach.

Separately as part of the Committee's work programme for 2020/21 it had also been suggested that the Committee review the associated Complaints Form utilised by complainants to record their concerns for consideration by the Monitoring Officer. The form had been in place for a number of years and the current Code of Conduct requires that the Complainant use this form to record their complaint in writing. The Committee pending the wider revision of the Code of Conduct outlined was invited to consider, what if any, changes it suggests be made to the form.

The Committee discussed the form and were of the view that the form

would be better being reproduced in a web-form format, to make the process more straightforward and that a flowchart be created to show potential complainants how the complaint would be processed. Additionally, it was felt that complainants be given the option to suggest how the matter could be resolved to their satisfaction.

RESOLVED -

1. It be agreed that In the event the new Member Code of Conduct being developed by the LGA is not published by January 2021, the Committee revisit the recommendations attached from the Committee on Standards in Public Life with a view to making recommendations to Full Council to incorporate them, where not already covered, into the Council's current local Code of Conduct at that time.
2. That the Monitoring Officer summarise the suggestions from the Committee relating to the Complaints Form and e-mail these to the Committee to confirm, ahead of making the recommended changes to the form/website.

13 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 19th October 2020.

From July 2020 through to mid October 2020 there had been 3 initial complaints received by the Monitoring Officer in respect of three different Councillors.

The first related to an allegation of non-compliance with Covid-19 guidance and an apology offered in this regard. The second complainant when sent details of how to register formally their complaint to allow for investigation and consideration has not yet proceeded with their complaint. The third was identified as being substantially the same as a previous complaint, which had already been considered and responded to earlier in the year in accordance with the approved procedure.

Up to 19th October 2020 there were no further complaints received under the Members Complaints Procedures.

RESOLVED – That the report be noted.

14 Call-in Procedures and Code of Conduct

The Vice Chair, Councillor Kevin Connor, reported on the recent LGA review of the arrangements and circumstances relating to the recent Call-in Committee meeting, which had taken place with no representation from the Conservative Members.

Councillor Connor and Asad Laher advised that the LGA had suggested that the Standards Committee review matters around the Code of Conduct for

Members relating to Call-ins and that the Policy and Resources Overview and Scrutiny Committee, supported by the PLACE and PEOPLE Overview and Scrutiny Committees review the process and arrangements relating to Call-ins.

Following discussion by Members, it was suggested that the Chair and Vice Chair, together with the Monitoring Officer and Council Solicitor, and an Independent Person, feed into the review from a Standards perspective in terms of the Code of Conduct, and that an update be provided to the next meeting of the Standards Committee in January 2021.

RESOLVED –

1. That the Standards Committee note that the Policy & Corporate Resources O & S Committee are to undertake a full review of the call-in procedure and associated procedures; and
2. That the Standards Committee consider relevant Member Code of Conduct points and the expectations relating to their participation in the Call-in process, and suggest recommendations for consideration by the Policy & Corporate Resources O & S Committee

15 Stewart Wright

The Chair reported that this would be the last meeting that Stewart Wright would attend as Independent Person, and thanked him for his valuable contribution to the work of the Committee over his tenure.

Stewart returned thanks, complimenting Members and Officers of the Council.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed