

STANDARDS COMMITTEE

Thursday, 22 June 2023

PRESENT – Councillors, Ali (Chair), Casey, Connor, Desai, Irfan, Raja, Shaw, Slater, and Whittingham.

OTHERS IN ATTENDANCE – Paul Fletcher and Daniel Wilde.

OFFICERS – Asad Laher, Corinne McMillan and Christopher Bradley

RESOLUTIONS

1 **Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Alan Eastwood

2 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the previous meeting held on 29th March 2023 were agreed and signed as a correct record.

3 **Declarations of Interest**

RESOLVED – There were no Declarations of Interest received.

4 **Membership of Standards**

It was noted that there were 2 current vacancies, one for an independent Member and one for a Parish Member.

For the Independent Member position officers will liaise with HR to produce an advert for advertisement.

It was noted that for the position of Parish Member communication would be circulated to parishes to raise awareness of the post and hopefully to fulfil the position.

RESOLVED – That the update be noted.

5 **Standards Arrangements**

The Committee received a presentation by Asad Laher, Monitoring Officer, about the Standards Arrangements.

The presentation covered what the Standards Committee was, the importance of the Committee and what it stood for. It was presented that the role of the Standards Committee was to promote and maintain high standards of conduct, to review the Code, Member development, dispensations and to appoint Hearing Panels.

The Committee was established in 2012 and had a membership of 9 Blackburn with Darwen Borough Council Members, 2 Parish/Town Council, 2 Independent Members and Independent Persons. Only the Blackburn with Darwen Members have the right to vote.

The presentation also covered other areas of the Standards Committee such as;

- The Localism Act 2011
- Maintain High Standards of Conduct
- Code of conduct
- Register of interests
- Registration
- Disclosure of Interests including Sensitive Interests
- Dispensations
- Sanctions
- Investigating and determining complaints
- Predetermination

RESOLVED – That the presentation be noted.

6 Member Training 2023/24

A report was submitted to review the Member Training 2022/23 and to consider the training programme for 2023/24.

The Standards Committee has a key role in directing the provision of member development in order to ensure that elected members receive training, which meets their needs as decision makers and ward councillors. The Committee therefore reviews and updates the training and development needs each year, and considers the training programme. The programme includes items that the Committee consider mandatory and areas that it also feels necessary for members to be aware of in carrying out their duties generally as a Councillor and in their specific roles

The Council offers an online e-learning facility for MeLearning which the committee has previously endorsed. The MeLearning portal has a selection of courses available to all Members. On-line training (via MeLearning and MS Team presentations) provided a vital training method during the pandemic for ensuring members kept up to date with key areas of their role.

In addition to the constitutional requirement for elected members sitting on Planning & Highways and Licensing Committees, two other essential training courses were made available 'online' specifically for councillors:

- DOJO Cyber Security Awareness
- Information Governance for Elected Members

All elected members were expected to undertake and refresh their training in these areas. The Committee is requested to consider the continuation of the essential courses relating to Information Governance and DOJO Cyber Security Awareness, and method of learning that best delivers the outcomes.

The Committee will be aware of the importance of these courses for both officer and councillors who use the Council's IT systems to undertake their roles. As attendance levels were varied in relation to the mandatory DOJO Cyber Security Awareness and Information Governance for Elected Members mandatory courses, IG officers arranged special training sessions (via MS Teams) for those councillors who were unable to undertake their training via the MeLearning portal.

A local training programme will also be offered for 2023/24 which will include briefings and presentations delivered online (MS Teams), in person, or through the 'hybrid' method where an in-person event can be joined remotely by other councillors. A number of these briefings and presentations were delivered during 2022/23 and following consultation with senior officers a number of topics have been identified for 2023/24, which the Committee is requested to consider.

RESOLVED –

- That the Standards Committee encouraged all Members to review the LGA elected member course portfolio now accessible via the MeLearning Portal and access the training and development, which they consider would best assist generally in their role as a councillor and in their specific responsibilities
- That the local training programme 2022/23 was reviewed and the local training programme for 2023/24 was approved.

7 Standards Committee Work Programme 2023/24

The Committee discussed its work programme for 2023/24. The Standard's Committee's role and function is contained in the constitution, which includes monitoring the operation of the Council's standards arrangements and to make such recommendations to the Council as the Committee considers appropriate with respect to:

- the promotion and maintenance of high standards in the conduct of council and Parish/Town Councils business, and in the conduct of Members;
- the maintenance and review of a Code of Conduct for Members of the Council, together with such other code, procedure, protocol or guidance as the Committee considers to be appropriate and to make recommendations to the Council on such codes and regulations;
- the provision of training, guidance and assistance for Members in relation to the Council's Code of Conduct for Members and any other such code, procedure or protocol.

The Standing items for the committee would be the Monitoring Officer's report update on Member Complaints and any national standards issues and updates.

The Committee considered the following topics for their work programme:-

- Member's Code of Conduct: consider any update to the BwD Member's Code of Conduct and consider adoption of the Local Government Association (LGA) Model Code of Conduct for Members.
- Register of Member's Interests.

- Arrangements for dealing complaints made against councillors: consider and review of existing procedure.
- Protocol on Member/Officer relations: consideration and review of the existing protocol.
- Guidance on Personal References
- Development of Planning Protocol for Members
- Gifts & Hospitality Guidance for Members
- Social Media Guidance for Members

RESOLVED –

- That the committee considered the work programme for 2023/24 and agreed the following programmes:
 - Member’s Code of Conduct: consider any update to the BwD Member’s Code of Conduct and consider adoption of the Local Government Association (LGA) Model Code of Conduct for Members.
 - Protocol on Member/Officer relations: consideration and review of the existing protocol.
 - Development of Planning Protocol for Members
 - Social Media Guidance for Members

8 Councillors as Foster Carers

A report was submitted to the Standards Committee to inform Members that Councillor Vicky McGurk (Executive Member for Finance & Governance) has notified the Monitoring Officer of becoming a Foster Carer for Blackburn with Darwen.

Foster carers are a valuable resource to the council and play a vital role in providing safe and supportive homes for children in care. Children who need to be fostered often have complex family histories and require foster carers who are highly skilled to meet their needs. Councillors will often possess the necessary skills, understanding and motivation to become foster carers.

However, whilst councillors can become foster caring for the same local authority appropriate safeguards need to be in place to avoid any potential conflict of interest and safeguard against other risks to the Council or the Councillor. In addition, other considerations include confidentiality & access to information, maintenance of objectivity, complaints procedures and their employment status as foster carers. Furthermore, the Council’s usual processes and procedures for foster carers will apply, which councillors providing foster care should follow.

Councillor McGurk has updated her public Register of Interest to record the fact that she is a foster carer for BwD, having entered in to a Foster Care Agreement with the Council. Councillor McGurk is also the Executive Member for Finance & Governance, and in accordance with the advice provided by the Monitoring Officer any executive decisions solely within the Finance & Governance portfolio that directly relate to fostering shall be taken by the Leader. At Executive Board, Councillor McGurk has been advised to consider (and seek any advice on agenda items), and withdraw from the meeting before any decisions relating to foster care are considered. Similarly, Councillor McGurk has been advised to consider and seek any necessary advice on agenda items at other council and committee meetings.

The Monitoring Officer and the Strategic Director for Children’s & Education will continue to review and ensure that the necessary processes and arrangements are in place to safeguard against any potential to the Council or Councillors who put themselves forward to provide fostering care to children in Blackburn with Darwen.

RESOLVED –

- That the report be noted
- That the Monitoring Officer had issued appropriate advice/guidance to Councillor McGurk to avoid any potential conflict of interest and safeguard against other risks to the Council or the Councillor.

9 Complaints Update

The Monitoring Officer updated the Committee on complaints that had been received since March 2023.

It was noted that 4 complaints had been received by the Monitoring Officer. The first complaint was regarding a Councillor on Election Day who used inappropriate language towards an agent at a polling station. The independent Person was consulted and the Councillor issued an apology and the complaint was closed.

The second complaint received was against a Councillor regarding a comment on social media however further information had been requested in order to proceed with the complaint.

The third complaint received was against the Chair of Planning and Highways Committee relating to a planning application. The complainant alleged that the Chair abused his position and powers. It was noted that the nature of the complaint was outside the remit of the code and therefore the Monitoring Officer did not take the complaint further.

The final complaint was an ongoing case regarding a planning application which was shortly due to be finalised.

RESOLVED – That the report be noted.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed