

STANDARDS COMMITTEE

26 SEPTEMBER 2022

Present:

Councillors Bullivant, Evans, L Petherick, Nutley and Swain

Members in Attendance:

Councillors Connett, Daws, MacGregor and Keeling

Apologies:

Councillors Eden and Peart

Officers in Attendance:

Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer

Natalia Anderson, Solicitor

Christopher Morgan, Trainee Democratic Services Officer

Phil Shears, Managing Director

Paul Woodhead, Head of Legal Services & Monitoring Officer to the Council

7. ELECTION OF A CHAIR 2022/23

RESOLVED that Cllr L Petherick be elected Chair for 2022/23.

8. ELECTION OF A DEPUTY CHAIR 2022/23

RESOLVED that Cllr Peart be elected Deputy Chair for 2022/23.

9. MINUTES

RESOLVED that the minutes of the meeting of 18 March 2022 were approved as a correct record and signed by the Chair.

10. DECLARATIONS OF INTEREST

None.

11. REPORT BY THE CENTRE FOR GOVERNANCE AND SCRUTINY

The Chair introduced the report of the Centre for Governance and Scrutiny (CfGS).

Members discussed the issues raised in the report including members conduct towards each other and officers, whilst acknowledging the need for robust political debate and challenge and scrutiny of decisions. They noted the low member engagement with the review.

The Head of Legal Services and Monitoring Officer clarified that there was no fee for this review, and that some of the proposed changes to Constitution had been borne out of the recommendations in the CfGS report. Changes and updates to the Constitution would be presented to Members on a regular basis to ensure the Constitution remained relevant and fit for purpose.

Members noted that Procedures Committee would consider the proposed amendments to the Constitution on Friday 30 September 2022 and that any amendments would require approval by Full Council.

RESOLVED that all Members be provided with the Centre for Governance and Scrutiny report via email and the Members Newsletter to enable them to cross reference the changes proposed to the Constitution with the actions recommended in the report.

12. THE RECRUITMENT OF INDEPENDENT PERSONS

The Head of Legal Services and Monitoring Officer outlined the current position with regards to the interim appointment of Independent Persons and the legal requirement for the appointment of these positions on a permanent basis.

RESOLVED that the advert as circulated be approved.

13. TO REVIEW THE CODE OF CONDUCT AND ITS EFFECTIVENESS IN SETTING STANDARDS FOR MEMBERS OVER THE LAST 24 MONTHS

During discussion Members raised the following points:-

- Need to support officers, respect their professional integrity, noting that officers did not have a right of reply
- Should allegations be made by Members, they need to be justified with facts and evidence
- Meaningful sanctions for those members who were found to have breached the Members Code of Conduct.

The Managing Director expressed concern with regards to the harassing and intimidating behaviour of some Members that was causing undue stress to staff. The Council had a duty of care to protect and support its employees and unacceptable Member behaviour should be addressed.

14. TO CONSIDER THE MONITORING OFFICERS PROPOSED AMENDMENTS TO THE CONSTITUTION RELEVANT TO THE STANDARDS COMMITTEE

The Head of Legal Services and Monitoring Officer raised alternative options for members to consider regarding the Standards Hearing process including a panel of Independent Persons to consider alleged breaches of the Members Code of Conduct. The proposal to merge the Standards, Audit Scrutiny and Procedures Committees were to ensure that the Council provided value for money and to action some of recommendations in the Centre for Governance and Scrutiny Report.

Some Members had reservations in the merging of the Committees and suggested the size of the Standards Committee should be increased to ensure wider representation.

Members noted that the proposed amendments to the Constitution would be considered by Procedures Committee later this week and asked the Procedures Committee to defer the report until all Members had read the Centre for Governance and Scrutiny document.

15. NOTICE OF MOTION - CLLR EDEN

The Head of Legal Services and Monitoring Officer commented that the Notice of Motion wording had been taken from the Charity Commission template and that it went beyond what was legally required by Local Authorities. He clarified that the current Code of Conduct and Register of Interest addressed the points raised in the Notice of Motion.

16. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100 (A) (4) of the Local Government Act 1972 that press and public be excluded from the meeting for the discussion of the sensitive information on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of part 1 of schedule 12 A of the Act.

17. OMBUDSMAN COMPLAINT

Cllr Daws left before consideration of this item

The Leader left before consideration of this item.

The Executive Member for Corporate Services spoke on this item.

Members discussed the draft report and recommendations contained therein.

A further meeting of the Standards Committee would be held once the final report was received.

RESOLVED that the Head of Legal Services and Monitoring Officer respond accordingly to the draft report.

The meeting started at 3.00 pm and finished at 5.55 pm.

Chair