

Standards Committee

Meeting held at 4.00pm on Monday, 23rd February, 2015 in Wheel Room, Civic Centre, West Paddock, Leyland PR25 1DH

Present:-

Councillors Nelson (in the chair), M Gardner, Harrison, Mrs S Jones, Otter and Miss Walker

Independent Person: Mr Barry Parsonage

In Attendance:-

Carol Eddleston (Democratic Services Officer), Ian Parker (Director of Corporate Governance and Business Transformation (Monitoring Officer)) and David Whelan (Legal Services Manager)

| Minute No. | Description/Resolution |
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| 1 | <p>Apologies for Absence</p> <p>All members of the committee were present.</p> |
| 2 | <p>Declarations of Interest</p> <p>There were no declarations of interest.</p> |
| 3 | <p>Minutes of the Last Meeting</p> <p>RESOLVED (unanimously) that: the minutes of the meeting held on 4 February 2013 be approved as a correct record and signed by the chairman.</p> |
| 4 | <p>Employee Code of Conduct</p> <p>The Legal Services Manager presented the draft revised code which had been drafted by an officer working group which included representation from Human Resources and the trade union. Whilst the previous code was fundamentally sound and fit for purpose it was considered that the new draft was more user friendly and easily readable. The officer group had looked at the codes of a number of local authorities across the country before deciding on an approach which it considered appropriate for this authority,</p> <p>The draft had received positive comments at the recent Governance Committee meeting and following comments from the Standards Committee would be presented to Cabinet and full Council before adoption in the revised Constitution at the start of the new municipal year.</p> <p>The committee welcomed the introduction of Explanatory Notes and the Monitoring Officer said that he had asked his own directorate to consider using them in their own documents in future.</p> <p>Mr Parsonage welcomed the new draft as a very positive, readable document and was pleased at the level of consultation undertaken. He observed that some other codes tended to attribute a minimum value to registerable gifts and hospitality and wondered if there was any merit in introducing one in our revised code. The committee considered that this would be appropriate and agreed that a minimum value of £25.00 should be introduced.</p> <p>In response to an observation about the inequity in sanctions available in the employee code versus the elected member code, the Monitoring Officer stressed that the roles of members and officers were very different. He acknowledged that the standards regime had no 'teeth' under current legislation but pointed out that If it was alleged that an elected member had</p> |

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| | <p>been involved in criminal activity the police would be involved. If an employee were suspended whilst an investigation was carried out, it could be on full pay or no pay, depending on the type of allegation being investigated and whether it might constitute gross misconduct. Advice would always be sought from Human Resources.</p> <p>All relevant policies and procedures were referenced in section 2.3 but it was considered appropriate to highlight whistleblowing separately in section 5 in order to reinforce the message that whistleblowing was taken seriously in this authority but also to remind that there were other policies that might be more appropriate in any given context.</p> <p>RESOLVED (unanimously) that:</p> <ol style="list-style-type: none"> 1) The committee welcome the readability and user friendliness of the revised draft code, 2) section 3.11 be amended to introduce a minimum registerable value of £25.00 for gifts and hospitality, 3) the committee endorse the code for submission to Cabinet prior to full Council for formal adoption as part of the revised Constitution. |
| 5 | <p>Monitoring Officer Update</p> <p>The Monitoring Officer presented the report which outlined two issues drawn from recent investigations for the committee to consider. These related to the importance of members being aware of the Data Protection Act 1998 when representing constituents and the issue of confidentiality whilst an allegation was being investigated.</p> <p>In relation to data protection, the Monitoring Officer stressed the need for members to obtain the specific consent and permission of constituents (and any third parties) before they contacted the Council on a constituent's behalf. Some members of the committee confirmed that they already did this and the committee commented that it would be useful if members could access a generic form/letter of authorisation that they could use. They agreed it would be helpful to produce something ahead of the elections but it should be included explicitly in the member induction process following the elections in May.</p> <p>In relation to confidentiality in the course of an investigation into an allegation, members acknowledged that whilst discussing a complaint with the local media or on social media might prejudice an investigation, it was not possible to bar members from doing so if they chose to do so. With this in mind, the committee agreed that a letter should be sent to group leaders asking them to reiterate to their members that complainants and subject members should not speak to the press about any complaint or discuss it on social media until such time as it had been fully dealt with and that the Hearings Procedure should be amended to mirror this intent.</p> <p>RESOLVED (unanimously) that:</p> <ol style="list-style-type: none"> 1) the report be noted, 2) a letter be sent to group leaders to ask them to reiterate to their members that complainants and subject members should not speak to the press about any complaint or discuss it on social media until such time as it has been dealt with, and 3) the Hearings Procedure be amended similarly to recommend that members should not speak to the press about any complaint or discuss it on social media until such time as it has been dealt with. |

..... Chairman