

<b>Minutes of</b>	<b>Standards Committee</b>
<b>Meeting date</b>	<b>Thursday, 15 September 2022</b>
<b>Committee members present:</b>	Councillors Carol Wooldridge (Chair), Jacqui Mort (Vice-Chair), Susan Jones, Alan Ogilvie, David Suthers and David Haley (Independent Person)
<b>Officers present:</b>	Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer) and Clare Gornall (Democratic and Member Services Officer)
<b>Other attendees:</b>	Councillor Mick Titherington (attended virtually)
<b>Public:</b>	0

A video recording of the public session of this meeting is available to view on [YouTube here](#)

## **1 Apologies for Absence**

Apologies were received from Councillor Carol Chisolm.

Councillor Alan Ogilvie was in attendance in substitution for Councillor Chisholm.

## **2 Declarations of Interest**

There were none.

## **3 Minutes of the Last Meeting**

The minutes of the meeting held on 6 September 2021 were presented for consideration. An typographical error was identified at the end of the document, in the following sentence:-

“Full details of the report and decision notice submitted to Council on 22 September 2022 can be accessed on the website here.”

The Committee agreed that the date be amended to **22 September 2021**.

RESOLVED (unanimously):

That, subject to the date in the sentence referenced above being amended to 22 September 2021, the minutes of the meeting held on 6 September 2021 be signed as a correct record.

#### 4 Minutes of the Code of Conduct Working Group

RESOLVED (unanimously):-

1. That the minutes of the meetings of the Code of Conduct Working Group held on 21 April 2022, 4 March 2022, and 16 December 2021 be noted;  
  
and
2. That the minutes of the Code of Conduct Working Group held on Thursday, 23 June 2022 be signed as a correct record.

#### 5 Review of Members Code of Conduct

The Shared Services Lead: Legal Officer presented a revised and updated Code of Conduct for consideration and recommendation to Council.

He also presented an updated Investigation and Hearing Procedure to sit alongside the Code of Conduct for consideration by the Committee.

The Committee considered the Code of Conduct and Investigation and Hearing Procedure in detail and following discussions the following amendments were suggested:-

- That it be clarified that in instances in the document where the Monitoring Officer is referred to, in their absence the Deputy Monitoring Officer is applicable.
- That the front page of the document reflect that the Code of Conduct contains local amendments and is not just the LGA Model Code.
- With regard to Complying with the Code of Conduct and particularly paragraph 8.4 relating to sanctions imposed following a finding of breach of the Code of Conduct, to amend the document to clarify that the right to challenge is limited, alternative recourse may include Judicial Review or the Local Government Ombudsman however the member concerned would need to seek legal advice.
- That any typographical errors in Appendix B – Investigation and Hearings Procedure be corrected
- To specify that if a Hearings Panel is convened it is the decision of the Monitoring Officer in consultation with the Chair of the Standards Committee whether the Panel consists of the full Standards Committee or a sub-committee of that Committee.
- Paragraph 27 - the bullet point list outlining suggested options for sanctions is non-exhaustive. It was noted that for example the Group Leader referenced at bullet point 2 may not wish to implement the sanction.
- That references to “he” be amended so that the documents are gender neutral.

It was clarified that “Investigating Officer” would usually be one of the legal officers at the Council, however in the past we have instructed externally. This would be at the discretion of the Monitoring Officer.

As part of further deliberations on the Investigation and Hearing Procedure, the following points were made:-

- it was not clear at what stage the Monitoring Officer was required to notify the subject member about the complaint. Mr Dave Whelan, Deputy Monitoring Officer clarified that if the complaint passes the initial assessment, then the subject member will be notified.
- there was no mention in the Procedure of the Initial Assessment Hearing Panel, which had been useful in the past as and when appropriate. Mr Whelan agreed that it was a useful option to have and he would raise this with Chris Moister, the Monitoring Officer.
- The procedure should include a provision that the complainant be anonymous in certain circumstances. Mr Whelan indicated that as a general principle the subject member ought to know the identity of the complainant however he would speak to Chris Moister about the inclusion of additional provisions for anonymity in certain cases.

It was also brought to members' attention that the Investigation and Hearing Procedure presented had not been considered by the Code of Conduct Working Group as part of its review. It was therefore suggested that the Committee recommend the Code of Conduct (as amended above) to Council and that a revised Investigation and Hearing Procedure be considered in further detail to a future meeting of the Standards Committee.

RESOLVED:-

1. That the Code of Conduct as detailed in Appendix A to the report (as amended) be recommended to Council; and
2. That a revised Investigation and Hearing Procedure be considered at a future meeting of the Standards Committee.

Chair

Date