

## **Report of Standards Committee**

1. Any recommendations on the reports that require a decision by full Council appear as separate items on the agenda.

### **Meeting held on 15 September 2022**

## **Review of Members Code of Conduct**

2. The Shared Services Lead: Legal Officer presented a revised and updated Code of Conduct for consideration and recommendation to Council.
3. He also presented an updated Investigation and Hearing Procedure to sit alongside the Code of Conduct for consideration by the Committee.
4. 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.
5. 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.
6. 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.
7. 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.
8. The 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.

### **Meeting held on 2 November 2022**

#### **Request to Appoint Independent Person**

9. The Shared Services Lead: Legal Officer / Deputy Monitoring Officer presented a report seeking approval to commence processes for the appointment of a second Independent Person following the recent resignation of Mr Barry Parsonage.
10. The report explained the reasons for having two Independent Persons on the Standards Committee, including potential conflicts of interest and cover for ill health.
11. The Chair wished to formally record the Committee's thanks to Mr Parsonage for his hard work over the years.
12. It was resolved:-

That the Committee agrees that a second Independent Person be appointed and that accordingly recruitment processes be commenced.

### **Report to Standards Committee - Investigation and Hearing Procedure**

13. The Deputy Monitoring Officer presented a report requesting approval of an amended Investigation and Hearing Procedure following the last Committee on 15 September 2022.

14. He highlighted the key amendments which included:-

- To clarify the stage at which the member would be informed of a complaint about them
- Inclusion of the right to challenge – a members may refer to the matter to the Ombudsman
- Inclusion of the provision for members to maintain confidentiality
- Inclusion of provision that a complainant may be granted anonymity.

15. The Chair thanked members of the Code of Conduct Working Group and supporting officers for their hard work.

16. The Committee resolved:

That the Investigations and Hearings Procedure (Appendix A) be recommended to Council for approval.

COUNCILLOR CAROL WOOLDRIDGE  
CHAIR OF THE STANDARDS COMMITTEE