

MINUTES OF STANDARDS COMMITTEE

MEETING DATE Thursday, 15 March 2018

MEMBERS PRESENT: Councillors Linda Woollard (Chair), Carol Chisholm (Vice-Chair), Colin Coulton, Bill Evans, Susan Jones and Barrie Yates

INDEPENDENT PERSON: David Haley

OFFICERS: Dave Whelan (Legal Services Manager/Interim Monitoring Officer) and Andy Houlker (Senior Democratic Services Officer)

OTHER MEMBERS AND OFFICERS: 0

PUBLIC: 0

23 Apologies for Absence

Apologies for absence were received on behalf of Councillor John Rainsbury and Independent Person Barry Parsonage.

24 Declarations of Interest

There were no declarations of interest.

25 Minutes of the Last Meeting

RESOLVED (Unanimously):

That the minutes of the meeting of the Committee held on 7 December 2017 be approved as a correct record.

26 Minutes of the meeting of the Standards Committee Initial Assessment Hearing Panel

RESOLVED (Unanimously):

That as the minutes of the meeting of the Initial Hearing Panel held on 21 November 2017 had been attached in error to the agenda, the minutes of the Initial Hearing Panel held on 16 January 2018 be considered at the next meeting of the Committee.

27 Protocol Relating to Independent Persons

Further to the Minute No.22 of the meeting held on 7 December 2017, the Interim Monitoring Officer presented the Council's refreshed Protocol Relating to

Independent Persons. The proposed changes were highlighted in the Protocol document.

RESOLVED (Unanimously):

That the refreshed Protocol Relating to Independent Persons be approved.

28 Review of Local Government Ethical Standards

The Interim Monitoring Officer requested that the Committee consider an appropriate response to consultation being carried out by the Committee on Standards in Public Life regarding a review of Local Government Ethical Standards.

The terms of reference for the review are to:

1. Examine the structures, processes and practices in local government in England for:
 - a. Maintaining codes of conduct for local councillors;
 - b. Investigating alleged breaches fairly and with due process;
 - c. Enforcing codes and imposing sanctions for misconduct;
 - d. Declaring interests and managing conflicts of interest; and
 - e. Whistleblowing.
2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
3. Make any recommendations for how they can be improved; and
4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

In particular the Committee was asked to consider and respond to questions (a-k) in the report. The Committee considered and discussed each question in turn and was unanimous in its responses to the questions.

RESOLVED (Unanimously):

That the Council's responses to the questions in Committee on Standards in Public Life's consultation be as follows:

- a) No, insufficient sanctions
- b) Insufficient sanctions
- c) Yes
- d) Yes
- e) Yes
 - i) Yes - recently reviewed detailed Investigation & Hearing Procedure
 - ii) Yes – always kept informed and invited to attend Committee and recently appointed a 2nd Independent Person
 - iii) Yes – if felt to be a conflict of interest appoint another solicitor to conduct investigation etc.
- f) No
 - i) Consider sanctions available in each case but as these are very limited not felt appropriate to conduct formal investigation

- ii) Yes – at present the Standards regime has insufficient punitive sanctions it can impose on councillors for misconduct and in appropriate circumstances should be able to suspended a councillor.
- g) Yes
 - i) Yes
 - ii) Yes
- h) Yes – the council has an existing Whistleblowing Policy which is currently being reviewed along with staff training to raise its profile
- i) Provide training to councillors and staff on ethical standards and be able to impose more punitive sanctions on councillors for misconduct
- j) Provide local authorities with the ability to impose more punitive sanctions on councillors for misconduct
- k) Instances of intimidation are rare sometimes perceived and/or verbal at or following meetings. They were viewed in part as arising out of the role as a councillor. One possible measure to address this might be that councillors' personal details are not made publically available. However, there have also been recent issues of in appropriate use of social media (with the creation of specific accounts) aimed at certain councillors (and officers).

Chair

Date