

**MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE
HELD ON 10 JANUARY 2017 FROM 7.00 PM TO 8.10 PM**

Committee Members Present

Councillors: Ken Miall (Chairman), Pauline Helliard-Symons (Vice-Chairman),
Ulla Karin Clark, Beth Rowland and Paul Swaddle

Other Councillors Present

Councillors: Sally Gurney and Roy Mantel

Officers Present

Neil Carr, Principal Democratic Services Officer

Andrew Moulton, Head of Governance and Improvement Services and Monitoring Officer

Mary Severin, Borough Solicitor

10. APOLOGIES

Apologies for absence were submitted by Chris Bowring and Roger Loader.

11. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 6 July 2016 were confirmed as a correct record and signed by the Chairman.

12. DECLARATION OF INTEREST

There were no declarations of interest.

13. PUBLIC QUESTION TIME

There were no public questions.

14. MEMBER QUESTION TIME

There were no Member questions.

15. PARISH / TOWN COUNCIL QUESTION TIME

There were no Parish or Town Council questions.

16. UPDATE ON COMPLAINTS AND FEEDBACK

The Committee considered a report, set out at Agenda pages 9 to 13, which provided feedback on the operation of the Member complaints process since the previous meeting.

The report stated that two new complaints had been received since the previous meeting of the Committee. Andrew Moulton, Head of Governance and Improvement Services and Monitoring Officer, provided an update to the Committee on the investigation of each complaint.

The first complaint related to the conduct of two Members with regard to an alleged breach of confidentiality. An investigation had been carried out and the matter would be considered by a Standards Committee Hearings Panel. The second complaint related to the conduct of a Member and was subject to an ongoing investigation.

Andrew Moulton commented that one learning point arising out of the handling of recent Code of Conduct complaints was the importance of maintaining strict confidentiality as a complaint progressed through the process.

RESOLVED: That the update report relating to ongoing complaints and investigations be noted.

17. CODE OF CONDUCT - PROPOSED AMENDMENT

The Committee considered a report, set out at Agenda pages 15 to 16, on a proposed amendment to the Borough Council's Constitution in relation to the Member Code of Conduct.

The report gave details of a request relating to section 9.1.14.2 of the Council's Constitution: "Breach of Code of Conduct". At the moment, section 9.1.14.2 stated that, where a Member was found to be in breach of the Code of Conduct but the breach was resolved "informally", the Member's name was not disclosed. In contrast, where a Member was found to be in breach following a Standards Committee Hearings Panel, the decision notice was available for public inspection and was published on the Borough Council's website. In addition the matter would be reported to the next appropriate meeting of the Borough, Town or Parish Council.

The request to amend the Constitution was made on the basis of consistency and public accountability, as both the "informal" and Hearings Panel routes dealt with Member breaches of the code.

Members considered the issues raised by the report and made the following points:

- The current description of an "informal" option for the resolution of complaints was unhelpful as this route included a formal investigation.
- In relation to openness and transparency, if Members breached the Code of Conduct should the public not be made aware in all cases?
- Was there potential within the current "informal" route for some outcomes to be made public whilst other outcomes were not, dependent on the merits of each individual case?
- Could the process be improved by the provision of guidance for the Monitoring Officer on best practice and the way to handle different types of complaint?

Following the discussion, Members concluded that further information and guidance should be provided on the issues raised before a final decision was reached on this matter.

RESOLVED That:

- 1) a further report be submitted to the meeting of the Committee on 14 March 2017;
- 2) the report address the following issues:
 - the potential for amending the current "informal" complaints resolution process to include two options – one option with publication of the Member's name and one without publication;
 - potential guidelines to support the Monitoring Officer in handling Code of Conduct complaints;

- examples of good practice on Code of Conduct issues from other local authorities.

This page is intentionally left blank