

**MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE
HELD ON 19 JANUARY 2016 FROM 7.00 PM TO 8.10 PM**

Committee Members Present

Councillors: Rob Stanton (Chairman), Chris Bowring, Ken Miall and Malcolm Richards

Other Councillors Present

Councillors: UllaKarin Clark

Officers Present

Neil Carr, Principal Democratic Services Officer
Andrew Moulton, Head of Governance and Improvement Services
Mary Severin, Borough Solicitor and Deputy Monitoring Officer

10. APOLOGIES

Apologies for absence were submitted by Councillors Pauline Helliar-Symons and Roger Loader.

11. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 29 July 2015 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/Town questions.

16. CODE OF CONDUCT - ADDITIONAL GUIDANCE

The Committee considered a report, set out on Agenda pages 9 to 15, which provided guidance for Councillors and members of the public on a range of behaviours contained in Paragraph 9.2.8 of the Code of Conduct. These behaviours were bullying and intimidation, blogging, social networking and use of social media.

Appendix 1 of the report provided draft guidance on bullying and intimidation (Paragraph 9.2.8.2 of the Code of Conduct). An amended version of Appendix 1 was circulated to the Committee. The guidance included an ACAS definition of bullying which Members discussed. Members felt that an appropriate definition of bullying was "offensive, intimidating or malicious behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient". The report contrasted bullying with robust legitimate challenge which a Member could make in examining policy or scrutinising performance. The Committee felt that effective Members and Officers welcomed robust challenge as a key part of the democratic process.

Appendix 2 of the report provided draft guidance on blogging, social networking and the use of social media. The guidance stated that, under the Human Rights Act 1998, everyone has a right to hold opinions and impart information and ideas. However, attached to that right were duties and responsibilities involving the protection of the reputation or rights of others. The guidance was designed to advise Members of the legal issues surrounding public statements.

The report noted that blogging and social networking were excellent communication tools. However, it was important to comply with the Code of Conduct and any relevant legal requirements. It was also important to note that the ethical use of online social media was not limited to those aspects covered in the Code. Consequently, Members should be aware of the potential for negative publicity for both themselves and the Council.

The report set out examples of negative behaviour from Members across the country which had resulted in public censure, reputational damage and, in the most extreme cases, disqualification. Members stated that the proposed guidance would be useful in establishing boundaries for behaviour, but it was important to note that any cases would be considered on their merits.

RESOLVED: That

- 1) the guidance on Bullying and Intimidation (Appendix 1 to the report), as revised, be recommended to the Constitution Review Working Group for adoption by the Council;
- 2) that the definition of Bullying and Intimidation, agreed by the Committee, be included in the guidance in Appendix 1;
- 3) that the guidance on Blogging, Social Networking and the use of Social Media be circulated to all Members for information, with a covering note from the Chairman and Monitoring Officer;
- 4) that the guidance in Appendix 1 and 2 be included in the new Member training programme following the May elections.

17. UPDATE ON COMPLAINTS AND FEEDBACK

The Committee considered a report, set out at Agenda pages 17 to 20, which provided feedback on the operation of the Member Complaints process since the previous meeting. The report stated that, since the previous meeting of the Committee, one new complaint had been received. Details of the complaint were set out in the Appendix to the report. The complaint related to a long-running dispute between the complainant and the Council over the filming of meetings and the transparency with which the Council conducts its business. The report stated that following investigation of the complaint and a meeting between the Chairman, Monitoring Officer and an Independent Person, it was decided that no further action should be taken. In the meantime, all other cases reported to the Committee had been concluded.

Andrew Moulton, Monitoring Officer, reported that he would be writing to Members in the near future to remind them of the need to update the Register of Members' Interests. Members supported this action and confirmed the importance of keeping the Register up to date.

RESOLVED: That the update report on Complaints be noted.

