

Agenda Item 4.

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD ON 4 MARCH 2019 FROM 7.00 PM TO 7.20 PM

Committee Members Present

Councillors: Ken Miall (Chairman), UllaKarin Clark, Dianne King and Imogen Shepherd-DuBey

Parish/Town Council Representatives: Roy Mantel (Co-Optee Twyford Parish Council)

Officers Present

Andrew Moulton, Assistant Director, Governance and Monitoring Officer
Neil Carr, Democratic and Electoral Services Specialist

24. APOLOGIES

No apologies for absence were received.

25. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 7 January 2019 were confirmed as a correct record and signed by the Chairman.

26. DECLARATION OF INTEREST

There were no declarations of interest.

27. PUBLIC QUESTION TIME

There were no public questions.

28. MEMBER QUESTION TIME

There were no Member questions.

29. PARISH / TOWN COUNCIL QUESTION TIME

There were no Parish or Town Council questions.

30. UPDATE ON COMPLAINTS AND FEEDBACK

The Committee considered a report, set out at Agenda pages 7 to 11, which gave details of progress relating to ongoing Code of Conduct complaints.

The report stated that, since the previous meeting in January 2019, two Code of Conduct complaints had been resolved. Two new complaints had also been received following the despatch of the Agenda. These new complaints were currently being considered by the Chairman, Independent Person and Monitoring Officer.

Andrew Moulton, Monitoring Officer, updated the Committee on the two resolved complaints. The first complaint related to conduct and behaviour at a public meeting and actions surrounding support for a resident. The second complaint related to conduct and behaviour at the same public meeting. Following an investigation into the complaints it had been concluded that there was no breach of the Code of Conduct and, therefore, no further action was taken.

Members queried the length of time taken to resolve the two complaints set out in the report. Andrew Moulton explained that the delay had resulted from the absence of the

investigating officer due to ill health. This was an unfortunate set of circumstances and all the other complaints had been resolved within a reasonable period.

RESOLVED: That the update report on Code of Conduct complaints be noted.

31. REPORT OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

The Committee considered a report, set out on Agenda pages 13 to 124, which included the report of the Committee on Standards in Public Life (CSPL) on Local Government Ethical Standards.

The report stated that, at its meeting in March 2018, the Standards Committee had considered a consultation exercise being undertaken by the CSPL. Following the consultation exercise the CSPL had published its report in January 2019.

The CSPL report concluded that the vast majority of local government Members and Officers maintained the highest standards of conduct. However, there were continuing examples of misconduct such as bullying, harassment and other disruptive behaviours. The CSPL had also identified risks around conflicts of interest, gifts and hospitality and expressed concerns about the increasing complexity of decision making which placed governance procedures under increasing strain.

The CSPL felt that the benefits of the current devolved arrangements should be retained, but that more robust safeguards should be introduced to strengthen locally determined systems. The report made a number of recommendations including:

- development of an updated model Code of Conduct by the Local Government Association;
- candidates standing for public office should not be required publicly to disclose their home address;
- Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on social media;
- the Disclosable Pecuniary Interests Regulations should be amended to include unpaid directorships, trusteeships, management roles in a charity and membership of any organisations seeking to influence public opinion or public policy;
- Councillors should not participate in a discussion or vote in a matter if they have an interest if a member of the public would reasonably regard the interest as so significant that it would be likely to prejudice their consideration or decision making;
- Independent Persons should be appointed for a fixed term of two years, renewable once;
- Councils should be given the power to suspend Councillors, without allowances, for up to six months;
- Councillors should be given the right of appeal to the Local Government Ombudsman if their Council imposes a period of suspension;

- Parish Council Clerks should hold an appropriate qualification, such as those provided by the Society of Local Council Clerks.

The CSPL report stated that a number of its recommendations would involve legislative change. In the meantime, its list of “best practice” actions provided a benchmark for ethical practice which it expected all Councils to implement.

In the ensuing discussion, Members discussed the potential impact of the proposal relating to the potential suspension of Members for up to six months. What were the implications of suspension for a Member’s work in supporting residents? Andrew Moulton stated that this would be one of the issues to be considered as part of the Government’s response to the CSPL report.

RESOLVED That:

- 1) the CSPL report on Ethical Standards in Local Government be noted;
- 2) the Committee receive a report to its next meeting with an assessment of the Council’s current Standards arrangements compared with the CSPL list of Best Practice.

32. STANDARDS COMMITTEE ANNUAL REPORT

The Committee considered its draft Annual Report, set out on Agenda pages 125 to 132. The report provided a summary of the Committee’s activities during 2018/19 and described how it continued to promote the highest standards of conduct by elected Members representing the Borough, Town and Parish Councils. In so doing it sought to ensure compliance with the Nolan principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The report stated that, during the 2018/19 Municipal Year, six Code of Conduct complaints had been received and that, following investigation, none of the complaints resulted in informal or formal sanctions. The conclusions in each case were supported by the Chairman, Independent Person and Monitoring Officer.

Andrew Moulton confirmed that two additional complaints had been received following the despatch of the Agenda. These new complaints were currently under investigation.

Members noted that the number of Code of Conduct complaints received should be seen in the context of there being 54 Borough Council Members and over 200 Members of Town and Parish Councils across the Borough.

RESOLVED That:

- 1) the Standards Committee Annual Report 2018/19 be approved;
- 2) the Annual Report be submitted to the Council at its meeting on 21 March 2019.

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