

Minutes of a meeting of the STANDARDS COMMITTEE on Monday 25 February 2019

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Committee members:

Councillor Aziz (Chair)

Councillor Fry

Councillor Gotch

Councillor Wolff

Hancock

Simpson

Councillor Lygo (for Councillor
McManners)

Councillor Simm (for Councillor Pressel)

Officers:

Anita Bradley, Monitoring Officer

Andrew Brown, Committee and Member Services Manager

Catherine Phythian, Committee Services Officer

Also present:

Councillor Hancock (Parish Councils representative)

Ben Simpson (Independent Person)

Apologies:

Councillor(s) McManners, Pressel, Ballinger, Cole and McCleery sent apologies.

13. Declarations of Interest

There were no declarations of interest.

14. Minutes of previous meetings

The Committee approved as a correct record the minutes of the previous meetings on 11 September 2018 and 1 November 2017.

15. Code of Conduct: summary of complaints and individual dispensations - 1 September 2018 until 31 January 2019

The Monitoring Officer presented the information report on the number of complaints received under the Members' Code of Conduct and the number of dispensations to an individual member, granted under Section 33 of the 2011 Localism Act.

The Monitoring Officer referred the Committee to Table 4 on page 11 of the report which summarised the three complaints that had been dealt with since 1 September 2018, all of which concerned parish councillors. For two of these, no action had been taken as the complaints were about employment matters rather than conduct issues.

The Monitoring Officer informed the Committee that the third complaint (reference 14755) had been reassessed, in consultation with an Independent Person, and the conclusion was that there was no longer a public interest in pursuing this complaint. There were no particular lessons to be drawn from any of these cases.

The Committee reflected on the important role of the Monitoring Officer in guiding and advising parish councils, particularly in relation to code of conduct matters. The Monitoring Officer indicated that she intended to establish closer links with the other three parish councils as previously her involvement had been concentrated on dealing with the complaints from the one parish council.

The Monitoring Officer confirmed that no requests for individual dispensations had been received.

The Standards Committee resolved to note the report.

16. Assessment criteria and proposed changes to the complaints handling process

The Monitoring Officer presented the report which invited the Committee to consider, and recommend to Council, the proposed changes to the “Complaints Handling Arrangements” documentation and the introduction of formal assessment criteria. The Monitoring Officer explained that the third recommendation was obsolete as the formal assessment criteria were included in the revised “Complaints Handling Arrangements” documentation and as such were covered by the first recommendation.

The Monitoring Officer explained that she had undertaken the review of the Council’s complaint handling arrangements with a view to making the process more open and efficient if possible whilst continuing to ensure that it remained fair and independent.

The Monitoring Officer highlighted the most significant changes:

- the inclusion of assessment criteria which the Monitoring Officer in consultation with an Independent Person will have regard to when establishing whether there are valid grounds to investigate a complaint. The criteria include “official capacity” and whether an investigation would be in the “public interest”.
- a new section setting out indicative timescales for each stage of the complaints process.
- changes to the complaint form which now requires complainants to specify which parts of the Code of Conduct they believe have been breached and what remedy they are seeking.

The Committee welcomed the proposed revisions to the documentation which they considered offered the general public a clearer explanation of the overall process and placed appropriate emphasis on objective, evidence based decision making.

The Committee suggested that the draft documentation should be amended to include a definition for “public interest” and “politically motivated” and a more detailed explanation of the role of the independent person.

The Standards Committee resolved to recommend Council to:

- a) **Approve** the proposed changes to the “complaints handling arrangements” documentation as detailed in the report;
- b) **Delegate authority** to the Monitoring Officer to amend and agree the final text and design of the draft “Complaints Handling Arrangements” documentation (as set out in Appendix 2).

17. Review of member training in 2018 and proposals for future years

The Monitoring Officer introduced the report and reminded the Committee that one of the changes agreed by Council as part of the last Constitution Review was to broaden the role of the Committee to receive reports from the Monitoring Officer on all aspects of member training, not just training on ethical issues.

The Committee noted:

- the evaluation of the training delivered in 2018 (Appendix 1) which indicated that while feedback was positive overall there remains scope for improvement.
- the training proposals for 2019-20 (Appendix 2) which build on the current approach of compulsory training in code and licencing; optional planning sessions and additional optional sessions on unconscious bias, mental wellbeing and the effective use of social media.
- the outline proposals (Appendix 3) for the development of a member training programme for 2020-24.

In response to a question from the Committee the Monitoring Officer advised that training for parish councillors was the responsibility of each individual parish council and that the Oxfordshire Association of Local Councils were best placed to provide professional support and training as necessary.

The Committee commented on the need for all councillors, but especially newly elected councillors, to be kept fully informed of changes to the organisational structure of the Council. The Monitoring Officer undertook to consider how to achieve this and to report back to the next Standards Committee meeting.

The Committee noted that further thought was to be given to the involvement of members and officers with the “project team” tasked with developing the proposals for the member training programme 2020-24 and suggested that the member involvement should be on a cross party basis. The Committee agreed that the Chair and the Monitoring Officer should take the lead in establishing the “project team”.

The Standards Committee resolved to:

1. **Note** the evaluation of the programme of training delivered to members in 2018;
2. **Endorse** the arrangements for the member training programme for 2019-20 based on the proposals set out in Appendix 2;

3. **Endorse** the proposed approach for the development of a new member development and training programme for the municipal years 2020-24.

18. Social media protocol for councillors

The Monitoring Officer presented the report which proposed a draft social media protocol for councillors. The protocol had been developed in response to the recommendation of an external investigator, agreed by Council, that the authority should adopt a social media policy that will offer additional guidance to members on the use of social media. The document would be known as a “protocol” rather than a policy in order to comply with administrative arrangements within the Council.

The Committee welcomed the draft document and suggested that it should be expanded to include a definition or statement on what is meant by the term “social media”. The Committee asked that the final document be made available in hard copy and in electronic format. The Committee noted the advice contained within the protocol regarding the potential risks associated with councillors engaging with social media during meetings; they suggested that this should be brought to the attention of committee Chairs so that they could brief committee members accordingly. The Monitoring Officer undertook to address these points.

The Committee noted the Monitoring Officer’s intention to reference the social media Protocol in any future revision to the Code of Conduct so that it would form part of the Constitution.

The Standards Committee resolved to:

- a) **Approve** the social media protocol for councillors as set out in Appendix 1; and
- b) **Delegate authority to the Monitoring Officer** to finalise the text and format of the final document to take account of the amendments proposed by the Committee (as detailed above).

7pm: Councillor Gotch left the meeting during consideration of this item.

19. Committee on Standards in Public Life - Local Government Ethical Standards

The Monitoring Officer presented the report which provided an update on the Committee on Standards in Public Life’s (CSPL) consultation on ethical standards in local government. The CSPL published their report on 30 January 2019 and made a number of recommendations to the government which aim to strengthen the standards regime and build an “ethical culture” in local authorities.

The Monitoring Officer highlighted those recommendations which sought to clarify and broaden arrangements for registering and declaring members’ interests, strengthen and clarify the role of Independent Persons, manage conflicts of interest in more complex governance environments (e.g. where councils own companies) and make a model code of conduct available to all councils (as was the case prior to the Localism Act 2011).

The Monitoring Officer said that the Council was already following some of recommendations e.g. registering gifts and hospitality, including a public interest test in complaint handling arrangements and addressing new areas of behaviour such as the use of social media. The Committee noted that as many of the recommendations would require a legislative change, the timescales for which were uncertain, the Monitoring Officer would maintain a watching brief on the matter.

The Standards Committee resolved to note the officer report on the Committee on Standards in Public Life report on Local Government Ethical Standards.

20. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.00 pm and ended at 7.20 pm

Chair

Date: Monday 24 June 2019