

Minutes of a meeting of the Standards Committee on Monday 24 February 2025

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Committee members present:

Councillor Diggins (Chair)

Councillor Pressel

Councillor Djafari-Marbini

Councillor Robinson

Councillor Goddard (Substitute)

Also present:

Chris Ballinger, Independent Person non-voting

Officers present for all or part of the meeting:

Emma Griffiths, Deputy Monitoring Officer

Hannah Carmody-Brown, Committee and Member Services Officer

14. Apologies for Absence

Councillors(s) Smowton, Waite and Harley sent apologies.

15. Declarations of Interest

None.

16. Government Consultation on Standards

The Director of Law, Governance and Strategy (Monitoring Officer) had submitted a report to seek the views of the Committee in relation to the Government's consultation on possible changes to the Standards regime. The Deputy Monitoring Officer was present to respond to questions.

The Chair outlined the purpose of the report, and the nature of the discussion required from the Committee.

The Committee debated how to approach this discussion. Councillor Djafari-Marbini expressed a preference to discuss the consultation in detail. Councillor Goddard agreed, noting that the Committee is the forum in which to give feedback on some pertinent issues within the consultation on behalf of the Council. Councillor Pressel expressed a preference to submit responses on a personal basis, and not to discuss the report extensively within the meeting.

The Deputy Monitoring Officer advised the Committee that individual responses would allow for subjective views to be expressed and acknowledged that reaching consensus within the meeting could be challenging. She suggested that the Committee could consider some questions which require more detailed responses. On this basis, the Chair instructed the Committee that she would offer time for debate on a selection of questions which request comments or on which the Monitoring Officer had not been in a position to suggest a response.

The Committee proceeded to discuss the following questions:

Question 23

Councillor Goddard noted that the government should provide more clarity around the term 'suspension' and the Chair emphasised the importance of ensuring that the financial circumstances of individual councillors is considered. Councillor Djafari-Marbini emphasised that income must be considered with suspension considerations and that persons should not be suspended prior to the conclusion of any necessary investigation as this would not be consistent with other workplaces. The Chair agreed that these comments should be added to the consultation response.

Question 24

Councillor Goddard again noted that any response depends on the definition of suspension used within the consultation. The Chair also thought that this should build on the work that is being done by IPSA. Again, it was concluded that the government need to provide more clarity.

Questions 32-35

The collection of questions focused on misconduct and appeals. In relation to question 32, Councillor Goddard noted that he would respond 'yes' and agrees with immediate disqualification for cases of gross misconduct using the examples provided. On question 33, he also supported the right for members to appeal decisions, and in regards question 34, noted that this must occur within a sensible timeframe. Councillor Djafari-Marbini expressed agreement with these comments. Finally, in regards question 35, Councillor Goddard was unsure as to whether allowing complainants to appeal decisions not to investigate their complaints would permit excessive repetition of vexatious complaints. The Chair supported the comments for submission to the consultation response.

Councillor Pressel left the meeting.

Question 36

Councillor Djafari-Marbini referred to questions 8 and 9, noting a preference that independent persons should chair standards committees to ensure faith in the process

from the public. She requested this be added to the response to question 9. The Deputy Monitoring Officer provided clarity between ‘the independent person’ which is a statutory role and an independent person. The Independent Person also reflected on his experiences as an independent person and noted some merit in their ability to chair standards committees whilst avoiding party affiliation. He however also explained that this relies on the ability to find suitable people to conduct the function adequately. Councillor Goddard was keen to take the Independent Person’s views on board and queried further his view on voting rights for independent persons. The Independent Person commented that voting rights should exist if the person is chairing and expressed that these roles are linked to the culture a council is willing to generate alongside the structures. Councillor Djafari-Marbini supported these comments and noted that the use of an independent person should be added with the inclusion of required safeguards. Councillor Robinson observed the arguments on both sides and valued the discussion as a new member; she concluded that she supports the value of independent persons having voting power in the context discussed.

The Chair suggested a sentence be added both questions 8 and 9 in the consultation document alongside the responses already included. The Deputy Monitoring Officer expressed support for the current role of Independent Person.

Councillor Djafari-Marbini noted that a clarification of requiring two Independent Persons should be added to make clear that one could chair, and one would still be there to provide advice. The Independent Person noted that the wording of the consultation is not sufficiently clear but noted that it is not necessarily the case that on a committee, the chair would not be able to also provide advice. He provided examples and scenarios. The Committee expressed a majority view that it is important for independent persons to chair and have voting rights to ensure objectivity.

Questions 39 and 40

Councillor Djafari-Marbini noted that appeals should be heard by an independent external national appeals body to support smaller organisations. The Chair supported this.

Councillor Pressel rejoined the meeting.

The Standards Committee resolved to:

- 1. Note** the Government’s consultation ‘Strengthening the standards and conduct framework for local authorities in England’ on proposed changes to the standards regime including the proposals of creating more significant sanctions for members found in breach and the possibility of an established independent body to deal with standards issues.
- 2. Note** that this has been shared with group leaders and the Independent Person for them to also respond.

3. **Agree** for the Committee to submit a response on behalf of the Council, amending the response drafted by the Director of Law, Governance and Strategy, as per the discussion.

17. Matters exempt from publication and exclusion of the public

The Committee resolved that under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the remaining items of business on the grounds that their presence would involve the likely disclosure of exempt information as described in Paragraph 3 of Part 1 of Schedule 12A of the Act.

18. Code of Conduct Report

The Director of Law, Governance, and Strategy had submitted a report to determine next steps following the conclusion of an investigation into complaints against two members that they have breached the Members' Code of Conduct. The Deputy Monitoring Officer was present to respond to questions.

The Standards Committee resolved to:

1. **Note** the investigation report appended to the report as Appendix 2 (on the exempt part of the agenda)
2. **Recommend** that complaints against both Councillors should be dealt with at a local hearing before the Standards Committee.

19. Dates of future meetings

The Committee noted the dates of future meetings.

The meeting started at 6.05 pm and ended at 7.09 pm

Chair
2025

Date: Tuesday 11 March

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council's Constitution.