

## **Minutes of a meeting of the Standards Committee on Monday 29 June 2020**

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### **Committee members present:**

Councillor Pressel (Vice-Chair)	Councillor Azad (Chair)
Councillor Gotch	Councillor Kennedy
Councillor Lygo	Councillor Simm
Councillor Simmons	

### **Officers present for all or part of the meeting:**

Anita Bradley, Monitoring Officer  
Andrew Brown, Committee and Member Services Manager  
Catherine Phythian, Committee and Member Services Officer  
Emma Griffiths, Lawyer

### **Also present:**

Jill McCleery, Independent Person, non-voting  
Andrew Mills-Hicks, Independent Person, non-voting  
Osama Raja, Independent Person, non-voting  
Parish Councillor Dorian Hancock, Parish Council representative, non-voting

### **Apologies:**

Councillor(s) Ballinger sent apologies.

### **1. Election of Chair for the year 2020-21**

Councillor Jamila Azad was elected Chair for the year 2020-21.

### **2. Election of Vice Chair for the year 2020-21**

Councillor Susannah Pressel was elected Vice -Chair for the year 2020-21.

### **3. Declarations of Interest**

There were no declarations of interest.

#### 4. Code of Conduct: summary of complaints and individual dispensations - 1 February to 31 May 2020

The Monitoring Officer introduced the report. There had been no complaints that councillors had breached the Members' Code of Conduct in the period covered by the report. Similarly there had been no requests for an individual dispensation under Section 33 of the Localism Act 2011.

**The Standards Committee resolved to note the content of the report.**

#### 5. LGA consultation - Model Code of Conduct

The Monitoring Officer and the Lawyer introduced the report and summarised the key elements of the LGA draft Model Code of Conduct:

- it aims to be concise, written in plain English and be understandable to members, officers and the public.
- it has been designed to aid members in all tiers of local government model the behaviours and high standards that anyone would expect from a person holding public office.
- it articulates behaviour which falls below the standards that would be expected of council members
- it is designed to help set a framework for public and councillor interaction, emphasising the importance of civility and that councillors should be protected from bullying, intimidation and abuse.

The Committee discussion centred on the draft responses to the consultation, particularly questions 7,8, 9, 11 and 13 of Appendix 3 of the report. The revised draft response set out below reflects the Committee's views:

Q1: To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?
<i>"To a great extent" since it helps to clarify official capacity</i>
Q2: Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?
<i>"No", it is not clear</i>
Q3: Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?
<i>"Passive tense"</i>
Q4: To what extent do you support the 12 specific obligations?
<i>Support each of the 12 obligations "To a great extent"</i>
Q5: If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here:
<i>"None"</i>
Q6: Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?
<i>"As a list", for ease of editing / copying if nothing else – and</i>

<i>without a list as an appendix you could be mistaken for thinking the 7 principles of public life are the basis of the code</i>
Q7: To what extent do you think the concept of 'acting with civility' is sufficiently clear?
<i>"To a moderate extent"</i>
Q7a: If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:
<i>"The concept and language of acting with civility seems relevant to the current political environment although perceptions will vary and it will not be easy to assess whether this obligation has been breached. The alternative concept of "respect" is suggested (although the same difficulties with recognising breaches apply)."</i>
Q8: To what extent do you think the concept of 'bringing the council into disrepute' is sufficiently clear?
<i>"To a moderate extent"</i>
Q8a: If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here:
<i>"As with "civility" there may be contested views about what "disrepute" means e.g. a Member being associated with civil disobedience in the name of a particular cause that the Council would ordinarily support... the Code covers dishonest and deceitful behaviour which is helpful but is that broad enough – and what about Members acting illegally?"</i>
Q9: To what extent do you support the definition of bullying and harassment used in the code in a local government context?
<i>"To a great extent"</i>
Q10: Is there sufficient reference to the use of social media?
<i>"No"</i>
Q10a: Should social media be covered in a separate code or integrated into the overall code of conduct?
<i>"Separate code"</i>
Q10b: If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here:
<i>"The Council has its own social media protocol which is quite detailed so the preference would be to keep the two codes separate."</i>
Q11: To what extent do you support the code going beyond the current requirement to declare interests of the councillor and their partner?
<i>"To a great extent"</i>
Q11a: If you would like to elaborate on your answer please do so here:
<i>"There needs to be clear guidance around the definition of "family" as this would otherwise be difficult to interpret and may lead to difficulty/confusion especially in the context of large extended families"</i>

Q12: Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?
<i>"In the appendix"</i>
Q13: To what extent do you support the inclusion of these additional categories for registration?
<i>"To a moderate extent"</i>
Q13a: If you would like to propose additional or alternative categories for registration, please provide them here:
<i>"There needs to be clarification around different/additional levels of involvement in a particular body e.g. as an observer"</i>
Q14: To what extent do you support the proposed requirement that councillors do not accept significant gifts as set out in Obligation 11?
<i>"To a great extent"</i>
Q15: The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?
<i>"Yes"</i>
Q16: The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful.
<i>"1 for all categories" - All categories of guidance would be useful and helpful</i>
Q17: If you would like to make any further comments about the code please so here
<i>"None"</i>

#### **The Standards Committee resolved to:**

1. **Note** the report;
2. **Approve** the draft consultation response at Appendix 3 as amended above; and
3. **Authorise** the Head of Law and Governance to submit a consultation response to the LGA on the Council's behalf.

## **6. Member training 2020**

The Monitoring Officer presented the report which set out the proposed arrangements for member training in 2020 as a result of the COVID-19 pandemic and the postponement of local authority elections until 2021. She advised the Committee that the compulsory induction and training programme planned for 2020 would now commence in 2021 and that 2020 would be treated as a "non-election year" for the purposes of member training under the terms of the agreed member Training and Development Scheme 2020-24, which had been endorsed by the Standards Committee at its meeting in March 2020.

In discussion the Committee noted that:

- There would be no compulsory training for Code of Conduct or Planning in 2020
- Where there are changes to councillor roles such as Lord Mayor (in November 2020), training will be offered to those councillors directly.
- Personal Safety training will be offered to candidates standing in the May 2021 local elections, subject to the availability of this training either on a face to face or online basis depending on the circumstances in early 2021.

- Briefings on topical issues will continue to be offered to councillors.
- Councillors may, with the agreement of their Group Leader, draw on the Member Training budget held by Committee and Member Services to access external training courses and events relevant to their special responsibilities or the reasonable learning and development of a councillor.
- Training, equipment and other support has been offered to all councillors in accessing meetings held remotely under new legislation passed in April 2020. The need for this training had not been anticipated in the Member Training and Development Scheme for 2020-24. Feedback from councillors has been broadly very positive about the support provided by ICT and Committee and Member Services.

In response to a question from the Committee the Monitoring Officer confirmed that supplementary training would be provided if there was a recognised need, for example regulatory changes which would impact on the planning or licensing committees.

The Committee were mindful of the changes in the patterns of exploitation that had been reported during the COVID-19 pandemic and considered that annual Safeguarding training should be provided. Members of the Committee who had been present for the previous discussion on training in March 2020 believed that this was what had been agreed at that meeting.

The Monitoring Officer undertook to amend the member Training and Development Scheme 2020-24 to reflect the view of the Committee and to instruct officers to provide Safeguarding training for councillors in 2020.

#### **The Standards Committee resolved to:**

1. **Endorse** the arrangements for member training in 2020/21 as set out in the report and subject to the amendment that Safeguarding training should be provided on an annual basis.

## **7. Minutes of the previous meeting**

The Committee approved the minutes of the meeting held on 2 March 2020 as a true and accurate record subject to the following amendments:

- **Apologies:** delete “Councillors” and replace with “Independent Persons” before Chris Ballinger and Jill McCleery.
- **Minute 18, 4<sup>th</sup> bullet:** delete “biennial” so that minute reads: *Safeguarding training was vital and should be provided on an annual basis.*

## **8. Dates of future meetings**

The Committee noted the dates of future meetings.

**The meeting started at 6.00 pm and ended at 7.15 pm**

Chair .....

**Date: Tuesday 15 September 2020**

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