

STANDARDS AND ETHICS COMMITTEE - 30/01/20

STANDARDS AND ETHICS COMMITTEE 30th January, 2020

Present:- Councillor McNeely (in the Chair); Councillors Clark, Cooksey, D. Cutts, Ireland, Sheppard, Simpson, Vjestica, Mr. D. Bates, Mr. D. Rowley and Mr. R. Swann and also Mrs. A. Bingham, Mr. P. Edler, Mrs. M. Evers, Mrs. K. Penney and Mrs. J. Porter.

59. DECLARATIONS OF INTEREST

Councillor Ireland declared a personal interest with regard to Agenda Item 8 (Standards and Ethics Committee – Consideration of Complaints) as an individual who is the subject of a complaint was known to him.

60. TO CONSIDER WHETHER THE PRESS AND PUBLIC SHOULD BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF ANY PART OF THE AGENDA.

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the appendices for Agenda Items 7 and 8 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

61. MINUTES OF PREVIOUS MEETING HELD ON 18 SEPTEMBER 2019

Resolved:- That the minutes of the meeting of the Standards and Ethics Committee held on 18 September 2019 be approved as a true and correct record of proceedings.

62. TO DETERMINE ANY ITEM WHICH THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY.

The Chair reported that there were no matters of urgent business requiring consideration by the Committee.

63. GUIDANCE ON MEMBERS REGISTRATION AND DISCLOSURE OF INTERESTS

Consideration was given to a report presented by the Deputy Monitoring Officer in respect of the registration and disclosure of interests, followed by a discussion of whether monthly versus six-monthly reminders should be issued to Borough Councillors with respect to updating their declarations of interest.

The distinction was made that, as a courtesy, printed paper copies of the

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Member Code of Conduct section on disclosing interests should be made available upon request, as the information was already published online.

Clarification was sought around the various types of interests which may be disclosed, and as to the significance of the terms in the language of the requirements. The distinction was made that the requirements for Parish Councillor declarations may be different to those of the Borough Councillors, and that the current discussion pertained to those of the Borough Councillors only. Information was also provided around dispensations: that these did not carry forward automatically, which meant that Members must reapply for any dispensations. The Monitoring Officer emphasised the importance of declaring the existence of an interest rather than the details of the interest.

In discussion, Members of the Committee sought clarification in respect of the procedure that would be followed in the event of a failure to disclose a pecuniary interest. In response, the Monitoring Officer provided assurances that, in the event that a criminal offence occurred through a failure to disclose a pecuniary interest, the event would be reported to the police for investigation. Those matters were covered in Member training and were emphasised in induction procedures. Enforcement of this area of the Localism Act was intentionally and personally carried out by the Monitoring Officer.

The suggestion was raised to give special attention to the topic in upcoming induction proceedings for Members after the election. Members also suggested that the procedure could be redesigned to be more visually approachable.

Toward informing Members of the clear expectations, the Monitoring Officer agreed that information could be made available on the Council website, to include specimen completed forms. It was reiterated that it was considered good practice that such forms had been brought to the Monitoring Officer's attention so that the composition of the forms themselves, as well as the practice around completing the forms, may be scrutinised and appropriate support be provided to Members to help them fulfil the requirement. The Monitoring Officer reaffirmed that, through collaboration with relevant officers in Democratic Services, she would provide training in respect of the Member Code of Conduct in the upcoming induction.

Resolved:-

1. That the contents of the report and the requirements relating to Members' interests be noted.

2. That the Monitoring Officer issue a reminder to all Members in

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respect of the requirement for Members to register relevant interests, as set out within the report, and that ongoing reminders be issued on a monthly basis.

64. A REVIEW OF CONCERNS RAISED PURSUANT TO THE WHISTLEBLOWING POLICY

Consideration was given to the report and appendix presented by the Deputy Monitoring Officer, which provided an overview of the Whistleblowing cases which had been received over the past year. Clarification was sought around dates of the report, and it was confirmed that the dates listed were correct.

Particular reference was made to the appendix to the report which set out clearly the description of the concerns received and action taken.

Resolved:-

That the Whistleblowing concerns raised over the previous year and the actions taken to address these matters be noted.

65. STANDARDS AND ETHICS COMMITTEE - CONSIDERATION OF COMPLAINTS

(Councillor Ireland left the room during discussion of Agenda Item 8.)

Consideration was given to the report presented by the Deputy Monitoring Officer, detailing the progress with the handling of complaints relating to breaches of the Council's Code of Conduct for Members and Town and Parish Councillors. The report listed the current cases of complaint and the action being taken in respect of each one. Clarification was provided around the timescales for communications with complainants. Reference was made to each related case and recommended outcomes/actions identified were highlighted.

Resolved:-

1. That the report be received and the contents noted.
2. That the progress in respect of each case be noted pursuant to the Standards and Ethics Committee Complaints Procedure.

66. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Standards and Ethics Committee be held on 12 March 2020, commencing at 2pm at Rotherham Town Hall.