

STANDARDS AND ETHICS COMMITTEE - 19/11/20

STANDARDS AND ETHICS COMMITTEE 19th November, 2020

Present:- Councillor McNeely (in the Chair); Councillors Clark, Cooksey, Sheppard, Simpson and Vjestica, Mr. D. Rowley and Mr. R. Swann (Parish Council Representatives) and also Mrs. A. Bingham and Mrs. K. Penney (Independent Members).

Also in attendance at the invitation of the Chair were Mr. P. Beavers and Mr. D. Roper-Newman (Independent Persons).

Apologies for absence were received from Councillors D. Cutts and Ireland and Mr. D. Bates (Parish Council Representative) and Mr. P. Edler, Mrs. M. Evers and Mrs. J. Porter (Independent Members).

93. STANDARDS AND ETHICS COMMITTEE MEMBER

The Chair wished to place on record, on behalf of the Committee, her best wishes for a speedy recovery to Councillor Ireland, who was injured following a road traffic accident.

94. DECLARATIONS OF INTEREST

There were no declarations of interest.

95. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for Minute Nos. 98 (Review of Complaints) and 99 (Concerns pursuant to the Whistleblowing Policy) on the grounds that their appendices involve the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

96. MINUTES OF THE PREVIOUS MEETING HELD ON 17TH SEPTEMBER, 2020

Resolved:- That the minutes of the previous meeting held on 17th September, 2020 be approved as a true and correct record of the proceedings.

With regards to Minute No. 88 (Guidance on Equalities Training for Members) it was noted that this would be held, subject to restrictions, early in the new year when it was hoped Members would be able to engage fully.

97. LGA MODEL MEMBER CODE OF CONDUCT

Further to Minute No. 87 of the previous meeting held on 17th September, 2020 consideration was given to the report which sought the Committee's views and comments on the LGA's second draft Model Code of Conduct, which had been received following the above consultation process.

The Committee were asked to provide any further comments on this amended draft Model Code of Conduct, which could then be fed back to the LGA. It was anticipated that the LGA would then present the final version of this for sign-off to their Executive Advisory Board on 3rd December, 2020.

In the main the Committee did not have an issue with the format of the draft model, but again expressed their concern that the lack of any sanctions to implement following investigations was still sadly missing. This would need a change to primary legislation and given the current Government priorities this may not be high on their agenda.

It was also noted that the model code also increased the registering of any gift or hospitality up to at least £50 within 28 days of its receipt from the previous £25 figure. Whilst the Monitoring Officer explained the rationale for the national increase, the Committee favoured a £25 registering figure and wished this to be included as part of the feedback.

Discussion ensued on the examples in the draft code and how this provided some comfort and was more readable for lay people. However, some of the wording was subject to interpretation.

Whilst on this subject about conduct the Chair afforded Councillor Simpson the opportunity to air his concerns about the use of certain language in a formal Council Meeting that was chaired by the Borough's First Citizen, the Mayor of Rotherham.

Councillor Simpson shared with the Committee his concerns about the use of the word "Tosh" for which he gave the meaning and also the comments made about not providing short responses to comments/questions that could be "written on the back of a fag packet".

The Committee did not think it appropriate for such language in any meeting, even less one chaired by the Mayor of Rotherham who should be afforded the level of respect and who must address the use of any inappropriate language immediately in the meeting. However, they acknowledged meetings were taking place virtually and Members had to be careful how they spoke from the comfort of their own home.

The Committee wanted this to be put into context and whilst not offensive, were in agreement that without being dismissive of the use of inappropriate language did not want to be so strict on the use of local

dialects.

Resolved:- (1) That the Committee provides its views and comments on the LGA's second draft Model member Code of Conduct.

(2) That the Monitoring Officer submit the Committee's views above on the LGA's second draft Model member Code of Conduct to the LGA.

98. REVIEW OF COMPLAINTS

Consideration was given to the report presented by the 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.

The Committee asked questions on a number of the complaints and received clarification/explanation from the Monitoring Officer.

Resolved:- That the report be received and the contents noted.

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

Consideration was given to the report and appendix presented by the Monitoring Officer, which provided an overview of the Whistleblowing cases which have been received over the past year.

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

The Committee asked questions on a number of the concerns and received clarification/explanation from the Monitoring Officer.

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

100. URGENT BUSINESS

The Chair advised that there were no urgent items of business requiring the Committee's consideration.

101. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards and Ethics Committee be held on Thursday, 21st January, 2021 at 2.00 p.m.