

## STANDARDS AND ETHICS COMMITTEE - 17/09/20

### STANDARDS AND ETHICS COMMITTEE

17th September, 2020

Present:- Councillor McNeely (in the Chair); Councillors Clark, Cooksey, D. Cutts, Ireland, Sheppard, Simpson, Vjestica, Mr. R. Swann (Parish Council Representative) and also Mrs. A. Bingham and Mrs. M. Evers (Independent Members).

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

Apologies for absence were received from Mr. D. Rowley (Parish Council Representative), Mrs. K. Penney and Mrs. J. Porter (Independent Members) and Mrs. B. Nahal (Monitoring Officer).

#### **84. DECLARATIONS OF INTEREST**

Councillor Ireland declared a personal interest in respect of agenda item 7 'Review of Complaints', on the grounds of his involvement in one of the items listed. He would withdraw from the meeting and not participate in any discussion.

#### **85. EXCLUSION OF PRESS AND PUBLIC**

**Resolved:-** That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for (Agenda Item 7 (Consideration of Complaints) and Agenda Item 8 (Concerns raised pursuant to the Whistleblowing Policy) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

#### **86. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH JUNE, 2020**

**Resolved:-** That the minutes of the previous meeting held on 18<sup>th</sup> June, 2020 be approved as a true and correct record of the proceedings.

With regards to Minute No. 79 (Consultation on the Model Code of Conduct) it was noted that the survey was completed and submitted within the appropriate timeframe by the Monitoring Officer.

#### **87. UPDATE ON IMPLEMENTATION OF CSPL BEST PRACTICE RECOMMENDATIONS**

Consideration was given to the report which provided an update as to the Council's implementation of the best practice recommendations made by the Committee on Standards in Public Life in its Review of Local Government Ethical Standards.

## STANDARDS AND ETHICS COMMITTEE - 17/09/20

Many of the CSPL recommendations required primary legislation; the implementation of which had been subject to Parliamentary timetabling and, as a result of the current situation, had largely not been implemented.

The review also included a list of best practice recommendations, many of which were already in place in the Council, and some required further implementation. The CSPL indicated they intended to review the implementation of their best practice recommendations in Autumn 2020.

Recommendations 1, 2 and 3, in relation to the Code of Conduct, were awaiting the finalisation of the LGA model Code of Conduct, a draft of which was brought to the previous meeting of the Standards and Ethics Committee meeting and about which a consultation response was submitted.

In order to implement Best Practice Recommendation 13, a minor amendment to the Standards and Ethics Committee Complaints Procedure was, therefore, required. The recommendation stated “A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.”

The Council already had such procedures in place and had utilised Monitoring Officers from different authorities to undertake investigations when necessary. However, to formalise this procedure, a minor amendment to the Standards and Ethics Committee Complaints Procedure was now proposed to include the following sentence at paragraph 7 of the Complaints Procedure: “If both of the Monitoring Officer and the Deputy Monitoring Officer have a conflict of interest in dealing with a complaint, the Council will ask that a Monitoring Officer from another Authority deal with that complaint and undertake the investigation if necessary.”

The Committee were advised, when a question was raised about the timeframes for the model Code of Conduct by the LGA, was likely to be towards the end of the year, but this was subject to confirmation. However, the Chair and Vice-Chair were participating in a webinar on the very same subject this evening and would seek guidance on this issue.

Resolved:- (1) That the implementation of the CSPL best practice recommendations as set out at Appendix 1 be noted.

(2) That the amendment to the Standards and Ethics Committee Complaints Procedure as set out at paragraph 2.6 be approved.

**88. GUIDANCE ON EQUALITIES FOR MEMBERS**

The Deputy Monitoring Officer was invited to provide an update on the proposals and arrangements for Equalities Training for all Elected Members.

Examples of what the training would cover, particularly social media and conduct during online meetings, were highlighted and other suggested inclusions were welcomed.

As part of the discussion about how best to take this training forward the importance of the subject matter was emphasised. It was also suggested that this be made in some way mandatory as this would meet the Public Sector's equality duty in promoting equalities.

Whilst it was noted the training would be specifically aimed at Elected Members, consultation would take place with the relevant Cabinet Member on how this could be taken forward for the borough's Town and Parish Councils.

The Committee welcomed such an approach and looked forward to receiving details in due course.

**Resolved:-** (1) That the training be arranged and details shared with Elected Members.

(2) That consultation take place with the Cabinet Member for Cleaner Greener Communities on the delivery or sharing of training for Town and Parish Councils.

**89. CONSIDERATION OF COMPLAINTS**

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.

Reference was made to each related case and recommended outcomes/actions identified were highlighted.

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

**90. 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 have been received over the past year.

## **STANDARDS AND ETHICS COMMITTEE - 17/09/20**

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.

### **91. URGENT BUSINESS**

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

### **92. DATE AND TIME OF NEXT MEETING**

**Resolved:-** That the next meeting of the Standards and Ethics Committee be held on Thursday, 19<sup>th</sup> November, 2020, commencing at 2.00 p.m.