

STANDARDS AND ETHICS COMMITTEE - 21/01/21

STANDARDS AND ETHICS COMMITTEE 21st January, 2021

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

102. THANKS AND APPRECIATION - INDEPENDENT MEMBER

The Chair wished to place on record, on behalf of the Committee, her thanks and appreciation to Mrs. Julie Porter, following her resignation from the Standards and Ethics Committee.

103. DECLARATIONS OF INTEREST

There were no declarations of interest.

104. 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 Minute Nos. 107 (Review of Complaints) and 108 (Review of Concerns Raised Pursuant to the Whistleblowing Policy) on the grounds that they have appendices that involves the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

105. MINUTES OF THE PREVIOUS MEETING HELD ON 19TH NOVEMBER, 2020

Resolved:- That the minutes of the previous meeting held on 19th November, 2020 be approved as a true and correct record of the proceedings.

106. LGA MODEL MEMBER CODE OF CONDUCT

Further to Minute No. 97 of the previous meeting of the Standards and Ethics Committee consideration was given to the report following the Council's receipt of the final approved version of the LGA Model Code of Conduct on 23rd December 2020.

The Committee were, therefore, asked to consider the final version and to decide whether they would recommend it being adopted by the Council, and whether any amendments to the Model Code of Conduct would be appropriate. The Model Code, as per the LGA website set out the importance of the role of the Councillor and holding Councillors to account.

The attention of the Committee was drawn to the general principles of conduct expected of all councillors and the specific obligations in relation to standards of conduct with the aim of creating and maintaining public confidence in the role of Councillor and Local Government.

Whilst the new Code was not greatly different, it provided more guidance when the Code was to be applied.

The LGA would endeavour to review and evaluate the Code on an annual basis to ensure it remained fit for purpose and to consider any reasonable adjustments.

The Council would look to synchronise its own annual review with that of the LGA and would contact them accordingly to give sight to both reviews to this Committee for consideration before being recommended onto full Council.

The new Code was welcomed and whilst there were some slightly improved variations it also clarified some concerns relating to social media. It did not address or resolve the lack of sanctions that could be applied following complaints.

Adoption of the new Code would require further training and every effort would be made to put this in place, in accordance with the current pandemic regulations.

Resolved:- That the Committee recommends to Council that the LGA's Model Member Code of Conduct be adopted.

107. REVIEW 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.

The Committee also received reports, circulated prior to the meeting, by the Deputy Monitoring Officer which set out the outcomes of two Standards and Ethics Sub-Committee Hearings which took place on

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Monday, 18th January, 2021 in relation to two alleged breaches of the Code of Conduct; one in respect of an office of a Parish Councillor and the other as a Borough Councillor.

The findings and sanctions recommended by the Sub-Committees to be considered and endorsed by the Committee would be reported to Council on the 3rd March, 2021 for information.

The Committee listened carefully to each report and were satisfied that the actions set out were fair and proportionate and endorsed the recommendations for each hearing.

Resolved:- (1) That the report on complaints be received and the contents noted.

(2) That the outcomes and actions of the Standards and Ethics Sub-Committee Hearings on 18th January, 2021 be endorsed.

108. 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.

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.

109. URGENT BUSINESS

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

110. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards and Ethics Committee be held on Thursday, 18th March, 2021 at 2.00 p.m.