

**STANDARDS AND ETHICS COMMITTEE**  
**Thursday 15 June 2023**

Present:- Councillor McNeely (in the Chair); Councillors Griffin, Bacon, Z. Collingham, Hughes, Sansome, Tarmey, Buckley, Carroll and Mr. R. Swann and also Mrs. A. Bingham, Mr. P. Edler and Mrs. K. Penney.

Apologies for absence were received from Councillors Yasseen and Mrs. M. Evers.

**29.       DECLARATIONS OF INTEREST**

There were no declarations of interest.

**30.       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 (insert item of business) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

**31.       MINUTES OF THE PREVIOUS MEETING HELD ON 19TH JANUARY, 2023**

**Resolved:-** That the minutes of the previous meeting held on 19<sup>th</sup> January, 2023 be approved as a true and correct record of the proceedings.

**32.       TRAINING UPDATE**

Consideration was given to a verbal update on proposed training planned with Town and Parish Councils and the details shared with the Committee.

It was explained that arrangements were being made for Code of Conduct training to be arranged to take place in July and August 2023. This training would be available to all parish councillors. The training would be delivered remotely however consideration could be given to conducting the training in a hybrid manner. Following discussions, it was agreed that when notification of the training was issued, views would be sought on the delivery method for the training. This training would also be offered to any independent members.

**Resolved:-** That the details of the training be received and the contents noted.

**33. CONSIDERATION OF GRANTING OF A DISPENSATION RELATING TO HOUSING MATTERS**

Consideration was given to the report presented by the Service Manager which set out in detail the granting of dispensations to enable Members of the Council who have Council tenancies to participate and vote on Council business related to Housing.

The Localism Act and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 introduced "Disclosable Pecuniary Interests" and new rules on the grant of dispensations to allow Council Members to take part in decisions or vote on matters in which they have a Disclosable Pecuniary interest ("DPI").

The grounds for the grant of a dispensation under Section 33(2) of the Localism Act were, if, after having regard to all relevant circumstances, the Council considers the five grounds set out in detail as part of the report.

In order to obtain a dispensation on any of the five grounds set out under Section 33 of the Localism Act, a Member must make a written request to the Council's Monitoring Officer. Any grant of a dispensation must specify how long it lasts for, up to a maximum period of four years.

A discussion ensued that highlighted the dispensation could last for a period of four years. The proposal was seeking to widen the democratic process which would give every councillor the ability to speak within the debate. Following concerns being raised it was suggested that the dispensation was reviewed at the first meeting of the Standards and Ethics Committee following an Election.

**Resolved:-**

1. That any Members of the Council who are tenants of Rotherham Borough Council be granted a dispensation pursuant to Section 33(2) (e) of the Localism Act to allow them to participate and to vote on matters in relation to housing (provided that those functions do not relate particularly to the tenancy or lease of the Council Member concerned). Such requests should be submitted in writing to the Monitoring Officer.
2. That a review of the dispensation granted pursuant to Section 33(2) (e) of the Localism Act be carried out at the first meeting of the Standards and Ethics Committee following an Election.

**34. OUTCOME OF STANDARDS AND ETHICS SUB-COMMITTEE HEARING RE ALLEGED BREACH OF THE CODE OF CONDUCT - MALTBY TOWN COUNCILLOR**

Consideration was given to the report presented by the Service Manager which set out the outcome of a Standards and Ethics Sub-Committee Hearing which took place on 4<sup>th</sup> April 2023 in relation to an alleged breach

of the Code of Conduct by Maltby Town Councillor Christopher McMahon.

Attached to the report was the full Decision Notice and the minutes of the hearing itself.

As part of the discussions it was confirmed that the training offered was not compulsory but was available for all parish councillors to attend.

**Resolved:-** That the report be received and the outcome of the Standards and Ethics Sub-Committee Hearing on 4<sup>th</sup> April 2023 be noted.

### 35. CONSIDERATION OF COMPLAINTS

Consideration was given to the report presented by the Service Manager, 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 involvement of the Independent Persons in this process was welcomed and deemed very beneficial.

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

### 36. A REVIEW OF CONCERNS RAISED PURSUANT TO THE WHISTLEBLOWING POLICY

Consideration was given to the report and appendix presented by the Service Manager, 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.

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

### 37. URGENT BUSINESS

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

### 38. DATE AND TIME OF NEXT MEETING

**Resolved:-** That the next meeting of the Standards and Ethics Committee be held on Thursday, 14<sup>th</sup> September, 2023 commencing at 2.00 p.m.

