

Time commenced – 6.00pm  
Finished – 6.48pm

## **STANDARDS COMMITTEE**

**8 August 2023**

Present: Councillors S Khan (Chair), Graves and Pattison

In Attendance: Alex Hough – Head of Democracy  
Emily Feenan – Director of Corporate Governance, Property and  
Procurement and Monitoring Officer  
Alistair Davies – Prospective Independent Person  
Graham Knight – Prospective Independent Person

### **01/23 Apologies**

Apologies were received from Councillor P Ingall.

### **02/23 Late Items Introduced by the Chair**

There were none.

### **03/23 Declarations of Interest**

There were none.

### **04/23 Minutes of the meeting held on 24 January 2023**

The minutes of the meeting held on 24 January 2023 were noted.

### **05/23 Standards Committee Forward Plan**

The Committee received a report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Standards Committee Forward Plan.

Members noted that the Standards Committee held a broad range of responsibilities in respect of maintaining high standards of behaviour amongst councillors and co-opted members and monitoring the effectiveness of several codes and protocols relating to councillor conduct. It was reported that the Monitoring Officer had identified several areas where further review by the Standards Committee would be beneficial.

**Resolved to note the Standards Committee Forward Plan.**

### **06/23 Appointment of Independent Persons to the Standards Committee**

Alistair Davies and Graham Knight left the meeting room.

The Board received a report of the Head of Democracy on Appointment of Independent Persons to the Standards Committee.

It was noted that the Council was required to change its councillor complaints process in 2012, as a result of the Localism Act. The Act introduced 'independent persons' to support the Monitoring Officer, councillors accused of breaches and the committee (where applicable) at various stages of the process.

It was reported that the Localism Act required one independent person to be appointed. In practical terms, one independent person was insufficient for the level of support that may be required. It was reported that in Derby, four had previously been appointed for this purpose. To sustain the existing strong pool of non-councillor members during the earlier stages of the process, it was proposed that two independent persons be appointed for three years, to replace the two that resigned at the end of the last municipal year. It was noted that this would bring their appointments in line with the two existing independent persons, with the term for all four due to end in May 2026.

It was reported that following advertising, shortlisting and interviews, two candidates were being recommended to the Standards Committee for referral to Full Council: Alistair Davies and Graham Knight. It was proposed that they join the two existing members, Alan Cameron and Stuart Green, to bring the total number back up to four.

**Resolved to request that Full Council approve the appointments of Alistair Davies and Graham Knight as independent persons to the Standards Committee for a three-year term, expiring on 20 May 2026, in line with the existing two independent persons.**

Alistair Davies and Graham Knight returned to the meeting room.

## **07/23      Draft Annual Report of the Standards Committee 2022/23**

The Board received a report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on the Draft Annual Report of the Standards Committee 2022/23.

The report sought the Committee's input into the Annual Report of the Standards Committee for 2022/23. Members noted that the annual report was designed to inform Council of the Committee's activities during the 2022/23 municipal year.

Members reviewed the content of the draft annual report attached at Appendix 1.

**Resolved:**

- 1. to review the content of the draft annual report attached at Appendix 1.**
- 2. to approve that the Chair of the Committee presents the annual report to Council, subject to any revisions agreed by Committee.**

## **08/23 Protocol on councillor safety, lone working and online communications**

The Board received a report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Protocol on councillor safety, lone working and online communications.

It was noted that the draft Protocol had been informed by previous discussion of the Standards Committee and online resources available as part of the Local Government Association's (LGA) Digital Citizenship and Civility in Public Life programmes.

It was reported that in the report received in November 2022, the Committee heard that around a third of complaints received under the Councillor Complaints Procedure related to conduct on social media and a national survey conducted by the LGA had found that three quarters of councillors had previously experienced online abuse from members of the public.

It was reported that in physical settings, councillors were routinely in situations where they were exposed to a heightened degree of risk. This could include when conducting ward surgeries, visiting residents or canvassing on behalf of their political parties. It was therefore important that councillors were given the tools to make informed decisions about the level of risk they were prepared to tolerate.

It was noted that councillors received annual training in relation to lone working and personal safety, but it was felt that bespoke guidance was necessary to ensure councillors were able to appropriately manage risks and understand how incidents should be reported.

Councillors asked whether there was a deadline for councillors to make comments on the protocol. It was noted that there wasn't a deadline and that any comments from members would be welcome.

It was agreed that members of the Standards Committee would be champions for the protocol within their political groups. Members of the Committee requested that two or three sessions were set up with all councillors to talk them through the protocol. The Head of Democracy agreed to this request.

### **Resolved:**

- 1. to approve the Protocol on councillor safety, lone working and online communications as attached at Appendix 1.**

- 2. to delegate authority to the Monitoring Officer to make any further minor or technical amendments to the Protocol as may be requested, in consultation with the Chair of the Standards Committee.**
- 3. subject to recommendation 2.2, to authorise the Chair of the Standards Committee to write to all councillors circulating the protocol and advising members of the support, advice and information that is available to them.**

## **09/23      Committee on Standards in Public Life – Leading in Practice**

The Committee received a report of the Director of Corporate Governance, Property and Procurement and Monitoring Officer on Committee on Standards in Public Life – Leading in Practice.

It was noted that in January 2023, the Committee on Standards in Public Life published a report on the role of leadership in embedding an ethical culture in public sector organisations, entitled Leading in Practice. It was noted that this report was being presented to the Standards Committee for discussion and to inform the future work of the committee in managing and maintaining the various codes and protocols relating to councillor conduct.

### **Resolved:**

- 1. to note the contents of the report of the Committee on Standards in Public Life and the findings of the Local Government and Social Care Ombudsman.**
- 2. to consider and discuss any further actions as necessary for inclusion on the Standards Committee Forward Plan for 2023-24.**

## **10/23      Volume and Outcomes of Councillor Complaints 2022/23 & 2023/24**

The Committee received a report of the Director of Corporate Governance, Property and Procurement and Monitoring Officer on Volume and Outcomes of Councillor Complaints 2022/23 and 2023/24.

The report provided the Committee with an update on the volume and outcomes of Councillor complaints dealt with in the 2022/23 and 2023/24 municipal years.

It was noted that four complaints had been carried over from the 2021/22 municipal year to the 2022/23 municipal year. It was reported that two of those proceeded to investigation and were dismissed, one proceeded to investigation and was dismissed following an informal resolution being found and the fourth complaint was dismissed.

It was noted that six complaints were received in the 2022/23 municipal year and were all dismissed in that year. It was reported that five complaints had been received in the 2023/24 municipal year. Three had been dismissed and the other two were still live.

It was noted that when a complaint was dismissed, this included circumstances by which a subject member had taken steps to resolve a complaint by way of an informal resolution to the satisfaction of the Monitoring Officer. It was reported that this could include a written apology or some other form of corrective action by the councillor concerned.

**Resolved to note the volume and outcome of Councillor complaints in 2022/23 and 2023/24 as outlined in the report.**

## **11/23      Exclusion of the Press and Public**

**Resolved that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting during discussion of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## **12/23      Summaries of Councillor Complaints 2023/24**

The Committee considered an exempt report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Summaries of Councillor Complaints 2023/24.

**Resolved to note the summaries of Councillor complaints 2023/24 contained in the report.**

MINUTES END