

Time commenced – 6.02pm
Finished – 6.29pm

STANDARDS COMMITTEE

9 August 2022

Present: Councillors S Khan (Chair), AW Graves, M Holmes, Skelton (substitute for Councillor Atwal) and Peter Purnell

In Attendance: Alex Hough – Head of Democracy
Steven Mason – Democratic Services Officer

01/22 Apologies

Apologies were received from Councillor Atwal and Alan Cameron and Philip Sunderland.

02/22 Late Items Introduced by the Chair

There were none.

03/22 Declarations of Interest

Peter Purnell declared an interest in item 08/22 – Appointment of Independent Persons to the Standards Committee and announced that he would leave the room during consideration of that item.

04/22 Minutes of the meeting held on 25 January 2022

The minutes of the meeting held on 25 January 2022 were noted.

05/22 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.

The report proposed the adoption of a Standards Committee Forward Plan, to provide members with the opportunity to regularly review and update items on the committee's work programme.

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.

The proposed Forward Plan was attached at Appendix 1 and was presented to the Standards Committee for approval.

It was agreed that the Councillors' Code of Conduct be appended in future versions of the Standards Committee Forward Plan to provide an opportunity for regular review as necessary.

Resolved:

- 1. to agree the Standards Committee Forward Plan detailed at Appendix 1 of the report; and**
- 2. to agree that the Councillor's Code of Conduct be appended in future versions of the Standards Committee Forward Plan to provide an opportunity for regular review as necessary.**

06/22 Reporting of Disclosable Pecuniary Interests, Gifts and Hospitality

The Board received a report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Reporting of Disclosable Pecuniary Interests, Gifts and Hospitality.

Members noted that the Standards Committee had previously agreed to receive an update on the reporting of disclosable pecuniary interests, gifts and hospitality, as part of its annual work programme.

It was reported that following consultation with the Standards Committee, Council agreed changes to the Councillors' Code of Conduct in September 2021, which made additions to the type of interests required to be disclosed and altered the threshold for the declaration of gifts and hospitality.

The report set out the statutory basis upon which the provisions contained within the Code of Conduct were based, as well as detailing the process followed for the publication of registers of interests, gifts and hospitality. The report also detailed recommended practice for councillors and co-opted members, to ensure that registers remained up to date and accurate.

Resolved:

- 1. to note the report;**
- 2. to approve the revised DPI and Gifts and Hospitality forms attached at Appendices 2 and 3; and**
- 3. to recommend that the Chair of the Standards Committee write to councillors and co-opted members encouraging regular review of their online register of interests and to remind councillors of updated requirements relating to the declaration of gifts and hospitality.**

07/22 Volume and Outcomes of Councillor Complaints 2020/21 and 2022/23

The Board received a report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Volume and Outcomes of Councillor Complaints 2020/21 and 2022/23.

Members noted that as the final meeting of the 2021/22 municipal year had been cancelled, the report provided the Committee with an update on the volume and outcomes of Councillor complaints dealt with in the 2021/22 municipal year, as well as those dealt with in the 2022/23 municipal year.

It was reported that one complaint was carried over from the 2019/20 municipal year, proceeded to investigation and was informally resolved in the 2021/22 municipal year, by way of an apology to a meeting of the Licensing Committee.

It was noted that one complaint was carried over from the 2020/21 municipal year and was dismissed in the 2021/22 municipal.

It was also reported that nine complaints were received in the 2021/22 municipal year. Five complaints were dismissed, three complaints have proceeded to investigation and one complaint is still live.

It was also noted that one complaint has been received in the 2022/23 municipal year and has been dismissed.

Resolved to note the volume and outcome of Councillor complaints as outlined in the report.

08/22 Appointment of Independent Persons to the Standards Committee

The Board received a report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Appointment of Independent Persons to the Standards Committee.

The report sought the agreement of the Standards Committee to ask Council to approve the appointment of four independent members (referred to as independent persons hereafter) to the Standards Committee for a four-year term.

It was reported that the current four independent persons had brought additional knowledge and expertise to the Standards Committee and played an integral part in the operation of the councillor complaints procedure, and it was proposed that these members be appointed for a further four years.

Members noted that the Council was required to change its councillor complaints process in 2012, as a result of the Localism Act. It was also noted that 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. It was also reported that in practical terms, one independent person was insufficient for the level of support that may be required and that in Derby, four had been appointed for this purpose. Members noted that to sustain the existing strong pool of non-councillor members during the earlier stages of the process, it was proposed that the existing independent persons be appointed for a further four years.

It was reported that while operating as a member of the Standards Committee, the independent member should follow the same code of conduct as elected members.

Members noted that although independent persons attend Standards Committee meetings where they can provide a view on matters, they did not have a voting role.

It was reported that there was a budgeted allowance of £500 for each Independent Member under the Councillors' Allowances and Expenses Scheme.

Resolved to request that Full Council approve the appointments of Alan Cameron, Stuart Green, Peter Purnell and Philip Sunderland as independent persons to the Standards Committee for a four-year term, expiring on 20 May 2026.

Peter Purnell returned to the room.

09/22 Annual Report of the Standards Committee 2021/22

The Board received a report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Annual Report of the Standards Committee 2021/22.

The report sought the Committee's input into the Annual Report of the Standards Committee for 2021/22. Members noted that the annual report was designed to inform Council of the Committee's activities during the 2021/22 municipal year.

It was reported that the Chair had requested that the following addition be made to the Foreword:

"At its meeting in January 2022, the Standards Committee made a commitment to regularly review the Councillors' Code of Conduct and put forward any proposed changes for consideration by Council. I also welcome the views of all elected members in relation to the content and operation of the Code."

Peter Purnell stated that the addition of guidance notes in the Code of Conduct were particularly useful. It was reported that these had been taken from the LGA Model Code of Conduct.

Resolved to approve that the Chair of the Committee presents the annual report to Council, subject to the revision as outlined at the meeting.

10/22 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.

11/22 Summaries of Councillor Complaints 2020/21 and 2022/23

The Committee considered an exempt report of the Director of Legal, Procurement and Democratic Services and Monitoring Officer on Summaries of Councillor Complaints 2020/21 and 2022/23.

Resolved to note

MINUTES END