

ITEM 04

Time commenced – 6.01pm

Finished – 6.57pm

STANDARDS COMMITTEE

22 October 2019

Present: Councillors A Holmes (Chair), AW Graves, S Khan, Skelton (as a substitute for Councillor Atwal) and Alan Cameron and Philip Sunderland

In Attendance: Emily Feenan - Director of Legal, Procurement and Democratic Services and Monitoring Officer
Steven Mason – Democratic Services Officer

01/19 Apologies

Apologies were received from Councillor Atwal, Peter Purnell and Stuart Green.

02/19 Late Items Introduced by the Chair

There were none.

03/19 Declarations of Interest

There were none.

04/19 Minutes of the meeting held on 12 February 2019

The minutes of the meeting held on 12 February 2019 were noted.

05/19 Review of the Code and Procedures Relating to the Conduct of Councillors

The Committee received a report of the Strategic Director of Corporate Resources on Review of the Code and Procedures Relating to the Conduct of Councillors.

It was noted that a report on updates to codes and protocols relating to Councillor conduct and use of Council resources went to Council on 25 September 2019 and that changes to the Members' Code of Conduct were approved by Council.

It was reported that Council requested that the Standards Committee conduct a full review of the Local Government Ethical Standards report by the Committee on Standards in Public Life, with a view to recommending any further changes to the Code of Conduct or Councillor Complaints Procedure considered necessary.

Members considered the list of recommendations and the list of best practice, contained within the Committee on Standards in Public Life report.

It was reported that very few of the recommendations were delegated to local authorities and that most of the best practices were already in place in Derby.

Members discussed recommendation 12:

Local authorities should be given the discretionary power to establish a decision-making standards committee with voting independent members and voting members from dependent parishes, to decide on allegations and impose sanctions.

It was noted that this was for Government to consider.

Members discussed Appendix C of the procedures for the assessment and review of allegations of breaches of the Members' Code of Conduct - procedure for notifying political groups of complaint referrals. Members discussed what would happen if a Councillor was ungrouped or independent. It was noted that when the new regime was agreed, there were no ungrouped or independent Councillors. It was concluded that under these circumstances, it would be for the Monitoring Officer to speak to the Councillor. It was agreed that the wording at point 1 of Appendix C be amended accordingly.

Members discussed recommendation 8:

The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once.

It was noted that this was for Government to consider.

Members discussed recommendation 16:

Local authorities should be given the power to suspend councillors, without allowances, for up to six months.

In relation to this recommendation, it was agreed that single representation on the Standards Committee would provide a good protection against abuse of this power, if it was to be implemented. Again, it was noted that this was for Government to consider.

Members discussed best practice 14:

Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.

It was noted that the Code of Conduct would still apply to any Councillor appointed to those bodies.

It was agreed that the Monitoring Officer should consider the list of recommendations and the list of best practice, with a view to bringing a report to the next meeting with any relevant recommendations.

Resolved:

- 1. to agree that the wording at point 1 – Appendix C - procedures for the assessment and review of allegations of breaches of the Members' Code of Conduct, be amended as outlined at the meeting; and**
- 2. to agree that the Monitoring Officer should consider the list of recommendations and the list of best practice contained within the Local Government Ethical Standards report by the Committee on Standards in Public Life, with a view to bringing a report to the next meeting of the Standards Committee with any relevant recommendations.**

06/19 **Summary of Progress with Member Complaints
2019/20**

Resolved to agree that the report be considered along with the exempt information at 08/19.

07/19 **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.

08/19 **Summary of Progress with Member Complaints
2019/20**

The Committee received a report of the Strategic Director of Resources on Summary of Progress with Member Complaints 2019/20.

It was reported that one complaint had been carried over from the 2018/19 municipal year and that this complaint had been dismissed.

Members noted that four complaints had been received in the 2019/20 municipal year and that one complaint had been resolved through an informal resolution and the other three were still live.

Members considered exempt information in relation to summaries of the cases of complaints about Councillors.

Resolved to note the update.

MINUTES END