

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 3 MAY 2018

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STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 3 MAY 2018

Present:

Councillor B Ridgway Chair

Councillor P Antcliff

“ W Armitage

“ G Butler

“ S Boyle

Councillor A Garrett

“ A Powell

“ K Rouse

Councillor Mrs D Ruff – Parish Council Representative

Councillor Mrs D Ward – Parish Council Representative

Also Present:-

S Sternberg - Joint Head of Corporate Governance & Monitoring Officer

N Calver - Governance Manager

D Cairns - Senior Governance Officer

693 Apologies for Absence

No apologies for absence were received for this meeting of the Standards Committee.

694 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no Declarations of Interest declared.

695 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting held on 15 March 2018 (including Appendix A - which was a collective response from the Members of the Standards Committee to the questions posed as part of the review undertaken by the Parliamentary Committee on Standards in Public Life on Local Government Standards) - be approved as a correct record and signed by the Chair.

696 Standards Committee Annual Report, including feedback from the Independent Persons

Members gave consideration to the Annual Report of the Standards Committee. The purpose of the Annual Report was to enable the Committee, and then Council, to review the work that had been undertaken by the Standards Committee during the municipal year 2017/18.

During their review Members noted that:-

- All complaints had resulted in no further action and had been considered by one of the Council's Independent Persons. The individual reports from the Independent Persons were appended to the report as Appendices A and B.
- Local Government Ombudsman Complaints were marginally higher than the previous year and Members noted that two were remaining from the previous year. One of the 13 that had been considered was upheld as maladministration with justice and compensation of £250 was paid out.

Over the course of the year the Standards Committee had considered:-

- Disqualification criteria for Councillors and Mayors;
- Gifts and Hospitality;
- The RIPA Policy;
- The Whistleblowing Policy.
- A consultation on Ethical Standards for the Parliamentary Committee, and
- Reviewed the Constitution.

RESOLVED – That:-

- (1) The Annual Report of the Standards Committee 2017/18 be noted; and
- (2) The report be recommended for approval by Council.

697 Standards in Public Life – Intimidation in Elections and Inquiry into Local Government Standards

The Committee considered a report of the Joint Head of Corporate Governance and Monitoring Officer, which advised Members of a review that had taken place by the Parliamentary Committee on Standards in Public Life on Intimidation in Elections.

The Prime Minister had commissioned the Review in response to the findings of the intimidation experience by candidates running in the 2017 General Election.

The Parliamentary Committee had identified several areas of concern:-

- Social media companies have been too slow in taking action on online intimidation to protect their users;
- The Political Parties had failed to show leadership in calling out intimidatory behaviour and changing the tone of political debate;
- Police authorities have shown inconsistency in supporting those facing legal intimidatory activities;

- Election law is out of date.

The reports of the type of behaviour experienced, especially on social media platforms, were shown to be persistent and shocking with the statistics showing that it was largely aimed at female candidates or those within the LGBT community. Discriminatory comments were also freely being made on race and religious grounds.

The Parliamentary Committee as part of their review had made suggestions to tackle this matter, including working more closely with social media to set up task groups during election periods to speedily take down abusive messages on platforms such as Twitter and Facebook. Also, they had made suggestions to lay responsibility on Political Parties to address matters internally, and tackle issues within the fringe groups.

Members noted that Election Law may be reviewed to remove candidate contact details from ballot papers leaving only information about which Ward they resided in.

Members were provided with a full review of the Parliamentary Committee which was attached to the report at Appendix 1.

RESOLVED – That the Parliamentary Briefing on Intimidation in Elections, as attached at Appendix 1 to the report, be noted.

698 Complaints Update

The Committee considered a verbal update on Complaints given by the Joint Head of Corporate Governance and Monitoring Officer where it was advised that there were no outstanding complaints.

Six complaints had been received overall throughout the year resulting in no further action.

RESOLVED – That the update on Complaints be noted.

699 Whistleblowing Policy Review

The Committee considered a report of the Joint Head of Corporate Governance and Monitoring Officer suggesting updates to the Whistleblowing Policy.

North East Derbyshire District Council and Bolsover District Council had in place a Joint Whistleblowing Policy and both were committed to updating the Policies on a regular basis to ensure that they were fit for purpose.

Minor changes were recommended to the existing Policy to amend various job titles and clarify the form of the Register.

A track changed version of the Whistleblowing Policy was attached to the report at Appendix A for Members consideration, with the main changes being comprised of amendments to officer titles following the recent review of the management structure.

RESOLVED – That the Whistleblowing Policy be approved as amended.

700 Review of the Constitution

The Committee considered a report of the Joint Head of Corporate Governance and Monitoring Officer which reviewed the Council's Constitution with proposed amendments for consideration by the Standards Committee prior to submission as part of the annual review of the Constitution to Council for adoption.

The Standards Committee had previously considered a number of areas within the Council's Constitution at its meeting on 14 March 2018 and it was noted that proposals in relation to each of those areas were supported by the Committee and would be recommended to Council for approval

The report presented outlined proposals in respect of areas previously identified, as well as additional matters that had arisen in the course of the review which detailed:-

- Scheme of Delegation to Officers;
- Function Scheme, and
- Inclusion of Mandatory Training Provision.

The Governance Manager tabled some additional items for review which had been drawn up in the period between dispatch of papers and the date of the meeting which covered:-

- Public Questions;
- JEC Membership;
- Appointments to Outside Bodies; and
- Licensing Sub-Committee Appointments.

Members debated each area in detail and considered the rationale behind each proposal.

Members noted that amendments would be proposed during the final report to Council to correct and update terminology, numbering issues and reference to job titles, none of which would amount to substantive changes to the Rules or Articles.

RESOLVED – That:-

- (1) The proposals for amendments to the Council's Constitution be supported.
- (2) Each amendment be submitted to Council as part of the Constitutional Review.

701 Public Attendance at Council Meetings

Members received proposals for a new guidance for the public attending Council meetings, which outlined the rights of the public but also their responsibilities and the behaviour expected of them.

The guidance document had been produced so that it could be given to the public at meetings and also published on the website. The new guidance would also allow Chairmen to refer to the guidance the public would have in front of them should any disruptive behaviour take place during a Council meeting.

Members welcomed the guidance attached at Appendix A to the report.

RESOLVED – That the new guidance for the public attending Council meetings be noted.

702 Review of the Protocol on Member/Officer Relations

At its meetings on 14 December 2017 the Standards Committee gave consideration to the Protocol on Member/Officer Relations and were given the opportunity for targeted scrutiny. It was resolved at that meeting that the Joint Head of Corporate Governance and Monitoring Officer carry out consultation with Members and the Senior Management Team on the Protocol.

The Strategic Alliance Management Team at their meeting on 16 February 2018 gave consideration to the Protocol in detail and offered amendments which were incorporated in to the existing Protocol for consideration by Members. In addition, each Member of Council was offered the opportunity to feed in to this review.

Members gave consideration to a revised version of the Protocol for Member/Officer Relations attached at Appendix 1 to the report and noted the main revisions which included:-

- Inclusion of more detailed guidance around the relationships between Members and officers, in particular mutual respect;
- In light of recent political debates in Parliament, inclusion has been given to include elements covered by the Equalities Act 2010;
- Inclusion of details around applying pressure on Members or officers in regard to duties that neither were empowered nor within their duties;
- Providing further guidance on advice and support to Political Groups;
- Providing more clarification around need to know information and requests for information by Members;
- Inclusion of a link to the Council's Delegation Scheme;
- Providing clarity around correspondence; and
- Inclusion of a do's and don't's document as appended to the Protocol.

Members debated each revision and gave their support to its content.

RESOLVED – That the Protocol on Member/Officer Relations be supported and recommended to Council for adoption.

703 Work Programme 2018/19

Members considered the Work Programme for the forthcoming municipal year 2018/19.

The content was approved as written and additions would be made as necessary throughout the year.

RESOLVED – That that Work Programme for 2018/19 be noted.

704 Urgent Business

Members were advised that there was no urgent business to be discussed in the public session at this meeting of the Standards Committee.
