

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY, 30 JUNE 2021

Present:

Councillor William Armitage (Chair)
Councillor Heather Liggett (Vice-Chair)

Councillor Pat Antcliff
Councillor Kathy Rouse
Councillor Richard Welton

Councillor Pat Kerry
Councillor Diana Ruff

Also Present:

N Calver	Governance Manager
S Sternberg	Joint Head Of Service - Corporate Governance & Monitoring Officer
A Bond	Governance Officer
A Orchard	Independent Person
D Richardson	Independent Person

STA/ Apologies for Absence

1/21-

22

Apologies for absence had been received from Councillor D Hancock and Parish Council Representative D Skinner.

STA/ Declarations of Interest

2/21-

22

Members were 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 interests declared at this meeting.

STA/ Minutes of Last Meeting

3/21-

22

RESOLVED – That the Minutes of the Standards Committee held on 24 February 2021 be approved as a correct record and signed by the Chair.

STA/ Draft New Code of Conduct for Councillors

4/21-

22

The Joint Head of Corporate Governance & Monitoring Officer presented a report to Committee on the draft Code of Conduct for Councillors, for their comment and consideration and to approve a version that they would recommend to Council.

It was also necessary for Committee to consider and recommend to Council what training should be undertaken on the new code of Conduct for Councillors once adopted by Council.

Committee was informed that under “Details of Proposals or Information” paragraph 2.2 of the report; that it would be changed so that it clearly reflected that members may remain to speak and vote on a matter if they do not meet the tests to declare a significant interest.

Committee heard that Councillors had an obligation to attend Essential Training within areas such as safeguarding and Equalities & Diversity, as well as for certain committees such as Planning and Standards.

Members enquired as to any potential sanctions for failing to attend essential training and heard that the Council could not legally enforce training but the individual political groups could decide to exercise discipline over their membership and remove members from their roles on committees but the Council was unable to do this. The Monitoring Officer had written to the Secretary of State but no change in the legislation would be forthcoming.

Although the Council was unable to legally enforce members to attend essential training, including it on the Code of Conduct highlighted what was expected of Members.

There was a consensus that the political groups should be asked to honour the agreement to attend essential training and Members raised the point that attendance of non-essential training should be left to the discretion of individual members. The Governance Manager informed Committee that a responsibility to monitor attendance of training had been included in the last Terms of Reference review and would be coming to future Standards Committee meetings.

Turning to the Code of Conduct the Committee requested that the complaints process be made simpler and heard that a review into this would be undertaken. It was also noted that there was no obligation to report complaints to political groups.

The Monitoring Officer indicated that she would look at adding some examples to the section on “Register and Disclose my Interests”.

The Committee were asked their preference on the best way to inform all District Councillors of the contents of the new Code of Conduct for all Councillors and to enable them to ask questions on its contents. One way of doing this would be delivering a presentation to Council on the contents as part of the referred item from Standards Committee. Alternatively, a separate session could be arranged for Members. It could also be useful to have a briefing note explaining the differences.

The Chair and Monitoring Officer would write to the Chairs of Parish and Town Councils following adoption by Council and recommend their adoption of the North East District Council Code of Conduct for Members. This would be particularly relevant when some Parish Councils have a code, the contents of which are solely the Nolan Principles. It was also suggested that a training session for Parish Councils could take place during the District Parish Liaison Group.

It was noted that certain members had found previous training sessions to be unsatisfactory.

Committee indicated their approval for District Councillors to be notified of changes to the Code of Conduct for all Councillors during a meeting of Council.

RESOLVED

- (1) That Members recommended to Council adoption of the draft Code of Conduct for Councillors as discussed within the meeting.
- (2) That training for all District Councillors on the new Code of Conduct for Councillors should be delivered at Council.
- (3) That Members request for the Monitoring Officer to write to Parish and Town Councils recommending that they adopt the Local Government Association Model Code of Conduct for Councillors.

STA/ Review of the Constitution - Part 1

**5/21-
22**

The Standards Committee considered a report which set out areas for review within the Council's Constitution for consideration by the Standards Committee prior to submission as part of the review of the Constitution to Council for adoption.

The Committee was asked to give consideration to the following proposals outlined in Appendix 1 to the report.

(a) Questions by Members

The Committee was asked to consider a change to the Constitution which would provide provision for Members to withdraw a question which had been submitted, accepted and published, up to 24 hours in advance of the meeting.

Committee had a discussion over the proposed time limit and decided that it would be more appropriate to allow Members to withdraw a question at any point up to the morning of the same day on which the meeting was due to take place. This would all for greater flexibility prior to the meeting.

RESOLVED

- (1) That the deadline for submitted, accepted and published questions to withdrawn would be on the morning of the same day that the meeting is due to take place.
- (2) That the proposal be approved and submitted to Council.

(b) Debt Write Off

The Committee was asked to consider a change to the Constitution that would increase the limit of bad debts that could be written off from £3,500 to £7,500.

Members heard that the proposal had not been through the Audit Committee but that the Section 151 Officer had been consulted.

There was a consensus that the limit should be increased to £5,000 rather than the proposed £7,500.

RESOLVED –

- (1) That the limit of bad debts able to be written off be increased from £3,500 to £5,000.
- (2) That the proposal be approved and submitted to Council.

(c) Delegation Scheme Amendments

The Committee was asked to consider a change to the Constitution that would add some missing statutory matters into the Proper Officer Provisions within the Scheme of Delegation.

Members heard that the statutory matters related to provisions required for the notification and control powers from transmissible diseases which are given to Proper Officers within the Public Health (Control of Diseases) Act 1984 and Public Health (infectious Diseases) Regulations 1988.

The Proper Officers would use these powers and act upon Government instruction.

RESOLVED – That the proposal be approved and submitted to Council.

(d) New JSCC TORs

The Committee was asked to consider the Terms of Reference for the proposed JSCC which would replace the JCG.

“Sides” were no longer mentioned in order to create a committee of persons working together to decide on and resolve issues. The proposed Committee would also include non-Union staff for representation to reflect the views of the workforce as a whole.

Formalising these meetings would also allow for decision makers to have a rounded context of matters before them through accurate reports published within legal deadlines.

The JCG had previously been consulted and had no major concerns with the proposed arrangements. Some concerns were raised by

Unison which would be considered and reported through Council if required.

RESOLVED – That the proposal be approved and submitted to Council.

Committee welcomed and introduced the recently appointed Independent Person; David Richardson.

STA/ Complaints Update

**6/21-
22**

The Committee received a verbal update from the Joint Head of Corporate Governance and Monitoring Officer on Member complaints.

It was reported that there were currently five complaints, one of which had been closed without any further action and four were still ongoing. All five complaints were in respect of District Councillors.

It was agreed that a table showing the outcomes of complaints would be brought to the next meeting.

STA/ Work Programme

**7/21-
22**

Members gave consideration to the Work Programme for the Committee for the remainder of the municipal year. Members were reminded that this was a live and changing document and could be adapted to the needs of the Committee.

It was agreed that an Attendance of Training review would be added to the September meeting and that the Committee would receive an update on training attendance for the last 6 months. This would be brought to Committee every six months.

Members enquired into the possibility of restricting the amount of words in a motion, as well as the number of questions and motions that members were able to ask.

The Monitoring Officer agreed to look into the matter but informed Committee that at present, there is a limit to one motion and question per member per Council meeting.

RESOLVED – That the draft work programme be approved.

STA/ Urgent Business

**8/21-
22**

Committee discussed an incident in which Unison had confused a solicitor with a Member due to them having the same name.

Unison have since issued an apology for the mistake.