

## STANDARDS COMMITTEE

At a meeting held on Tuesday, 19th March, 2019

Present:-

Councillor G W Allanson (Chairman) in the Chair;

Councillors G Coulson and T Randerson

Co-optees: Parish Councillor Richard Thompson and Parish Councillor Bob Marley

Independent Persons: Mr Colin Langley and Ms Richinda Taylor

### 1. **DECLARATIONS OF INTERESTS**

Cllr Coulson declared a personal and prejudicial interest in Item 4-Dispensation Applications: Sneaton Parish Council

### 2. **MINUTES**

The Committee confirmed the minutes of 18 December 2018, be approved as a correct record and signed by the Chairman.

### 3. **PUBLIC QUESTION TIME**

The Chairman reported that no public questions had been received.

### 4. **DISPENSATION APPLICATIONS: SNEATON PARISH COUNCIL**

As Cllr Coulson had declared a personal interest in this tem, the Chair informed the Standards Committee that the meeting was not quorate and therefore this agenda item would not be discussed. This was confirmed by the Deputy Monitoring Officer (DMO). It was agreed that the agenda item would be deferred to the next meeting of the Standards Committee.

### 5. **COMPLAINTS 2018 OVERVIEW**

The DMO explained that the report provided an overview of Standards Complaints received by the Council in 2018. The DMO noted that whilst under the current regime there had been a decline in the amount of complaints generally, there had been a slight increase in the amount of complaints received on the previous year. No complaints had to be referred to the Standards Committee for further investigation.

Cllr Randerson raised a query regarding the General Data Protection Regulations (GDPR) in respect of Standards Complaints. The DMO confirmed that all Standards Complaints are treated as confidential. The details of the complaint are usually the personal information of the Councillor involved. It was ultimately the decision of the individual Councillor if they wished to disclose that a complaint had been made against them, but they should not disclose the identity of the complainant (or others) as this was personal data.

### 6. **RESOLVED;** that the Committee note the information within the report **LOCAL GOVERNMENT ETHICAL STANDARDS - REVIEW OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE**

The DMO provided the Committee with a summary of the report including the key recommendations within the review. The review has concluded that there is not a widespread problem with Standards in

Public Life nationally; however there are some weaknesses within the current regime. The DMO emphasised to the Committee that some of the key recommendations required legislative changes before they could be implemented. It was noted that the Council was aiming to comply with the Best Practice Review Recommendations for Local Authorities by 2020.

Cllr Randerson commented regarding the difficulties in differentiating whether a Councillor is acting in their capacity as a Councillor or as a member of the public. Cllr Randerson stated that he was of the view that a Councillor is on duty at all times and should conduct themselves as such. The DMO confirmed that the review recommended that changes should be made to the Standards Regime which would result in the presumption that Councillors were always acting in their official capacity in their public conduct. The implementation of this recommendation would require legislative change.

Parish Councillor Thompson requested assurances that a copy of the report would be made available to all, including Parish Councils. The DMO confirmed that the report was a publically available document and that it was therefore available to all.

The Chair advised that he thought it would be beneficial for both existing and new Council Members to read and consider the report. He highlighted the fact that Members were aware of the rules and protocols within the Council Chamber but are less aware when in public and further guidance was required.

The Chair made reference to page 83 of the review, and the recommendations relating to the Independent Persons (IP). The Council currently has two Independent Persons working with them to review Standards Complaints. The Chair emphasised the responsible role undertaken by the IPs and expressed his thanks for their commitment.

The report raises concerns that IPs may become too familiar with Councillors if they hold an extended term of office and makes recommendations for a 2 year restriction (with a possible extension of 2 years). Independent Person Mr Colin Langley felt that this was too restrictive, taking into account time required to familiarise yourself with the role. In addition to this, he believed that recruitment to the role would be an issue.

Cllr Randerson stated that he agreed with Mr Langley's comments and that in his experience Members contact with the Independent Persons was very limited. He suggested that a flexible approach to the term of the IPs was required.

The DMO advised the Committee that they were only noting the report at this time and that to change the terms of office of the IPs legislation by central government would be required.

Parish Councillor Mr Bob Marley made enquiries about communications outside of the committee and suggested a publicity officer to speak on behalf of Councillors. Cllr Randerson disagreed with Mr Marley advising that as a Councillor there should be no restrictions on communications.

The Chairman agreed with Cllr Randerson advising that members can express their own opinions on any matter. A discussion took place around the need for Councillors to be aware of the code of conduct when speaking and expressing opinions, particularly at the current time with sensitivities due to Purdah.

The Chairman concluded by suggesting that it would be beneficial for the guide to be made available to new and old Members of the Council in May. This was supported by Cllr Coulson who requested that the review was incorporated into the new Member training which would take place after the election in May. This was confirmed by the DMO.

**RESOLVED that:**

- (i) the Committee note the information within the report;
- (ii) that the concerns regarding the report's recommendation on the length of term of the Independent Persons be noted;
- (iii) that the Local Government Ethical Standards- Review of the Committee on Standards in Public Life be incorporated into training for new Elected Members.

**Chairman**