

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on Tuesday, 20 January, 2015 at 6.00 pm at Addenbrooke House, Telford

PRESENT: Councillors N A M England (Chair), S. Davies, M.B. Hosken and A.D. McClements

ST-05 MINUTES

RESOLVED – that the minutes of the meeting held on 08 July 2014 be confirmed and signed by the Chair.

ST-06 APOLOGIES FOR ABSENCE

Councillors K.R. Guy and R.T. Kiernan

ST-07 DECLARATIONS OF INTEREST

None.

ST-08 STANDARDS UPDATE

The Legal Services Manager & Deputy Monitoring Officer presented a report which provided the Committee with an update on matters relating to the ethical framework since the last meeting in July 2014.

Highlighted first were the 7 “Nolan” principles that formed the basis of the Councillors Code of Conduct, which had recently been reviewed by the Committee for Standards in Public Life. The Code of Conduct had been updated and amended to reflect the reviewed “Nolan” principles, and this was appended to the report. Members considered that these changes should be made to the Code of Conduct, and referred to full Council for adoption.

The second portion of the report discussed was around Code of Conduct complaints made since the last report. It was explained by the Legal Services Manager that one on-going complaint had been withdrawn and had been dealt with in an informal manner, but had been counted in the report. This meant that only one new formal Code of Conduct complaint had been made against Parish/Town Councillors since the last report.

A discussion then took place where the Legal Services Manager set out the current procedure which was followed upon the LA receiving Code of Conduct Complaints or queries from potential complainants. Members of the Committee raised the following issues:

- Concerns were raised by Councillor Davies that under the current procedure Councillors are not made aware of complaints until they reach investigation and that it was felt that it was not right for councillors not to know when a formal complaint is made about them.
- There were differing opinions about this suggestion.

- It was suggested that the procedure be reviewed for reporting complaints information to the Committee to find a way to provide more information regarding complaints without publishing personal data for example; types of complaints and whether there are multiple complainers making single complaints or a single complainant making multiple complaints.

The Legal Services Manager then offered to provide information in the future regarding vexatious complainants and offered members of the committee an invitation to contact Legal Services if they wanted any further information about complaints or the complaints procedure.

A further discussion then took place about the suggestion raised by Councillor Davies concerning whether Councillors should be made aware of the complaints raised against them when complaints were first received:

- Concerns around councillors not being informed were reiterated suggesting that it meant councillors could not put safeguards in place and take action not to worsen the situation. It was also suggested that councillors might feel threatened by complainants and may place themselves in dangerous situations without this knowledge if not informed.
- A point was made that informing them of complaints too early may leave some Councillors suffering from stress or cause other health issues. However this was countered by the highlighting that all Councillors are required to follow the Code of Conduct at all times.
- Cllr M.B Hosken expressed his grave concerns regarding this course of action and the use of personal information.
- The Legal Services Manager offered to create a revised draft procedure for the committee to look at in the next meeting with examples.

The next item discussed was training, and it was reported that Code of Conduct training had been provisionally arranged to take place on 18th May combined together with IG and Data protection training which fell within the 28 days for newly elected Councillors to complete the necessary DPI forms. Cllr S. Davies recommended adding a second day at the end of June and the inclusion of Parish and Town councillors.

The final item of the report was the appointment of the Independent Persons. There were currently 2 independent persons in place - Michael Tebbutt and Chris Humphries - both of whom had confirmed that they were happy to continue their appointments after the expiry of their current term.

It was recommended that both Independent Persons' contracts be extended for with a review after a further four years, subject to approval by full Council. Members were reminded that this was a completely voluntary position and unpaid.

RESOLVED -

- (a) To RECOMMEND to COUNCIL that the changes to the Members Code of Conduct be adopted;**

- (b) that the Code of Conduct complaints received be noted, and that the Monitoring Officer provide a revised draft procedure for the handling of Code of Conduct Complaints for consideration at the next meeting
- (c) that the proposals for the Code of Conduct training for the new municipal year be approved, subject to the inclusion of a second day at the end of June if possible and that the training should be opened up to Parish and Town Councillors
- (d) To RECOMMEND to COUNCIL that the term of appointment for the Independent Persons, namely Michael Tebbutt and Chris Humphries, be continued, and will be subject to further review in four years' time.

ST-09 HEARINGS SUB-COMMITTEE

The minutes of the meeting of the Hearings Sub-Committee held on 15 December 2014 regarding an application for a dispensation were attached to the agenda for information.

RESOLVED - that the minutes of the Sub-Committee be noted.

The meeting ended at 6.35pm

Chairman:

Date: