

# Public Document Pack

Standards Committee

2 February 2022

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**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE,  
HELD ON WEDNESDAY, 2ND FEBRUARY, 2022 AT 10.00 AM  
IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors Land (Chairman), Steady (Vice-Chairman), Fowler, V Guglielmi, J Henderson, Turner and Wiggins
<b>In Attendance:</b>	Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Linda Trembath (Senior Solicitor (Litigation and Governance) & Deputy Monitoring Officer), Ian Ford (Committee Services Manager), Debbie Bunce (Legal and Governance Administration Officer) and Matt Cattermole (Communications Assistant)
<b>Also in Attendance:</b>	Jane Watts (one of Tendring District Council's appointed Independent Persons)

**15. CHANGE IN MEMBERSHIP OF THE COMMITTEE**

The Committee Services Manager (Ian Ford) formally reported that, in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to the Chief Executive, Councillor V E Guglielmi had been appointed to serve on the Standards Committee in place of Councillor Amos.

**16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Sue Gallone, Clarissa Gosling and David Irvine, three of the Council's appointed Independent Persons.

**17. MINUTES OF THE LAST MEETING**

It was moved by Councillor Fowler, seconded by Councillor Wiggins and:-

**RESOLVED** that the Minutes of the meeting of the Committee held on 27 October 2021 be approved as a correct record and be signed by the Chairman.

Further to Minute 10 (27.10.21), Councillor re-iterated that he had still not been contacted in respect of being this Committee's representative on the Councillor Development Portfolio Holder Working Party.

The Monitoring Officer confirmed that Councillor Turner had been appointed to that Working Party and that it was anticipated that the Working Party would hold its first meeting later on in the month.

**18. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made by Members at this time.

**19. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

No Questions on Notice had been submitted by Members pursuant to Council Procedure Rule 38 on this occasion.

20. **REPORT OF THE MONITORING OFFICER - A.1 - SOCIAL MEDIA GUIDANCE FOR MEMBERS 2022**

The Standards Committee considered the Council's Social Media Guidance for Members, which had been last updated in June 2017.

The Council recognised the benefits of communication with residents that Social Media could bring and recognised that it had become part of everyday life for some, if not all, Councillors. It also reached a demographic of society that might not always be reached by more traditional means, plus the speed of communication that traditional correspondence did not lend itself to.

Therefore, the Standards Committee was requested to review the Council's Social Media Guidance for Members in order to ensure that the guidance was clear in order to assist Elected Members in understanding the potential pitfalls of using Social Media.

In addition to the updated guidance, it was reported that a virtual training session for Elected Members had been held on 27 January 2022. The course had covered the following content:-

- *Identify the strengths and weaknesses of major social media channels*
- *Work within the major dos and don'ts of social media*
- *Find and target an audience*
- *Build a 'brand' across platforms*
- *Manage trolls and keyboard warriors*
- *Apply the Nolan Principles/Code of Conduct to their use of Social Media*
- *Identify TDC's existing policies for social media use (and development of future policies)*
- *Identify the Point for Reporting misuse*

Draft updated guidance, which set out some simple rules for members to adhere to, was attached as Appendix A to item A.1 of the Report of the Monitoring Officer and included a reminder that inappropriate use of Social Media could amount to a breach of the Members' Code of Conduct.

This Committee are asked to re-visit Appendix A at its meeting to be held on 6 April 2022, and to reflect upon the above training when doing so.

Having duly considered and discussed this matter:-

It was moved by Councillor Land, seconded by Councillor Turner and:-

**RESOLVED** that the Standards Committee:

- (a) welcomes the intention of the Monitoring Officer to arrange for the circulation to all Members of the Council of guidance in relation to security settings on social media accounts;
- (b) approves and formally adopts the Social Media Guidance for Members and that it be circulated to all Members of the Council and to Town & Parish Councils within the District; and

- (c) endorses social media use by Councillors being included as part of the regular training programme for members and especially that it be included as part of the Members' Induction Training programme following the District Council Elections in May 2023.

**21. REPORT OF THE MONITORING OFFICER - A.2 - MANDATORY TRAINING FOR MEMBERS - ANNUAL UPDATE**

The Standards Committee, as part of its agreed work programme, was updated on the current position of mandatory training for Members (and named substitute members) of the Council's Audit, Licensing & Registration, Planning and Standards Committees.

Members were reminded that the Standards Committee, as part of its annual work programme since 2014, had received a report providing details of the mandatory training provided to members of the Planning and Licensing and Registration Committees.

It was reported that Members of the Planning Committee had attended a session on Planning Appeals on Tuesday 21 April 2021.

It was further reported that members of the Licensing and Registration Committee had been invited to attend their mandatory training session on 28 March 2022.

*Mandatory Training in the context of Councillor Development more widely*

Members were informed that the mandatory training referenced in this report also formed part of the overall training provision for all Councillors within the framework established by the Council's "Councillor Development Statement" (as reported to this Committee on 2 October 2019 (Minute 14 referred)). For 2021/22, and future years, it had been recognised that the resources required for training for Councillors (beyond the mandatory training on which this report focussed), would require an additional budget to be allocated. This budget had been expanded from £1,870 to £6,870 as a consequence.

The Committee was advised that, more recently, the Portfolio Holder for Corporate Finance and Governance had established a Working Party to provide a cross-party mechanism for Members' regular input going forward into development opportunities for Councillors. The membership provided for input from all the main Committees of the Council and all the political groups on the Council in a manner that was broadly proportionate to the overall position on the Council as a whole. The first meeting of the Working Party was envisaged to take place later on in February 2022.

The Committee was informed that access to the Local Government Association's online training portal had been arranged for all Councillors and this provided training modules on:-

*Community Engagement and Leadership*  
*Councillor Induction*  
*Commissioning Council services*  
*Equality, Diversity and Unconscious Bias*  
*The Effective ward Councillor*  
*Facilitation and Conflict resolution*

*Handling Complaints for service improvement*  
*Handling intimidation*  
*Holding Council meetings online*  
*Influencing skills*  
*Licensing and regulation*  
*Local Government Finance*  
*Planning*  
*Police and crime panels*  
*Scrutiny for councillors*  
*Stress management and personal resilience*  
*Supporting mentally healthier communities*  
*Supporting your constituents with complex issues*

The Committee was further advised that in-house training sessions had also been provided to Councillors during 2021 on Fraud, developing key lines of enquiry for scrutiny work, time management and speed-reading. In addition, a total of 30 places had been booked on external training sessions in 2021, including on Scrutiny essentials, implementing the new taxi and private hire vehicles standards, personal safety for Councillors and (for those elected in 2021) information for newly elected Councillors.

The completed and returned evaluation sheets, circulated following the training sessions provided, were used to assist the Council to refine and improve its training offer.

In addition, further training was provided for Councillors through the All Member Briefings.

Members were made aware that details of training events that they had undertaken were now being recorded on their individual pages on the Council's website (via Modern.Gov). This had commenced with the Social Media training event held on 27 January 2022.

Having duly considered and discussed the contents of the report:-

It was moved by Councillor Turner, seconded by Councillor V E Guglielmi and:-

**RESOLVED** that the Standards Committee -

- (a) notes the contents of this report and its Appendix;
- (b) reminds members of the Planning, Licensing & Registration and Audit Committees to attend all organised mandatory training events in order to comply with the requirements of the Council's Constitution and to be able to sit on those Committees; and
- (c) requests the Portfolio Holder for Corporate Finance & Governance to increase the Councillors' training budget from £6,870 to £10,000.

**22. REPORT OF THE MONITORING OFFICER - A.3 - ANNUAL REPORT ON DECLARATIONS OF INTEREST AND ASSOCIATED MATTERS**

Members recalled that it had been agreed at the meeting of the Standards Committee held on 29 June 2016 that, as part of its annual work programme, the Committee would

receive an annual report on declarations of interest and associated matters. The report now before the Committee covered the period from 1 April 2021 to 21 January 2022 and provided statistics on:-

- *the number of declarations of interest made at meetings;*
- *the number of offers of gifts and hospitality that have been registered by Members during this period; and*
- *updates to the Members' Register of Interests.*

The data had been collated from the Committee IT system Modern.gov which the Council had started using as of August 2016 and from Members' submissions.

#### Register of Members' Disclosable Pecuniary Interests

The Committee was aware that the Council was required to publish the 'Register of Disclosable Pecuniary Interests' on its website in accordance with the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, which prescribed the categories of interests.

It was confirmed that the Council's website included a Register of Disclosable Pecuniary Interests for all District Councillors and this was updated, when an individual Member provided details of an amendment directly to the Monitoring Officer. Any entry, which was relevant to a business item on an agenda, must be declared by the individual Member and they must subsequently remove themselves from the meeting, unless a prior dispensation had been granted by the Monitoring Officer.

Two individual dispensations had been requested and granted during the relevant period.

#### Declarations of interest at meetings

Members were required to declare Personal and Disclosable Pecuniary Interests at meetings and those recorded on the committee system, as declared by District Councillors for the period 1 April 2021 to 21 January 2022 were set out in Appendix A to the Monitoring Officer's report. Minutes of the meetings also record the declarations.

#### Use of Blanket dispensations

The Committee was reminded that the Members' Code of Conduct at paragraph 7.3, as agreed by full Council in January 2018, contained blanket dispensations for any business of the Authority where that business related to the Council's functions in respect of:

- housing, where the Member is a tenant of the Authority provided that those functions do not relate particularly to their tenancy or lease;*
- school meals or school transport and travelling expenses, where the Member is a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;*
- statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where the Member is in receipt of, or are entitled to the receipt of, such pay;*
- an allowance, payment or indemnity given to Members;*

- v. *any ceremonial honour given to Members; and*
- vi. *setting Council Tax or a Precept under the Local Government Finance Act 1992*

Since their introduction, some of those blanket dispensations had been called upon at meetings of the Cabinet and full Council.

#### Declarations of offers/receipt of gifts and hospitality

Following the Standards Committee's review of the Council's Gift and Hospitality Policy for Members, new guidance and a notification form had been issued to all District Councillors in May 2016. There had been no recorded declarations of offers/receipt of gifts and hospitality made by District Councillors in the time period covered by this report.

#### Updates to Members' Register of Interests

Since the new Members' Code of Conduct had been adopted to take effect in April 2018, Members had been required to register details of their Disclosable Pecuniary Interests and their Personal Interests within 28 days of becoming a Member (or being re-elected or reappointed) or a change in those details, in the Authority's Register of Interests. Personal Interests were defined in Paragraph 5 of the Code as relating to, or is likely to affect, any item of business of the Authority within any of the six categories as set out in 5.1 (a) to (f).

It was reported that, following Guidance and a Notification Form being issued in 2018, Members were advised to register their Personal Interests with the Monitoring Officer. In the time period covered by this report one Member had registered a Personal Interest (on two separate occasions) with the Monitoring Officer. To date those forms had not been published on the Council's website but retained within a central register. The most common declarations were made under paragraph 5.1 (d) being -

*"any other body of which the Councillor is a member and in which they hold a position of general control or management –*

- (i) exercising functions of a public nature;*
- (ii) directed to charitable purposes; or*
- (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);"*

The Monitoring Officer reminded the Committee that it was Members' individual responsibility to declare their interests at a meeting and that they should be clear, detailed and precise in the wording of their declaration in order that the Minutes of the meeting accurately recorded that declaration of interest.

Having duly considered and discussed the contents of the report:-

It was **RESOLVED** that the Committee notes the contents of this report.

### **23. QUARTERLY COMPLAINTS UPDATE**

The Monitoring Officer circulated to the Committee the quarterly schedule, which gave an update on existing cases together with general details of new cases, without

providing any names, and went through them with the Committee. There had been no requests for dispensations from Members.

TOWN	PUBLIC 2 x TOWN COUNCILLORS	ONGOING	Informal resolution	Matter related to claims of bullying. Informal resolution and training with an external company conducted
PARISH	PUBLIC	CLOSED	NFA	Actions did not breach the Code of Conduct
PARISH	PUBLIC	CLOSED	Informal resolution	Matter identified training requirements which have been conducted
DISTRICT	PUBLIC	PENDING	Awaiting MO final decision	Matter relates to conduct in a public meeting

The Monitoring Officer informed the Committee that the Executive Projects Manager (Governance) and her had provided training, or would be providing training, to several parish/town councils as a result of the above and other matters.

The Committee noted the foregoing.

**24. MONITORING OFFICER'S UPDATE - REVIEW OF THE MODEL CODE OF CONDUCT**

The Monitoring Officer gave an oral update on the current position in relation to the Local Government Association's (LGA) review of the Model Code of Conduct.

The Monitoring Officer informed the Committee that the LGA had revised its model Code of Conduct on two occasions as a result of consultative feedback and that it had now indicated that it was not intending to make any more revisions. The LGA had produced Guidance on the Model Code of Conduct and, in conjunction with Lawyers in Local Government (LLG), was finalising a "LGA Model Councillor Code of Conduct Training Pack".

The Monitoring Officer advised Members that it was the view of the Essex Monitoring Officers' Group that, as a result of the two revision processes, the Model Code of Conduct was now much improved though still not perfect.

The Monitoring Officer reported that Essex County Council was proposing to adopt the LGA's Model Code of Conduct.

As a result, the Monitoring Officer considered that there was now an obligation on this Council (TDC) to review TDC's own Code of Conduct to see if it wished to adopt it in total or incorporate parts of it in to TDC's Code of Conduct. The Monitoring Officer suggested that the review (which would involve input from all TDC Members and parish/town councils in the District) should take place over the course of 2022/23 and that any changes should take effect with the new Council that would be elected in the May 2023 District Council Elections.

The Monitoring Officer undertook to bring a report on the above to the next meeting of the Committee.

**25. START TIME FOR THE NEXT MEETING OF THE COMMITTEE**

Members were made aware that, due to a clash with a nationally organised online training event, the Council's legal services officers would not be able to attend the scheduled start time of 10.00 a.m. for the next meeting of the Committee due to be held on Wednesday 6 April 2022.

In order to enable the Officers to attend that meeting, the Chairman (Councillor Land) informed the Committee that he was changing the start time to **2.00 p.m.**

The meeting was declared closed at 10.55 am

**Chairman**