

Public Document Pack

Standards Committee

28 June 2017

**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE,
HELD ON WEDNESDAY 28 JUNE 2017 AT 10.00 AM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

Present:	Councillors Bucke, Bush, Nicholls (in the Chair) and White
Also Present:	John Wolton and Clarissa Gosling (Independent Persons)
In Attendance:	Lisa Hastings (Head of Governance and Legal Services and Monitoring Officer), Ian Ford (Committee Services Manager) and Katie Sullivan (Committee Services Officer)

1. CHAIR

The Committee Services Manager (Ian Ford) welcomed everyone to the meeting and explained that, in the absence of the Chairman (Councillor Heaney) and Vice-Chairman (Councillor Honeywood), a Chairman would need to be elected for this meeting.

It was moved by Councillor White, seconded by Councillor Bush and **RESOLVED** that Councillor Nicholls be elected to act as Chairman for this meeting.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Heaney, Honeywood and Davis (with no substitutes), Councillor J Brown (with Councillor Bush substituting) and Councillor Steady (with Councillor White substituting).

3. MINUTES OF THE LAST MEETING

The minutes of the meeting of the Standards Committee, held on 27 March 2017, were approved as a correct record and signed by the Chairman.

4. DECLARATIONS OF INTEREST

There were none.

5. REPORT OF THE MONITORING OFFICER - A.1 - ON-GOING REVIEW OF MEMBERS' CODE OF CONDUCT

There was submitted a report (A.1) by the Council's Monitoring Officer (Lisa Hastings) which had requested the Committee to continue with its review on the Members' Code of Conduct and to consider the proposed changes made following the suggested revisions at its meeting in September 2016.

As part of its annual work programme, the Committee had commenced a review of the Members' Code of Conduct and had paid particular attention to the definitions of interests.

The Monitoring Officer gave the Committee some background information on this item as some Councillors present had not been present at the previous Standards Committee meetings when this item had been discussed.

The Committee was informed that, at its meeting on 29 June 2016, the Monitoring Officer had informed Members that there would be some merit in undertaking a light

touch review of the Code of Conduct and to consider removing the distinction between “Other and Non Pecuniary Interests” by joining them together and reviewing the definitions. The Monitoring Officer had also informed Members that the three different types of interest had caused confusion with Members and the public and could be made simpler. In addition, it had been raised whether the provisions on declarations of interests had gone far enough and questions had been asked whether the Council should be retaining a register of interests. Matters such as membership of various groups or organisations had caused concerns with elected Members and the public that those were not registered, and whilst this was not required on a statutory basis, provisions could be included within the local Code. Members had discussed the advantages of a register of interests, beyond the statutory minimum which was required by the legislation and had welcomed further exploration in this area.

The Monitoring Officer had informed Members that, nationally, a number of Councils had reviewed their codes since adoption, some in response to feedback on definitions or areas which were missing, or due to the lack of sanctions available if the obligations were compromised. New ideas such as a voluntary acceptance of suspension and a recall scheme were emerging and information on those could be presented to the Committee for information through the review of the Code.

The Committee was also informed that, at its meeting in September 2016, potential changes and additions to the Code had been discussed in order to provide clarity in relation to:

- Separating the Rules of Conduct and General Obligations from the introduction and interpretation part of the Code;
- Merge Other Pecuniary Interests with Non-Pecuniary Interests; and
- Effect of Other or Non-Pecuniary Interests on participation.

At that meeting it had been agreed that the Monitoring Officer would produce a revised draft Code of Conduct for further discussion to take place at the next meeting so that the Committee could work towards recommending minor changes to the Members’ Code of Conduct to full Council.

The Monitoring Officer had produced a revised draft Code of Conduct showing tracked changes which had been attached to the report as Appendix 1 and went through this with the Committee stage by stage. A clean copy had also been attached as Appendix 2 for further consideration by the Committee.

Members raised questions which were responded to by the Monitoring Officer.

The Independent Persons (John Wolton and Clarissa Gosling) were given the opportunity to make comments and ask questions.

The Monitoring Officer confirmed that she would action the amendments suggested by the Committee and provide a further amended version of the Members’ Code of Conduct at its next meeting before going to full Council.

Having discussed the revised draft Code of Conduct, it was moved by Councillor Nicholls, seconded by Councillor White and **RESOLVED:-**

That the review of the Members' Code of Conduct be continued and that the draft revised Code of Conduct be endorsed, subject to the changes put forward by the Committee at this meeting.

6. REPORT OF THE MONITORING OFFICER - A.2 - REVIEW OF SOCIAL MEDIA GUIDELINES FOR MEMBERS

The Monitoring Officer reminded the Committee that, given the clear benefits of Social Media and recognising that it had become part of everyday life for some Councillors, it had been decided that, as part of its annual work programme and following on from a previous investigation, a review of the Council's Social Media Policy would be carried out in order to ensure the guidelines were clear and would enable to assist understanding of the potential pitfalls of using Social Media.

There was submitted a report (A.2) by the Monitoring Officer which had requested the Committee to review the Council's Social Media Guidelines and to give specific advice to be issued for elected Members.

Members were aware that the Council had previously produced Social Media Guidelines, which had last been updated in March 2016 and those Social Media Guidelines were attached to the report as Appendix A.

Draft Guidelines for Members, which had set out some simple rules, were attached to the report as Appendix B and had included a reminder that inappropriate use of Social Media could amount to a breach of the Members' Code of Conduct.

The Committee were informed of the legal considerations of matters such as Libel, Copyright, Data Protection, Equality, Obscene Material and the principles of the right to freedom of expression and its restrictions.

Members raised questions which were responded to by the Monitoring Officer.

The Chairman asked the Independent Persons (John Wolton and Clarissa Gosling) if they had any comments or questions but both confirmed they did not.

Following discussion, it was moved by Councillor Nicholls, seconded by Councillor White and **RESOLVED** that:

1. subject to the amendments requested by the Standards Committee at the meeting, the draft Guidelines for Members when using Social Media, as set out in Appendix B be approved and adopted; and
2. the approved Guidelines be circulated to all Members and annexed to the Corporate Social Media Guidelines to ensure it provides advice to both Councillors and Officers.

7. DISCUSSION TOPICS AND/OR UPDATES FROM THE MONITORING OFFICER

Quarterly Complaints Update

The Monitoring Officer circulated to the Committee the quarterly schedule, which gave general details of a complaint received, without providing any names, and went through

it with the Committee. The Monitoring Officer also highlighted a number of other matters which included:

Training Session for new Councillors

The Monitoring Officer informed the Committee that a training session on the Code of Conduct had been delivered for newly elected District Councillors following recent by-elections.

Potential Complaints

- 1) An inquiry had been received from a potential complainant, and although aggrieved by the actions of a District Councillor, the complaint form had not yet been returned.
- 2) A complaint form had been received regarding a District Councillor, however this had related to the Member acting in their private capacity with no link to the Council and therefore outside of the Monitoring Officer's remit. The complainant had been informed and no further response had been received.
- 3) On-going discussions had taken place with a member of the public regarding a Parish Council and, in particular, the action of the Chairman and a completed complaint form was expected to be received soon.

Failure of a District Councillor to declare an interest

The Monitoring Officer informed the Committee that she had had concerns regarding the potential failure of a District Councillor to declare an interest and that she was taking informal action through the relevant Group Leader, as permitted by the Complaints Procedure.

Advice and Guidance

The Monitoring Officer informed the Committee that detailed advice and guidance had been provided to all Councillors during the recent Local Plan decision making process.

Requests for Dispensations

No requests for dispensations had been submitted since the last meeting of the Committee.

The meeting was declared closed at 11.30 am

Chairman