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## Standards Committee

**Tuesday 17th December 2019**

**12.30 pm**

**Council Chamber B  
Council Offices  
Brympton Way  
Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



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Members listed over the page are requested to attend the meeting.

For further information on items to be discussed, please contact the **Case Officer - 01935 462596 or [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)**

This Agenda was issued on Monday 9 December 2019.

*Alex Parmley, Chief Executive Officer*

This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

# **Standards Committee Membership**

## **SSDC Councillors**

Hayward Burt  
Nicola Clark

Peter Gubbins  
Jenny Kenton

Sue Osborne  
Crispin Raikes

## **Co-opted Town/Parish Council Representatives (non-voting members of the Standards Committee)**

Vacancy

## **The Independent Persons are also invited to attend meetings (not members of the Standards Committee):**

Christopher Borland and Peter Forrester

## **Recording and photography at council meetings**

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

## Terms of Reference

- promote and maintain high standards of conduct by Members and Co-opted Members;
- advise, train or arrange to train Members and Co-opted Members of the Council on matters relating to the Authority's Members' Code of Conduct and wider propriety issues, including issuing guidance where appropriate;
- recommend the adoption or revision of any Council Codes of Conduct for Members and Co-opted Members, and to monitor the operation of such code(s) of conduct;
- deal with the assessment and determination of complaints under the Members' Code of Conduct relating to Members and Co-opted Members (other than where the power to deal with such matters has been delegated to and exercised by the Monitoring Officer). Where the investigation finds evidence of a failure to comply with the Code of Conduct and a local resolution is not appropriate or not possible, then a Hearing Panel of the Committee (comprising 3 voting members of the Standards Committee agreed by the Monitoring Officer in consultation with the Committee Chairman) will consider and decide the complaint.
- to take decisions in respect of a Member and Co-opted Member who is found on hearing to have failed to comply with the Code of Conduct, including –
  - Reporting its findings to Council [or to the Parish Council] for information;
  - Recommending to the member's Group Leader that he/she be removed from any or all Committees or Sub-Committees of the Council (other than the relevant Area Committee);
  - Recommending to the Leader of the Council that the member be removed from the District Executive Committee, or removed from particular Portfolio responsibilities;
  - Instructing the Monitoring Officer to [or recommend that the Parish Council] arrange training for the member;
  - Removing [or recommend to the Parish Council that the member be removed] from all outside appointments to which he/she has been appointed or nominated by the authority [or by the Parish Council];
  - Withdrawing [or recommend to the Parish Council that it withdraws] facilities provided to the member by the Council, such as a computer, website and/or email and Internet access;
  - Restricting contact to named officers or requiring contact be through named officers; or
  - Excluding [or recommend that the Parish Council exclude] the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- advise on the management of statutory and other registers of interest and gifts / hospitality received;
- advise the Council on possible changes to the Constitution (except the Council and Cabinet Schemes of Delegation) in relation the key documents and protocols dealing with members conduct and ethical standards.

# Standards Committee

**Tuesday 17 December 2019**

## Agenda

**1. Minutes (Pages 5 - 9)**

To approve as a correct record the minutes of the previous meeting held on 25 February 2019.

**2. Apologies for absence**

**3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

**4. Public question time**

*Items for Discussion*

**5. Update on matters of interest (Page 10)**

**6. Exclusion of Press and Public (Page 11)**

**7. Report on Investigation into Code of Conduct Complaint (Confidential)  
(Pages 12 - 56)**

# Agenda Item 1

## South Somerset District Council

**Draft Minutes** of a meeting of the **Standards Committee** held in **Council Chamber B - Council Offices on Monday 25 February 2019.**

(10.00 am - 11.00 am)

**Present:**

**Members:** Councillor Anna Groskop (Chairman)

**District Councillors:** Nick Colbert, Nigel Gage, Paul Maxwell, Crispin Raikes and Angie Singleton

**Parish Representatives:** Godfrey Townrow

**Independent Persons:** Christopher Borland, Peter Forrester

**Officers**

Becky Sanders	Case Officer (Strategy & Commissioning)
Angela Watson	Monitoring Officer
Jo Gale	Specialist (Scrutiny)

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**1. Minutes (Agenda Item 1)**

The minutes of the meeting held on 11 July 2017 were approved as a correct record and signed by the Chairman.

**2. Apologies for absence (Agenda Item 2)**

There were no apologies. All members, both Independent Persons and the Parish Representative were present at the meeting.

**3. Declarations of Interest (Agenda Item 3)**

Councillor Angie Singleton declared a personal interest for agenda item 8 – Complaints Received by the Monitoring Officer – Update, as she was named in one of the complaints.

Councillor Anna Groskop declared a personal interest as she was also a Somerset County Councillor.

**4. Public question time (Agenda Item 4)**

There were no members of the public present at the start of the meeting when this item was considered.

**5. Update on matters of interest (Agenda Item 5)**

This item was duplicated on the agenda by mistake. Matters of Interest was considered at agenda item 10.

## **6. Revision To Member Profiles and Removal from the Council Constitution (Agenda Item 6)**

The Leader of Council presented the report as detailed in the agenda and explained the report had come about following meetings of the members Working Group. It was noted that the profiles had not changed for a long time, and the proposed versions as detailed in the agenda now took into account the current digital environment. The Working Group were of the opinion the role profiles would be better placed as a companion document to the Constitution rather than form part of it.

During a short discussion several comments and observations were made and some of these included:

- Being a community leader and championing ward issues could sometimes bring members into conflict with local groups.
- Members on Regulation Committee probably needed more training than other members.
- All training except licensing should be voluntary
- Wording of reports needed to be carefully considered Jargon should be avoided as it's unhelpful to members of the public who may not have the background knowledge to reports and previous decisions.

The Leader noted the comments made and mentioned she had already suggested enhanced training for members on the Regulation Committee.

The Specialist (Scrutiny) acknowledged comments made about the readability of the report. She noted wording for the background had been a challenge, but it had referred to terminology used previously in older reports and decisions.

The Monitoring Officer noted this was probably the first of several changes in a refresh of the Constitution, in order to make the Constitution more user friendly as it is a large document. She noted there was an aspiration to look at taking sections out of the Constitution that didn't need to be in it and could sit as independent documents.

In response to a comment made, the Monitoring Officer clarified that the Terms of Reference for each committee referred to whether members needed to be trained, and to that extent the appropriate training would be compulsory. This would remain a requirement even if the Member Role Profiles weren't within the Constitution going forward.

The Chairman felt some skills required for members may be aspirational and others unrecognised. She was of the opinion that Terms of Reference for Committees should be highlighted and that members must undertake training for planning, with enhanced training for members of the Regulation Committee.

At the conclusion of discussion, it was proposed, and agreed unanimously, that the Standards Committee endorse the recommendations to full Council.

**RESOLVED** That the Standards Committee recommend to full Council:

- a) That the Role Profiles and Framework set out in Appendices 1-3 to this report, including the addition of a desirable knowledge and skill set specification, be adopted;
- b) That the existing member role profiles be removed from the Council's Constitution; and
- c) That future revisions to the member role profiles be agreed by a member working group, of political and Area balance, to provide member insight to the learning and development of councillors; such working group to be formed on an 'as needed' basis.

*(Voting: Unanimous)*

## **7. Update on the Registration of Gifts and Hospitality by Members and Officers (Agenda Item 7)**

The Monitoring Officer presented the report as detailed in the agenda. She reminded members of what should be declared and recorded, and the process for doing so.

During a brief discussion, some members were surprised that no declarations had been recorded by parish and town councils, and it was queried if they were fully aware of the requirements.

In response, the Monitoring Officer acknowledged a refresher sent to clerks on best practice may be useful.

There being no further discussion, it was agreed to note the report.

**RESOLVED:** That the report be noted.

## **8. Complaints Received by the Monitoring Officer - Update (Agenda Item 8)**

The Monitoring Officer presented the report which provided information about the volume and nature of complaints received under any code of conduct applying to elected members in South Somerset, at District, Town or Parish level. She reminded members that a limited range of sanctions were available under the current standards regime.

The Monitoring Officer responded to points of detail raised during a short discussion, her comments included:

- All complaints received formally were detailed within confidential appendix A.
- The changes proposed to the complaints guidance notes were highlighted at Appendix B. She explained that the aim of the additional wording was to try and encourage those involved to attempt to resolve the issues concerned in some way before submitting a formal complaint. It was acknowledged that in small parishes this may not be possible and the Monitoring Officer was often seen as an independent mediator.

At the conclusion of discussion, members were content to note the report and approve the revisions to the complaints process document.

**RESOLVED:** It was resolved that:

- 1) The revision to the complaints process document, as set out in Appendix B of the agenda report, be approved.

2) The report be noted.

*(Voting: 5 in favour, 1 abstention)*

## **9. Committee on Standards in Public Life - Review of Local Government Ethical Standards (Agenda Item 9)**

The Monitoring Officer presented the report as detailed in the agenda, and referred to the recommendations at the start of the report of the Committee on Standards in Public Life (CSPL). She felt it was a good report and noted many of the CSPL recommendations would require legislative changes. One of the recommendations detailed in the CSPL report was to raise the value of hospitality required to be declared to £50, however in the interests of transparency, she recommended retaining the current value of £25, but this was at the discretion of the Standards Committee.

She highlighted the list of best practice recommendations in the CSPL report, and commented many of the suggestions were aspects that the Standards Committee may wish to pick up on. During discussion several comments were raised including:

- The need for clerks to be properly trained is important
- Best Practice recommendation 14 would also be important as SSSC were in the process of setting up a trading company.
- Many parish conflicts are often between the Chairpersons and clerk.
- Parishes seem to be reluctant to spend resource on training clerks.
- Clerks and parish / town councillors change frequently. Often training is provided at the start of a four year term, but it may need to be repeated each year due to new members.
- Chairpersons should be encouraged to remain unbiased and impartial.
- All members need to be reminded about the use of social media.

At the end of discussion the Monitoring Officer suggested a report be compiled for the next meeting of the Standards Committee, detailing possible changes to the Code of Conduct for consideration, and this was agreed by members.

**RESOLVED:** That the report be noted.

## **10. Update on Matters of Interest (Agenda Item 10)**

As an update on matters of interest, the Monitoring Officer noted some items that the Committee would be asked to consider in the future including:

- Reports as part of a wider review of the Constitution - for example updating policies, the scheme of delegation for officer decisions and simplifying the Constitution in general to make it more user friendly.
- The Officer Code of Conduct needed to be reviewed.
- In the interests of efficiency, there needed to be a discussion about whether the Audit and Standards Committees could be merged. It was noted that Audit Committee had regular meetings whereas meetings of Standards Committee were more ad-hoc.



- There were currently two Independent Persons, but it was recommended this be increased to three. Other elements around the role of the parish representatives on the Committee also needed to be discussed.

In response to comments raised during a brief discussion, the Monitoring Officer clarified there was some cross over in the Terms of Reference of both the Audit and Standards Committee regarding risk, governance and the Constitution. She also noted that combined committees had been working successfully elsewhere nationally.

**RESOLVED:** That the verbal update on matters of interest be noted.

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Chairman

# Agenda Item 5

## **Update on Matters of Interest**

*Monitoring Officer:* Angela Watson, Lead Specialist (Legal)

*Lead Officer:* As above

*Contact Details:* [angela.watson@southsomerset.gov.uk](mailto:angela.watson@southsomerset.gov.uk) or (01935) 462183

## **Purpose of Report**

This report is submitted for information to update members on any recent information regarding matters of interest to the Standards Committee, and for the Monitoring Officer to verbally update members on any ongoing matters.

## **Recommendation**

That members note the verbal updates as presented by the Monitoring Officer.

*Background Papers:* None

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# Agenda Item 6

## **Exclusion of Press and Public**

The Committee is asked to agree that the following item (agenda item 7) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 1 and 3.

“Information relating to any individual.”

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

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# Agenda Item 7

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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