

South Somerset District Council

Minutes of a meeting of the Standards Committee held as a Virtual Meeting using Zoom meeting software on Thursday 23 July 2020.

(10.00 - 11.10 am)

Present:

Members: Councillor Peter Gubbins (Chairman)

District Councillors: Hayward Burt, Nicola Clark, Jenny Kenton, Sue Osborne and Crispin Raikes

Parish Representatives:

Independent Persons: Christopher Borland

Officers

Angela Cox	Specialist (Democratic Services)
Becky Sanders	Case Officer (Strategy & Commissioning)
Richard Ward	Monitoring Officer
Michelle Mainwaring	Case Officer (Strategy & Commissioning)

8. Minutes (Agenda Item 1)

The minutes of the meeting of the Standards Committee held on 17th December 2019 were approved as a correct record and would be signed by the Chairman.

9. Apologies for absence (Agenda Item 2)

An apology for absence was received from Independent Member Peter Forrester.

10. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

11. Public question time (Agenda Item 4)

There were no questions from members of the public.

12. Change to the Constitution - Updating of the Protocol on Member/Officer Relations (Agenda Item 5)

The Monitoring Officer explained that the constitution currently contains a protocol providing guidance on the working relationships between Councillors and Officers of the Council it does not at the present time provide a mechanism by which disputes and areas of misunderstanding can be resolved. He therefore recommended that the additional wording set out in Appendix A of the agenda be added to the existing protocol to provide for such resolution.

During Discussion, the following points were made including:

- Whether the political group leader be included in the informal approach. A member would notify the group leader anyway, so agreed to leave out.
- Members noted that Councillors were becoming frustrated with lack of response times from enquires, could this be avoided.
- The outcomes procedure seems unbalanced between Officers and Councillors however, councillors are the employers and the officers are employees, so the outcomes would not be the same.
- Members noted there was no formal appeals process; however, officers would still have an option submit a complaint under the code of conduct if not satisfied with the outcome.
- Members queried if there should be time limits.
- Point 17.6; Members felt alternative and stronger wording was required.
- Matters could be dealt with more efficiently without having to use the code of conduct.
- Protocol should be reviewed after 6 months or when necessary.
- A corporate employment-training course may be beneficial for Standard committee members.
- The protocol be sent out to Town and Parish Councils as a recommendation and so they are aware of it.

In response to points made, The Monitoring officer noted:

- He would look into any guidance there may be for how officers deal with any councillor queries.
- The code of conduct has its own time frame, thought it was 6 months.
- He would amend the wording for the point 17.6.
- Parish council have their own protocols, but this can be circulated for interest.
- The protocol would be reviewed on a six monthly basis.

At the end of discussion, members were content to recommend the changes to the protocol to full council subject to a minor revision of subject 17.6.

RESOLVED:

Subject to a minor change of point 17.6, That Standards Committee recommends to Full Council that the changes set out in Appendix A to the agenda report be made to the Council's constitution.

13. Code of Conduct Consultation 2020 (Agenda Item 6)

The Chairman introduced the report which provided details of A consultation paper that was issued by the Local Government Association (LGA) to review the current model member Code of Conduct, as recommended by the Committee on Standards in Public Life's report into Local Government Ethical Standards.

During a short discussion, several comments were made including:

- Should a reminder be sent to all councillors as the consultation period has already started?
- Regarding the internal resolution procedure point 7, would this include attending a Full Council meeting?

- Would be beneficial to have individual responses from all members.
- Members felt that the social media part was not covered thoroughly enough.
- Members queried if this should also be circulated to Parish and Town Clerks.

The Monitoring Officer and The Specialist, Democratic Services had the following responses including:

- Regarding the internal resolution procedure point 7, this would not include attending full council.
- Many of the things included in the LGA code, are already incorporated in our own code.
- He explained the survey could only be done online.
- Webinars were still available and that the document had already been sent to Parish and Town Councils.

At the end of discussion members agreed that all members have the opportunity to read the Code of Conduct consultation 2020 and complete the online survey before the deadline on Monday 17th August 2020.

RESOLVED:

Standards committee considered and noted the consultation document, and agreed that the consultation be circulated to all members of the council, and that they have the option to respond individually.

14. Update on Matters of Interest (Agenda Item 7)

The Monitoring Officer had received a Letter about Local Government ethical standards, referring to Committee on Standards in Public Life Best Practice Recommendations from 2019. He felt it was likely they will check in the coming months to see if these recommendations have been implemented.

The Monitoring Officer reminded members on the 15 best practice recommendations and provided his opinion for each one, whether they were already implemented or not.

During discussion, one member highlighted Best Practice no. 11 - The Parish Councillor complaints procedure. He had concerns with the recommendation as many complaints received were regarding Town and Parish councils. Other members shared the concern.

It was suggested by members and agreed by the Monitoring officer that the 15 recommendations be circulated to all Standards Committee members along with notes from the Monitoring officer informing which recommendations are already in place and those that required more work.

The monitoring officer clarified there was no opportunity to comment or feedback on the best practice, only to confirm whether we were meeting the recommendations or would do in the future.

The monitoring officer noted he has some verbal updates and needed to go into confidential session.

Members proposed and agreed to go into closed session and live streaming was stopped.

RESOLVED:

That the remainder of this item (agenda item 7) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraphs 1 and 3: Information relating to any individual; and Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members noted the verbal updates provided by the Monitoring officer.

RESOLVED:

Members noted the verbal updated provided by the monitoring officer on some updates on a complaint in closed session.

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Chairman