

South Somerset District Council

Draft Minutes of a meeting of the **Standards Committee** held at the **Main Committee Room, Brympton Way, Yeovil. on Tuesday 14 October 2014.**

(2.25 pm - 3.10 pm)

Present:

Members: Councillor Patrick Palmer (Chairman)

District Councillors: John Calvert and Jenny Kenton

Parish Representatives: Elizabeth Glasiher and Godfrey Townrow

Independent Persons: Christopher Borland

Officers

Ian Clarke
Angela Cox

Assistant Director (Legal and Corporate Services)
Democratic Services Manager

1. Minutes (Agenda Item 1)

Parish Representative, Godfrey Townrow, suggested an addition to the first bullet point of minute 6, Review of Members Code of Conduct, to reflect the low number of public requests for information regarding Town and Parish Councillors register of interest forms, which was disproportionate to the workload for officers to check and record. It was agreed to add:-

- Parish and town council register of interests were received slowly over a long period of time, and it was a large workload for officers to check and record the many forms from over 100 councils, **particularly when there were generally less than 5 public requests for the information in a 12 month period.**

Members were content that the minutes of the meeting held on 10 December 2013, copies of which had been circulated, be approved and signed as a correct record, subject to the above amendment to minute 6.

2. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Peter Forrester (independent representative) and Councillor Nigel Mermagen.

3. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

4. Public question time (Agenda Item 4)

There were no members of the public present.

5. Review of Officer Member Protocol (Agenda Item 5)

The Monitoring Officer introduced the report which asked members to review the current Member / Officer Protocol and suggest any areas which required updating or strengthening, prior to wider consultation with officers and members.

During discussion, it was suggested that the Protocol should be circulated to Town and Parish Councils with a recommendation that they consider adopting a similar policy. It was noted that although this type of policy could not be imposed upon Town and Parish Councils, it could be helpful to them to have one.

It was further suggested that point 2 of the Protocol should be strengthened and the words 'must be avoided' be replaced with 'will not be tolerated'.

It was also noted that following enactment of the Local Audit and Accountability Act 2014, both the public and press could freely record any public council meeting. SSDC were in the process of adopting a policy on audio/visual recording and photography at Council meetings which would be circulated to all Town and Parish Councils with a recommendation that they consider adopting a similar policy. It was agreed to circulate the Member / Officer Protocol at the same time with the recommendation that a version of both policies be adopted for the protection of the Council and their officers.

RESOLVED: It was resolved that:-

1. The Member / Officer Protocol be amended at point 2 to read:-

In accordance with Council policy, harassment or bullying in the workplace **will not be tolerated** ensuring fair treatment and personal dignity for all employees;

2. Members and officers be consulted to seek wider views on the Protocol, and the views be reported to the next meeting of the Standards Committee;
3. The Member / Officer Protocol be circulated to all Town and Parish Councils with a recommendation that they consider adopting a similar policy.

(Voting: unanimous in favour)

6. Update on Registration of Gifts & Hospitality by Members and Officers (Agenda Item 6)

The Monitoring Officer advised that the Register of Gifts and Hospitality at SSDC was traditionally low, with only one registration from a Councillor and 18 from officers, which were mainly of a low value.

He noted that as there was no longer a statutory Code of Conduct for Town or Parish Councils, there was no requirement to record gifts or hospitality received by them, however, as most of them were small Parishes, the opportunity to receive gifts was limited and he was comfortable that the lack of registrations was genuine.

In response to a request, the Monitoring Officer agreed to raise the issue of adopting a voluntary Register of Gifts and Hospitality with Town and Parish Councils.

RESOLVED: It was resolved to note the contents of the report and to continue to receive the report on an annual basis.

7. Update on matters of interest (Agenda Item 7)

The Monitoring Officer provided the Committee with updates on:-

- The lack of reports of prosecutions by the Police for non-disclosure of Disclosable Pecuniary Interests by Councillors.
- The difficulty in arranging training for Town and Parish Councillors on the Code of Conduct, as the majority had adopted two different codes.
- The rules surrounding Disclosable Pecuniary Interests would be reinforced as there were potential criminal sanctions attached to any non-disclosure.
- There did not appear to be any mention of proposed changes to either the Code of Conduct or the Standards regime following the Local Elections in May 2015.
- He was currently acting as Monitoring Officer for East Devon DC whilst they were undergoing a structure review.

RESOLVED: It was resolved to note the verbal update provided by the Assistant Director (Legal and Corporate Services) in his role as Monitoring Officer.

8. Committee Work Programme and Future Meetings (Agenda Item 8)

In response to a question, the Monitoring Officer advised that the Constitution of the Council would be checked prior to the elections in May 2015 to ensure all the correct updates were in place, prior to a full review in the new council administration.

RESOLVED: It was resolved to:-

1. Agree the Work Programme attached at Appendix A
 2. Note the future meeting arrangements.
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9. Exclusion of Press and Public (Agenda Item 9)

RESOLVED: That the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 1: Information relating to any individual.

**10. Complaints Received by the Monitoring Officer in 2014 (Confidential)
(Agenda Item 10)**

The Monitoring Officer introduced the report, noting that he had received 10 complaints under the code of conduct during 2014, mainly relating to the behaviour of Town and Parish Councillors.

During Discussion, it was felt that members of the public often did not understand the difference between Councillors when acting as Councillors and Councillors acting in their private capacity. Also there was higher expectation of the sanctions expected than those which were available.

The Monitoring Officer confirmed that although some complaints appeared trivial, they must be dealt with in accordance with the agreed protocol to avoid any subsequent complaint to the Ombudsman. He agreed to review the guidance notes to ensure it was clearly defined that any complaint must relate to Councillors when they were acting as a Councillor and not acting in their private capacity.

RESOLVED: That the report be noted.

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Chairman