

STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee held on Tuesday, 3 October 2023 at the Council Chamber - Council Offices at 2.00 pm

Committee

Members Present:

Cllr H Blathwayt (Vice-Chairman) Cllr N Dixon
Cllr A Fitch-Tillett Cllr R Macdonald
Cllr P Porter

Officers in

Attendance:

Democratic Services and Governance Officer - Scrutiny (DSGOS)
and Assistant Director for Finance, Assets, Legal & Monitoring Officer
(MO)

23 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr L Shires and Cllr G Bull.

24 PUBLIC QUESTIONS

None received.

25 MINUTES

- i. The Chairman noted that in addition to the minutes from June 2023, there were minutes to approve from October 2022, as a result of the November meeting being inquorate.
- ii. Cllr H Blathwayt noted that he had excused himself from the meeting held on 23rd June as the Subject Member was well known to him.
- iii. Minutes of the meetings held on 11th October 2022, 23rd June and 30th June 2023 were approved as a correct record and signed by the Chairman.

26 ACTIONS ARISING FROM THE MINUTES

None to discuss.

27 ITEMS OF URGENT BUSINESS

None received.

28 DECLARATIONS OF INTEREST

None declared.

29 EXCERPTS FROM THE MONITORING OFFICER'S ANNUAL REPORT

The MO introduced the item and informed Members that appendix F contained information relating to Code of Conduct matters for 22-23. She added that between April 22 and March 2023 there had been a total of twenty Code of Conduct

complaints, seventeen of which related to Parish and Town Councils, whilst three related to the District Council, which was slightly reduced from the twenty-three received in 21-22. It was noted that upon receipt of a complaint, an initial assessment was undertaken to determine whether further action was necessary, at which point officers would liaise with the Independent Person. The MO stated that the most common cause of complaint was alleged disrespectful behaviour, and that the majority of complaints received resulted in no further action, though advice was often given to improve procedures and conduct. She added that whilst two complaints had resulted in Standards Hearings, they had taken place in the current year to avoid the pre-election period. It was noted that GRAC had received the full report, which contained information on Members' registers of interest, and the register of gifts and hospitality.

Questions and Discussion

- i. Cllr N Dixon referred to notes on page 4 relating to Standards Hearings, and suggested that these complaints should be listed alongside others within the table. He added that referring to these complaints in notes meant that less information had been provided. The MO replied that the complaints were from 21-22 and would have been covered in the corresponding report, though the investigations had been delayed meaning that the cases were still active throughout the following year. She added that given that the complaints weren't raised in 22-23, the decision had been made to add them as a note, as opposed to including them in the table. Cllr N Dixon stated that it would be helpful to have comparable information to other complaints to know when the complaints were received, for consistency and transparency of reporting. The Chairman suggested that any future reports should include ongoing complaints within the table. The MO stated that she could make reference to previous year complaints within the table, if required.
- ii. Cllr N Dixon noted that the minutes of the October meeting included an outstanding action related to the investigation of early intervention methods to resolve issues prior to the point of complain. He added that discussions had taken place with NALC in November, but the meeting had been inquorate, and as a result no resolution had been reached. The MO replied that a NALC representative had attended an inquorate meeting in November and discussed a number of issues and early interventions, though it was important to remember that the Council and its partners must not seek to remove or impede peoples' rights to submit a formal Code of Conduct complaint. Cllr N Dixon agreed that it was important not to restrict the right of complaint, but efforts should be made to help improve the Standards process, given that the recent Hearings could potentially have been avoided if greater efforts were made to resolve the issues earlier in the investigation process. He added that the Standards regime was a lengthy and resource intensive process that often left involved parties unsatisfied. Cllr R Macdonald agreed that the outcomes of the Hearings had been disappointing, taking into account the time and resource requirements. The MO stated that she understood the disappointment and concerns with the Standards process, but noted that the Standards Regime was a statutory process that the Council was not able to amend. She added that sanctions only formed recommendations for Parish and Town Councils, which were themselves limited in scope and subject to the approval of the appropriate Council. It was noted that at District level, only more serious matters would be raised to the point of a Hearing. Despite these concerns, the MO stated that the large majority of complaints resulted in no further action which

saved significant resource. She added that Subject Members were always approached to offer an apology where appropriate, but in the most recent cases had declined to do so, meaning that complaints had proceeded to a formal Hearing. Cllr N Dixon accepted the comments but noted that there was a point in the first Hearing where it was apparent that an apology could have resolved the issues much sooner. He added that he would therefore encourage more proactive behaviour to achieve positive outcomes prior to reaching the requirement for a formal Hearing. The MO stated that whilst she was supportive of seeking faster resolutions, she had to be careful not to prejudice the Standards process or her independence as the Monitoring Officer, should the matter proceed to a Hearing. Cllr N Dixon suggested that at the very least efforts should be made to learn from previous experiences and seek to improve the Council's processes. The MO noted the perceived inadequacies with the Standards system, but suggested that this was in most part due to legislation that the Council was not able to amend, in addition to resource limitations. She added that giving each complaint the level of attention proposed would require significant additional resource where the Council had no legal obligation to act.

- iii. The Chairman suggested that Democratic Services may help to resolve several issues before they reached the point of complaint and noted that other authorities may deal with a significantly higher number of complaints. The DSGOS stated that Democratic Services Officers did offer advice and support to Parish and Town Councils to help them resolve issues, though this was not always possible, in which case they were referred to the Code of Conduct complaints process. The MO added that Democratic Services also administered the Town and Parish Forum which gave Councillors and Clerks the opportunity to raise issues and seek advice from officers.
- iv. Cllr N Dixon proposed that a report be brought back to the Committee on the outcome of discussions with NALC in November 2022, and that officers continue to consider options to reduce the burden of the Standards process. He added that without minutes it was difficult to know what was discussed at the November meeting, and a report would help to determine any outcomes. The MO suggested that with no formal record of discussion from the November meeting, it may be prudent to reinvite NALC representatives to a future meeting to discuss options with a view to securing outcomes. Cllr N Dixon suggested that he would be open to adopting this suggestion as part of his recommendation. The Chairman suggested that all Members should be invited to attend such a meeting, given that all Members were associated with Parish or Town Councils. Cllr R Macdonald seconded Cllr N Dixon's amended proposal.

RESOLVED

To invite NALC representatives to attend a future meeting of the Standards Committee to discuss and consider options for an early complaint resolution process.

30 DISPENSATIONS

The MO introduced the item and informed Members that the Committee held responsibility for consideration and granting of dispensations, but it had been agreed that waiting for Standards Committee meetings to undertake these responsibilities

was not an efficient process. As a result, delegated authority was granted for the MO sign-off dispensations in liaison with Committee Members. It was noted that Cllr V Holliday had therefore been granted a dispensation to allow her to debate matters related to second homes and holiday lets.

RESOLVED

To receive and note the update on any dispensations granted.

31 ANY OTHER BUSINESS (TO INCLUDE AN UPDATE ON RECENT STANDARDS COMPLAINTS)

The MO reported that there were no Hearings planned for the foreseeable future, though three Code of Conduct matters were at the assessment stage and officers were liaising with the Independent Person.

32 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 2.49 pm.

Chairman