

STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee held on Thursday, 18 February 2021 at the Council Chamber - Council Offices at 2.00 pm

Committee

Members Present:

Mr H Blathwayt (Chairman)	Mr J Rest (Vice-Chairman)
Mr A Brown	Mr N Dixon
Mrs G Perry-Warnes	Miss L Shires

Officers in

Attendance:

Democratic Services Manager (DSM), Democratic Services and Governance Officer (Scrutiny) (DSGOS) and Interim Monitoring Officer (IMO)

24 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

25 PUBLIC QUESTIONS

None received.

26 MINUTES

Minutes of the meeting held on 27th October 2020 were approved as a correct record and signed by the Chairman, subject to the following minor amendments:

Page 2 - 31st April to be changed to 30th

Page 2 – Repeated word ‘then’ removed

27 ACTIONS ARISING FROM THE MINUTES

- i. Cllr N Dixon referred to an agreed outcome on page 4 that a written answer would be provided, and noted that he was yet to receive that answer. The DSM replied that the previous Monitoring Officer had now left the organisation, and it was not deemed appropriate request an answer at the time. It was accepted that a response was still required and the DSM asked whether the Interim Monitoring Officer could provide any further response. The IMO stated that she was not able to answer the question as she was not in attendance at the meeting in question and did not write the report.
- ii. Cllr A Brown suggested that it might be possible for the Chief Executive to provide a written response.
- iii. Cllr L Shires stated that she did not believe the matter fell within the remit of the Standards Committee, and therefore agreed that the most appropriate solution would be for the Chief Executive to provide a written response.
- iv. Cllr G Perry-Warnes reiterated concerns she had raised at the last meeting

regarding the issue not falling within the remit of the Standards Committee, and stated that as the report author had left the organisation, it was not appropriate for and answer to be given on their behalf.

- v. The Chairman stated that he was supportive of requesting that the Chief Executive provide a written reply and asked whether this would be satisfactory. Cllr N Dixon replied that he was satisfied that this would provide an adequate reply, but raised concerns that he felt the matter still related to the Standards Committee and should be seen by Committee Members.
- vi. Cllr L Shires stated that she did not believe that contract procurement exemptions were relevant to the Standards Committee, and asked for clarification on the matter to avoid unnecessary discussion. The DSM replied that she had reviewed the Committee's TOR and stated that its purpose was to promote and maintain high standards of conduct for Councillors, training, granting dispensations, assessing allegations of misconduct, overseeing whistleblowing and maintaining oversight of the constitution. She added that the Committee's primary focus was Member conduct, and the matter being discussed fell within the remit of GRAC. It was noted that audit work had begun on procurement exemptions that sought to improve the process, with a report expected at GRAC in September.
- vii. The Chairman noted that the previous meeting the meeting had moved into private session to discuss exempt matters, and reiterated that this had been a justified action, despite concerns. He added that from that meeting, someone appeared to have leaked exempt information, and this was a matter of serious concern. The DSM added that this was a breach of the code of conduct, and reminded Members that they must abide by the rules of confidentiality. Cllr N Dixon noted his agreement, and stated that the Standards Committee ought to set the standard for all Committees. Cllr J Rest asked for clarification on whether the minutes of the last meeting covered exempt discussion, and it was confirmed that the minutes had been sanitised for publication.
- viii. Cllr A Brown referred to the review of the Member-Officer Protocol and asked whether the review had commenced. The DSM replied that it was due to be reviewed by the Constitution Working Party in April, and that an update would be provided once this had taken place.

28 ITEMS OF URGENT BUSINESS

None received.

29 DECLARATIONS OF INTEREST

None declared.

30 PARISH AND DISTRICT MEMBERS' REGISTER OF INTERESTS AND OFFICER REGISTER OF GIFTS AND HOSPITALITY

The DSGOS informed Members that the registers were available in Democratic Services for review, and that a flowchart to guide Members through the process of declaring an interest was being produced as a result of a corporate governance audit recommendation.

In response to a question from the Chairman, the IMO suggested that it would be

best to declare event tickets on the Member's register, even if the value was unknown.

31 UPDATE ON CHANGES TO THE MODEL MEMBER CODE OF CONDUCT

The IMO introduced the report and informed Members that it outlined the key aspects of the new code of conduct, as well as covering the likelihood of adoption. She added that information on the Council's obligations to develop a code in-line with the Nolan principles, had also been provided. It was noted that Council's currently used varying codes of conduct, and the proposals sought to develop and implement one code of conduct that would apply to all Councils in Norfolk. The IMO noted that the review was launched in response to a recommendation from the Committee on Standards in Public Life, and that a draft of the new code was included for consideration.

Questions and Discussion

- i. Cllr J Rest referred to table 2 on page 11, and noted that it was disappointing to see that County Councillors were the lowest respondents to the survey. Cllr N Dixon stated that in principle, adopting a common code of conduct was a very positive proposal, taking into account the time and resources spent developing Council specific policies.
- ii. Cllr A Brown said that he agreed with Cllr Dixon's comments on a common code of conduct, and asked what mechanism would be used to determine the final wording of a shared document. The IMO stated that Monitoring Officers across Norfolk were working together to reach consensus, and would bring the proposals back to their respective Standards Committees for approval in due course. The DSGOS noted that there would be a further opportunity to review the document in April, prior to final approval.
- iii. Cllr N Dixon suggested that it could be useful to indicate the Committee's support for the continuation of the process, to develop a one County approach for a universal code of conduct.

AGREED

To note the Committees' support for the ongoing development of a one County approach to create a universal Members code of conduct for use across all Norfolk Councils.

32 RESPONSE TO REVIEW OF CORPORATE GOVERNANCE ARRANGEMENTS - MEMBERS INTERESTS

The DSM introduced the report and stated that the corporate governance review had resulted in several recommendations that required implementation prior to review by GRAC. It was noted that regular reminders would be sent to Members to check and update their registers if required, and that an online form was being developed that would significantly reduce the resource required to update Parish registers. It was stated that this would be introduced once the new code of conduct was agreed, to allow for any changes. The DSM reported that the next recommendation sought to help Councillors declare interests at meetings by including a flow-chart on all agendas. She added that Members would also be reminded that the MO and Democratic Services Officers were also available to offer advice during meetings, if

required.

Questions and Discussion

- i. Cllr J Rest referred to comments on bias and pre-determination identified on page 59, and asked whether Members had to declare their bias at public meetings, and if Members could expect to be challenged for this. The DSM replied that this was a default form and the wording could be amended if necessary.
- ii. Cllr L Shires stated that the online web form would save significant officer time, and noted that the comments on pre-determination likely referred to regulatory committees as opposed to Full Council. The DSM confirmed that the pre-determination and bias referred more to regulatory committees, and was not as relevant at Full Council.
- iii. Cllr A Brown asked whether the pre-determination test had been taken out of context, and asked for clarification of the process for updating Members' registers when new information was submitted, and whether online forms would use electronic signatures. The DSM replied that she did expect that electronic signatures would be used, and noted that the Democratic Services Team were responsible for updating the registers once information had been submitted, though this was not always forthcoming. She added that it was hoped that online forms would expedite this process by reducing the number of sign-offs required to update Members' registers. Cllr A Brown added that it could be useful for Parish Councillors to be reminded to update their registers.
- iv. Cllr N Dixon referred to comments on pre-determination and bias, and noted that this was of crucial importance to the Standards Committee, taking into account its role to conduct hearings on potential breaches of the code of conduct. He then referred to Councillors exposure to online trolling, and stated that it was important that Councillors were not prohibited from expressing their views. Cllr N Dixon stated that ultimately, the process for declaring interests had to ensure that Members could not knowingly conceal an interest to make personal gain from a decision.
- v. Cllr G Perry-Warnes raised concerns regarding the declaration of biases, and noted that they were a vital aspect of cognitive processing, and suggested that they could be addressed through training. The DSM stated that she would look to amend the wording to address the concerns raised.
- vi. Cllr L Shires stated that she was supportive of the second flowchart example, and felt this would be very helpful for Members who needed to declare interests at meetings. Members indicated their support for the second flowchart.
- vii. It was proposed by Cllr L Shires and seconded by Cllr A Brown to accept the recommendations as listed in the agenda.

RESOLVED

- 1. To note the review of Corporate Governance Arrangements and endorse the management response.**
- 2. To support the inclusion of a flowchart in all committee agendas to assist**

members with declaring interests at meetings.

- 3. To recommend to Council that the Constitution be amended to reflect any consequential changes made in response to the governance review.**

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

The IMO noted that there was no substantive update, with approximately ten code of conduct complaints received in the last six months, none of which had been referred for further investigation.

The DSGOS confirmed that the next meeting was scheduled to take place on 20th April 2021.

34 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 3.11 pm.

Chairman