

STANDARDS COMMITTEE

**Minutes of the meeting of the Standards Committee held on Tuesday, 12 October 2021
at the Council Chamber - Council Offices at 2.00 pm**

Committee

Members Present:

Mr H Blathwayt (Chairman)
Mr A Brown

Mr J Rest (Vice-Chairman)
Mrs G Perry-Warnes

Officers in

Attendance:

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

46 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr L Shires and Cllr N Dixon.

47 PUBLIC QUESTIONS

None received.

48 MINUTES

Minutes of the meeting held on 27th April 2021 were approved as a correct record and signed by the Chairman.

49 ACTIONS ARISING FROM THE MINUTES

- i. Cllr A Brown referred to comments made regarding the review of the Member/Officer Protocol, and noted that a response had not been received from the DSM. The DSGOS confirmed that he would ensure a response was provided by email.
- ii. It was confirmed, in response to a question from Cllr G Perry-Warnes that excerpts from the Monitoring Officer's Report relating to code of conduct issues did fall within the remit of the Committee, and had been provided for the Committee's consideration.

50 ITEMS OF URGENT BUSINESS

None received.

51 DECLARATIONS OF INTEREST

None declared.

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

The DSGOS reminded Members that all registers were available for review in Democratic Services.

53 EXCERPTS OF THE ANNUAL MONITORING OFFICER'S REPORT

The MO introduced the report and informed Members that it was an annual requirement that provided a summary of work completed in the previous year. She added that whilst the report covered the period from 1st April 2020 to 31st March 2021, she had only been in post as MO since February 2021. It was noted that an excerpt report had been prepared that contained the sections of the full report that were relevant to the Committee. This included a summary of the Members' register of interests, gifts and hospitality, matters relating to the code of conduct and general advice given to Parish Councils. The MO noted that the agenda also included a separate update for any code of conduct issues that took place after the 31st March 2021.

Questions and Discussion

- i. It was confirmed, following a question from Cllr J Rest that the excerpt was part of the full report presented to GRAC, on matters relating specifically to the Standards Committee. The MO stated that Appendix A had been added, which included information on code of conduct matters that had occurred during the period covered by the report.
- ii. Cllr H Blathwayt referred to Appendix A and asked whether it was an average number of complaints. The MO replied that there was a lower number of complaints than normal, potentially as a result of the Pandemic limiting the number of physical meetings. She added that there were no issues in the period covered by the report that had required significant sanctions.
- iii. Cllr G Perry-Warnes asked whether subject members were notified of all outcomes in relation to complaints, or only those that were escalated. The MO confirmed that subject members were notified of all outcomes, even if no further action was required. She added that subject members were always notified of complaints and offered an opportunity to respond, followed by an investigation with both the subject member and complainant notified of the outcome.
- iv. Cllr H Blathwayt asked whether there were any situations in which NALC were involved in the complaints process, rather than or in addition to NNDC. The MO replied that occasionally the Council would liaise with NALC during the process, but it was a statutory requirement for the NNDC MO to review all code of conduct complaints relating to District, Town and Parish Councils. Cllr H Blathwayt stated that the head of NALC had recently changed, and suggested that it could be helpful for a representative to attend a future meeting to brief Members on their role in supporting Councillors and Councils across Norfolk.
- v. It was confirmed, following a question from Cllr J Rest that no complaints contained within the report had been escalated to the point of Committee involvement. The MO added that many complaints had not required further action, or where minor breaches had been found, resolution could be reached without the need for a hearing.
- vi. Cllr A Brown referred to definitions of bullying and asked what definition the Council had adopted, and how transparent the process of complaint handling

was. He added that complaints often appeared in specific parts of the District, and asked whether this was a concern requiring external investigation. The MO replied that the new code of conduct suggested that no one specific set of circumstances could be defined as bullying, as it covered a range of behaviours and issues. She added that historically there had been some Parish and Town Councils that presented more complaints than others, and it was possible these could be the result of longstanding issues. It was noted that any criminal conduct would be outside the role of the MO, and would therefore need to be referred to the Police. Cllr A Brown referred to Town and Parish Councils as employers, and asked how a breach in contract of employment would be dealt with, and whether there would be an order to investigations if Police involvement was required. The MO replied that she would seek to avoid prejudicing any police investigation. On employment issues, it was noted that this would be a matter for the Parish or Town Council, apart from where an employee had made a complaint about an elected individual.

- vii. Cllr G Perry-Warnes asked whether the Council still used an independent person, and at what stage they would be consulted during an investigation. The MO confirmed that the Council still used an independent person, and they were consulted frequently in respect of all code of conduct complaints.
- viii. Cllr H Blathwayt noted that code of conducts complaints presented a high level of stress for all involved, and suggested that this should be better recognised.

RESOLVED

To receive and note the report.

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

The DSGOS reminded Members that Code of Conduct Training was due to take place on Monday 18th October and all Members were encouraged to attend.

55 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 2.26 pm.

Chairman