

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on 03 October 2017 in the Council Chamber, Council Offices, Holt Road, Cromer at 2.00pm.

Members present:

District Members	Mr D Baker Mrs S Butikofer Mr R Shepherd Mr R Stevens (Chair) Mr R Reynolds
Co-opted Members	Mr R Barr Mr A Bullen Mrs M Evans Mr H Gupta
Officers in attendance	The Monitoring Officer The Democratic Services Manager

1. TO RECEIVE APOLOGIES FOR ABSENCE

Mr B Hannah.

2. PUBLIC QUESTIONS

None.

3. MINUTES

The Minutes of the Meeting of the Standards Committee held on 17 April 2017 were approved as a correct record and signed by the Chairman.

4. ITEMS OF URGENT BUSINESS

None.

5. DECLARATIONS OF INTEREST

None.

6. MUNDESLEY PARISH COUNCIL – RESPONSE TO RECOMMENDATIONS

The Chairman informed Members that the minutes of Mundesley Parish Council Extraordinary Full Council meeting held on 2nd October 2017 had been circulated. He drew their attention to the resolutions made at that meeting and then invited the Monitoring Officer to speak.

The Monitoring Officer began by thanking the Hearing Panel for their hard work during what had been a lengthy and challenging process. The Decision notices from the two hearings had been made public and had generated substantial public interest. She explained that the main allegation had related to the bullying of an employee by Cllr L Stango. She had been accompanied to the hearings by the Chairman of Mundesley parish Council, Cllr D Harding. She said that it was no surprise that the parish council had not supported the recommendations. Throughout the hearing process there had been a lack of acknowledgement that such bullying behaviour was not appropriate and it had been a challenge for the Panel to try and make them realise the extent of the problem.

The Monitoring Officer reminded the committee that the responsibility for sanctions sat with the parish council. The Standards Committee could only express their disappointment. Unfortunately there was nothing further that could be done to enforce the recommendations.

The Chairman invited members to speak:

1. Mr H Gupta sought clarification on the legislation governing standards for elected members. The Monitoring Officer explained that the introduction of the Localism Act in 2011 had changed the regime and that the District Council could only make recommendations.
2. Mr A Bullen said that he was concerned that Mundesley Parish Council's refusal to accept the recommendations could set a precedent and encourage poor standards of behaviour in other parish councils. The Monitoring Officer replied that there were 121 parishes in the District and the majority were willing to accept help from NNDC and many approached the Council for support and advice. She said that she was confident it would not set a precedent as most parish councils took standards issues very seriously, adding that if a council was fundamentally dysfunctional then it was very hard to address such problems.
3. Mr R Reynolds suggested that training in standards and ethics was offered to all town and parish councils. The Monitoring Officer replied that the Council had very limited resources but that two organisations offered training and support and information on these could be circulated via the 121 parish newsletter. This already included a section on standards and focussed on common problems and how to deal with them. She said that it was likely that training would not help in the case of Mundesley parish council as there were very basic behavioural issues at the heart of the problem and most people did not require training in this.
4. Mrs M Evans (Chairman of the Hearing Panel) said that she was not surprised at the outcome. The Monitoring Office had offered advice to the parish council prior to the hearings but this had not been accepted. She said that she was very sad that the Panel had agreed a breach had taken place but that the recommendations were not accepted. This reflected the culture embedded in Mundesley Parish Council.

5. Mr R Shepherd said that he was extremely disappointed in the outcome. It was clear that Cllr Stango had not read the Code of Conduct.
6. The Chairman said that he would like the committee to consider how to follow this up and whether they could exert any pressure on Mundesley parish council. He suggested writing to them expressing the disappointment of the Standards Committee.
7. Mr H Gupta suggested that mentoring would be a way forward. The Monitoring Officer agreed but said this only worked if the parties involved welcomed it.
8. The Chairman suggested writing to Mundesley parish council requesting an update on the training that they had received and details of the training provided that they had used.
9. Mr R Barr queried whether any consideration had been given regarding taking action outside of the remit of the Standards Committee as there could be data protection and disability discrimination issues that could be considered. Mrs Evans replied that the complainant had not been employed long enough to qualify for unfair dismissal. Mrs Shepherd added that the employee must feel extremely let down by the process.
10. Mr A Bullen proposed that the Committee write to Mundesley parish council requesting that once the training was completed they inform the Standards Committee of the benefits they had gained from it. The Monitoring Officer added that she intended to ask them to demonstrate how they were embedding the learning so the committee could request that they share their training programme.

AGREED

1. To write to Mundesley Parish Council expressing disappointment at their refusal to accept the recommendations from the Hearing Panel.
2. To request details of the training undertaken by the parish council along with a programme of how the learning would be embedded going forward.

7. PARISH ENGAGEMENT PROGRAMME

The Chairman invited the Monitoring Officer to introduce this item. She said that three issues of the 121 newsletter had been circulated so far with the most recent issues covering data protection and Freedom of Information requests. Future editions would include advice on dealing with persistent complainers and it might be helpful to include a 'Do's and Don'ts' based on recent problems at Mundesley. Feedback had been very good so far – particularly on the coverage relating to standards matters.

More widely, behaviour at parish council meetings was a challenging issue and some intervention work had taken place to address specific problems.

The Democratic Services Manager then provided details on two upcoming sessions to be held at the Council offices to support parish and town council clerks. The first was being run by the Norfolk Association of Local Councils (NALC) on 29th November and the second by Norfolk Parish Training & Support on 13 February 2018. More information would be circulated when it was available. The Chairman asked whether parish clerks could be made to attend these sessions. The Monitoring Officer replied that they would be strongly encouraged to.

Mr R Reynolds commented on the current situation at NALC. He said that he was aware that there had previously been some problems and asked whether these were resolved. The Monitoring Officer replied that herself and the Democratic Services Manager had recently met with the new County Officer for NALC and it had been a very positive session. She added that NALC issued very good guidance notes and she was happy to refer parish councils onto them.

Mr A Bullen sought clarification on the role of the Standards Committee and whether it was perceived as being constrained by being part of NNDC. The Monitoring Officer replied that as the committee was specifically concerned with ethics and governance it transcended politics and sat above such issues. This position was enhanced by having co-opted members on the committee and the Independent Person. In response to a further question from Mr Bullen regarding responsibility for employment matters at parish councils, the Monitoring Officer replied that in larger councils there was one designated person responsible for such matters. Ideally this approach should be taken across the board to ensure consistency – however, the employment relationship was between the clerk and the council as a corporate body – not just one member.

Mr D Baker said that he had been Mayor of Holt for several years and that he had found the support from NNDC to be invaluable. He added that many parish and town councils needed as much help as possible – Freedom of Information requests alone took up a huge amount of time and the recording of meetings by the public was also challenging. He said that in his experience, face to face communication was always the best approach to resolving a problem.

The next meeting of the Standards Committee was scheduled for 9th January 2018.

The meeting concluded at 14.44pm

Chairman