

STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee held on Tuesday, 27 October 2020 at the remotely via Zoom at 2.00 pm

Committee

Members Present:

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

Members also attending:

Officers in Attendance:

Democratic Services Manager (DSM), Head of Legal & Monitoring Officer (MO) and Democratic Services and Governance Officer (Scrutiny) (DSGOS)

Also in attendance:

Press and Public

16 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

17 PUBLIC QUESTIONS

None received.

18 MINUTES

Cllr N Dixon suggested that with no formal process for ensuring that resolutions or actions from previous meetings had been completed, it would be helpful for future agendas to include an 'actions arising from the minutes' item. He then asked whether recommendations from the 2019 Monitoring Officer's Report had been completed. The MO replied with regards to the recommendations, that training had been provided on access to information both during the Members' induction and again later in the year, as well as training on data protection and freedom of information. On the third recommendation, it was reported that group leaders had been asked to remind members of their obligation to give their apologies and arrange substitutes when unable to attend meetings. Cllr N Dixon sought further clarification on when the training had taken place, to which the MO replied that in addition to the training provided during the induction, further training on access to information had been included as part of the good governance and decision making session.

RESOLVED

Minutes of the meetings held on 1st October 2019 and 3rd March 2020 were approved as a correct record. It was agreed that future Agendas would include

an 'Actions Arising from the Minutes' item

19 ITEMS OF URGENT BUSINESS

None received.

20 DECLARATIONS OF INTEREST

None declared.

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

Members' register of interests and the officer register of gifts and hospitality were available to view in Democratic Services.

22 MONITORING OFFICER'S ANNUAL REPORT 2019-20

The MO introduced the item and informed Members that the report had already been seen by the Governance Risk & Audit Committee (GRAC) as it was presented to the Committee alongside the Annual Governance Statement and covered a number of topics that fell within the Committee's remit. It was presented to Standards Committee because it covered Member Code of Conduct issues. She added that the report covered the statutory obligations of the Council during the 2019-20 year, as well the responsibilities of the Monitoring Officer. It was noted that the report covered the period up to 31st April 2020, and any issues that occurred after this date were not included for discussion. In addition, it was noted that recommendations from the project governance review were still in the process of being implemented by the Corporate Delivery Unit, but would be included in the annual governance statement actions plan, which would allow Members to monitor progress. It was reported that the performance management framework was also due for review in the coming year, and in agreement with the S151 officer, the expanded framework would include service planning and risk. The MO noted that at the time of writing the report, the Corruption, Fraud and Anti-bribery Policy was due for review, though this had now been completed and approved by Cabinet. A new LGA Member code of conduct had also been consulted upon, and finally, it was anticipated that the Member-Officer protocol would soon be due for review. The MO stated that if Members wanted to ask more detailed questions on code of conduct complaints, then then a resolution would be required to move the meeting into private business.

Questions and Discussion

A discussion then took place regarding the Register of Interests during which it was raised that there had been instances during the reporting year when Members Register of Interests were not up to date and to that extent, it could be considered that the report was inaccurate. It was also acknowledged that there were systemic weaknesses in the current system and that it should be reviewed to address these.

Cllr N Dixon referred to a statement on page 29 item C on Members' Registers of Interests, and asked whether this was an accurate statement given recent reports that had come to light. The MO suggested that in order to discuss issues regarding any individual Member's register of interests in more detail, it would be necessary for the meeting to move into private business. It was proposed by Cllr J Rest and seconded by Cllr N Dixon that the press and public be excluded from the meeting.

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part I of Schedule 12A (as amended) to the Act.

A discussion then took place regarding the Registers of Interest and it was acknowledged that the current system had weaknesses and it would be necessary to review the existing processes.

Cllr J Rest commented that Members should check their register of interests more frequently, and added that whilst both officers and Members had to take some responsibility, the onus remained on Members to ensure that their registers were kept up to date.

The Chairman noted that there was general agreement amongst Members that improvements must be made to the process of Members updating their registers.

Cllr N Dixon stated that it was clear that both Members and officers could work to improve the process, and he would therefore propose that a piece of work be undertaken to identify where actions had been remiss, and to outline any improvements that could be made.

AGREED:

- 1. That the report did not reflect lapses regarding updates and changes to the Members' Registers of Interest during 2019/20 and that future reports should ensure that these were included.**
- 2. That the current process for managing elected Members' registers of interest should be reviewed to ascertain weaknesses and flaws and to outline proposed improvements, so that greater confidence could be placed in the process in the future.**

Cllr N Dixon then referred to Section 2, item E of the MO Report 'Investigate misconduct in respect of District, Parish and Town Councillors under the Code of Conduct' and noted in reference to the statement 'a significant proportion', whether this could reflect the actual number of complaints where no breach of the code of conduct had been found. The MO replied that she would identify the number in future reports.

AGREED

That in future the Monitoring Officer's Annual Report would include the number of requests where no breach of the Code of Conduct had been found.

Cllr N Dixon then referred to Section 2, item F of the MO report 'Investigate breaches of the Council's own protocols' He asked if the statement that there had been no breaches was correct given recent reports in the press. The MO replied that the statement referred to Member protocols and the Member code of conduct, such as the planning protocol and Member-Officer protocol. It was noted that employee protocols were covered at a later point in the report. Cllr Dixon commented that he was aware of one allegation relating to a Member, and this should be reflected in the report. However, he acknowledged that as this was currently the subject of an

investigation, it would not be appropriate to discuss it any further at this time.

AGREED

The report did not include a reference to an allegation against one Member during the reporting period, however as the matter was still subject to investigation and had not been proven it wouldn't be appropriate to discuss it further.

Cllr J Rest referred to an investigation that had taken place regarding a cash discrepancy in the Council's Digital Mail Room and asked why this had not been reported. The MO replied that this had not been included as it was covered by the Counter Fraud, Corruption and Bribery Policy, and that this fell within the remit of the Head of Internal Audit and they had conducted the investigation and reported on it. She added that the outcome of the investigation had been fully reported to GRAC on 4th August and discussion had taken place on the matter. She went onto say that as the investigation took place after 1 April 2020, it would be reported in the 2020/21 report. It was acknowledged that there was no reason for not reporting the matter in the public domain.

AGREED

- 1. That no further action was required as remedial action had been taken and this was an appropriate conclusion to the matter.**
- 2. That this matter fell within the remit of the Head of Internal Audit and that now the investigation was closed, there was no reason for the matter not to be reported in the public domain.**

A short intermission was called at the discretion of the Chairman. At this point the Monitoring Officer left the meeting.

Cllr N Dixon referred to contract procurement exemptions, covered on page 38 of the report and sought clarification regarding the reason stated for the exemption for the Peter Thomas Consultancy contract. Cllr N Dixon asked whether the reason given for this exemption in the MO report was an accurate statement, bearing in mind that other justification grounds were cited elsewhere, including the exemption certificate.

AGREED

That in the absence of the Monitoring Officer, a written answer would be appropriate.

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

None to report.

The meeting ended at 3.40 pm.

Chairman