

## **STANDARDS COMMITTEE**

**Minutes of the meeting of the Standards Committee held on Tuesday, 27 April 2021 at the remotely via Zoom at 2.00 pm**

### **Committee**

#### **Members Present:**

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

#### **Members also attending:**

Ms V Gay (Observer)

#### **Officers in Attendance:**

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

### **35 TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies were received from Cllr J Rest.

### **36 PUBLIC QUESTIONS**

None received.

### **37 MINUTES**

Minutes from the meeting held on 18<sup>th</sup> February 2021 were approved as a correct record and signed by the Chairman.

### **38 ACTIONS ARISING FROM THE MINUTES**

Cllr N Dixon referred to item 27 paragraph 5 and updated Members that the CE had provided a response to the Committee, though he did not yet feel that a substantive answer had been provided. He added that he had therefore had a meeting the CE that had given rise to further questions, that he would continue to pursue.

Cllr G Perry-Warnes stated that if the issue were to be raised at the Committee again, she would appreciate confirmation from the MO that it fell within the remit of the Committee.

### **39 ITEMS OF URGENT BUSINESS**

None received.

### **40 DECLARATIONS OF INTEREST**

None declared.

### **41 PARISH AND DISTRICT MEMBERS' REGISTER OF INTERESTS AND OFFICER REGISTER OF GIFTS AND HOSPITALITY**

The DSGOS informed Members that the registers were available to view in Democratic Servicers upon request.

Cllr L Shires noted that District Members received regular reminders to update their registers and asked whether the same reminders were given to Parish Councillors, or whether this service was provided by Parish Clerks. The DSM replied that this was generally covered by Parish Clerks, as there were over a thousand Parish Councillors to monitor. She added that the National Association of Local Councils were encouraging Parish Councils to adopt the new Code of Conduct, and this could lead to more cooperative working with Parish Councils, to improve the process of updating Member's registers. Cllr A Brown suggested that it would be helpful for register update reminders to become a standard item for Parish Council AGMs.

## **42 ADOPTION OF NEW MODEL MEMBER CODE OF CONDUCT**

Cllr V Gay - Chair of the Constitution Working Party informed Members that the CWP had reviewed the new Code of Conduct and were happy to recommend its approval. She added that it was a clear document that thoroughly addressed the Nolan Principles, and it was hoped that neighbouring authorities would also adopt the Code. The MO informed Members that it had been hoped that consensus would be reached to adopt a single Code of Conduct for all Norfolk authorities, though some Councils had adopted with minor amendments, and some were yet to adopt the code. She added that there were significant changes to the code that included an increase in the threshold for the register of gifts and hospitality to £50, and the actions for declarations of interests had been strengthened.

### Questions and Discussion

- i. Cllr N Dixon endorsed the comments made on the aspirations to adopt a common Code of Conduct for Councils in Norfolk, in order develop a common understanding across the County, as well as making resource savings.
- ii. Cllr G Perry Warnes stated that she was in favour of harmonisation across authorities, and noted that the MO had suggested that some Councils had made minor amendments, and asked whether this would be an issue. The MO replied that whilst some authorities may adopt the code with minor amendments, there was no reason that these couldn't be addressed in the future, to achieve the aspiration of a shared Code of Conduct.
- iii. The Chairman stated that whilst it was a large step for all Councils to adopt a shared code, it would be beneficial to improve wider understanding of the Code for Councillors and members of the public.
- iv. The recommendation was proposed by Cllr L Shires and seconded by Cllr N Dixon.

### **RESOLVED**

**To recommend to Full Council that the Model Code of Conduct be adopted.**

## **43 REVIEW OF THE MEMBER / OFFICER PROTOCOL**

The DSM introduced the report and informed Members that there had not been a full

review for some time, though elements had been reviewed at varying stages. She added that as the Code of Conduct was under review, it was now an appropriate time to review the full Member Officer Protocol, as they were considered together during investigations. It was noted that examples from several authorities had been reviewed as part of the process, and most had been considered more robust than the existing Protocol, which supported the case for improvements. The DSM stated that the new Protocol had strengthened its guidance on the roles of Councillors and Officers, in addition to improvements to the guidance for handling cases of bullying and harassment. She added that the CWP had made minor amendments to the wording which had been highlighted, and it was hoped that the new Protocol would be a more robust document for future use. It was noted that the Media Relations Protocol had been reviewed separately by the Communications Manager, but would be merged back into the main document.

### Questions and Discussion

- i. Cllr V Gay thanked officers for developing the Protocol and noted that it hadn't been reviewed for many years. She added that whilst the old Protocol did provide useful guidance, it did not provide a clear statement on the roles and responsibilities of Members and Officers. It was stated that the new Protocol provided clear guidance on these issues, as well as improvements on the Media Relations Protocol in relation to social media. Cllr V Gay stated that the new Protocol would provide clear guidance for Members during the induction process, and throughout their tenure. She added that CWP were happy to recommend its approval.
- ii. Cllr L Shires stated that the new Protocol had been well prepared, and asked for clarification on the extent of consultation with Officers. The DSM replied that she had circulated the new Protocol with CLT and the HR Manager, who had provided feedback on strengthening the guidance on bullying and harassment. She added that it was yet to be shared with wider staff, though if Members were supportive, then it could be shared with the Staff Focus Group to ensure that Officers were aware of the changes and content.
- iii. Cllr A Brown thanked Members of the CWP for their input and noted that the language used was very clear. He referred to section 4.8 on expressions of political opinion, and asked whether these should be restricted to Full Council, or whether these were appropriate at other Committees. Cllr A Brown then asked how Members would be kept informed of relevant ward information, and asked if there was a requirement for Officers to notify Members under these circumstances. The DSM replied that both issues had been raised by CWP and noted that the first point on political statements had been included to make Officers aware that it was an important aspect of Member's roles. She added that some Committees were non-political, such as Overview & Scrutiny and Development Committee, for which there was a separate Protocol that could be referred to. On the matter of ward protocol, it was noted that this was an ongoing issue, and reviewing the Protocol was an opportunity to strengthen this guidance for Officers. She added that there was an expectation for Officers to notify Members of any significant issues in their wards.
- iv. Cllr N Dixon sought clarification on staff consultation and asked whether Officers would have the opportunity to contribute to the working document, if necessary. The DSM replied that if the Committee supported the new Protocol, then she would be happy to share it with Officers, with the

opportunity to provide input if necessary. Cllr N Dixon referred to the guidance on political statements at Committee meetings, and suggested that excluding Full Council, he would encourage further strengthening of this guidance. He added that ward protocol remained an important issue, and it was crucial for Members to be kept informed of all relevant information. Cllr N Dixon referred to point 11.2 and noted that there was a reference to Chief Officers, and asked whether there was a reason for this wording. The DSM replied that this was in the Media Protocol, and suggested that it could refer more widely to senior officers, though she would seek clarification and amend if necessary.

- v. Cllr G Perry-Warnes stated that she agreed with comments discouraging political statements at Committee meetings, then referred to the guidance on ward protocol and asked whether this included Cabinet Members. The DSM replied that it would apply across all Members, if anyone was aware of an issue that had arisen in someone else's ward. Cllr L Shires replied that she was unsure of the level of communication that took place between Officers and other Cabinet Members, and suggested that this issue could benefit from clarification. The DSM replied that the guidance mainly referred to issues that crossed ward boundaries, and sought to encourage communication between Members on these issues. She added that Officers were also expected to inform Members of any issues relating to specific Member's wards.
- vi. Cllr A Brown referred to the Officers identified in section 11.2 and suggested that amendments could be considered to make the document more consistent, as written in 11.1. The DSM replied that she would amend the wording subject to the agreement of the HR Manager.
- vii. Cllr G Perry-Warnes stated that she would appreciate the guidance on ward protocol being amended, to require Cabinet Members and Officers to update Members on all issues within their ward. The Chairman supported the suggestion and said that he had also had issues within his ward that he had not been informed of.
- viii. Cllr L Shires referred to her Mental Health Champion role and stated that where possible, she had shared information to help individuals subject to their permission, though this was not routine.
- ix. Cllr V Gay stated that she did try to contact the relevant ward Member when specific issues arose, though this was not always possible.
- x. On the understanding that the Committee's comments would be given consideration for amendments, the recommendations were proposed by Cllr L Shires and seconded by Cllr A Brown.

## **RESOLVED**

**1. That Standards Committee reviews the revised Member / Officer protocol and considers the inclusion of an additional section on expected behaviours in their upcoming review of the Member Code of Conduct.**

**2. That, following any further amendments by Standards Committee, Council approves the revised Member /Officer Protocol.**

#### **44 ANY OTHER BUSINESS (TO INCLUDE AN UPDATE ON RECENT STANDARDS COMPLAINTS)**

The MO stated that she had no substantive updates in regards to any recent standards complaints.

##### Questions and Discussion

- i. Cllr N Dixon stated that it would be helpful to know how many complaints had been received, and how long they had been in process, potentially with an anticipated completion date. He added that he was aware of complaints that had been active for several months without any outcome determined. Cllr N Dixon proposed that an update be provided at all future meetings on the number of complaints received, and the amount of time they had been active. The MO replied that she would be happy to provide updates at future meetings, and stated that whilst she did not have the full figures available, there were approximately ten matters in progress, which included Parish Council complaints.
- ii. The Chairman asked whether a split was available between District and Parish complaints, to which the MO replied that there were significantly more complaints received regarding Parish Councils, though this could in large part be due to the higher number of Councillors.
- iii. Cllr L Shires stated that she supported the request for an update at every meeting, and suggested that this could also include information on the number of cases where no breach of the Code of Conduct had been found.
- iv. The DSM stated that a summary was previously provided and suggested that she could share previous versions with the MO to provide an update at future meetings. The MO stated that she was happy to provide the information in the future, and noted for the benefit of Members, that when a complaint was received, they passed through a sifting process to determine whether it met the threshold for potentially breaching the Code of Conduct.
- v. Cllr N Dixon stated that an update on complaints was central to the role of the Committee, and stated that the omission should be resolved as soon as possible for future meetings.

##### **ACTIONS**

**To receive an update on standards complaints at all future meetings.**

#### **45 EXCLUSION OF THE PRESS AND PUBLIC**

The meeting ended at 3.01 pm.

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Chairman