

STANDARDS COMMITTEE

12 March 2018

Present:-

Councillors R Radford (Chair), M Asvachin, R Bloxham, J Mathews, R Hodgins, A Mayes and R Saltmarsh

Apologies:-

Councillors B Greenslade, Sir Simon Day and I Hipkin

* **26** **Minutes**

RESOLVED that the minutes of the meeting held on 13 November 2017 and the Assessment Sub Committee held on 29 January 2018 be approved.

* **27** **Items Requiring Urgent Attention**

(An item taken under Section 100B(4) of the Local Government Act 1972).

The Chair had decided that the Committee should consider this item as a matter of urgency, in order that it could determine a way forward to enable a timely response to the Committee on Standards in Public Life's review of local government ethical standards.

The terms of reference for the consultation were circulated at the meeting and could also be found at <https://www.gov.uk/government/consultations/local-government-ethical-standards-stakeholder-consultation>.

The Committee noted the views of the Committee on Standards in Public Life that robust Standards arrangements were needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government and were therefore holding a public stakeholder consultation which was open until 5.00pm on Friday 18th May 2018.

The terms of reference for the review were to:

1. examine the structures, processes and practices in Local Government in England for:
 - a. maintaining codes of conduct for local councillors;
 - b. investigating alleged breaches fairly and with due process;
 - c. enforcing codes and imposing sanctions for misconduct;
 - d. declaring interests and managing conflicts of interest; and
 - e. whistleblowing.
2. assessing whether the existing structures, processes and practices were conducive to high standards of conduct in local government;
3. make any recommendations for how they could be improved; and
4. note any evidence of intimidation of Councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

It was **MOVED** by Councillor Mathews, **SECONDED** by Councillor Radford, and

RESOLVED that Members of the Committee be asked to submit their views on the consultation questions, as outlined in the terms of reference document to the Democratic Services and Scrutiny Manager, in order for a response to be prepared and shared with Members and that agreement of the final version be delegated to the County Solicitor in consultation with the Chair of the Committee.

* **28** **Customer Feedback Monitoring Report - Quarter 3**

The Committee considered the Report of the Head of Digital Transformation & Business Support (BSS/18/02) on feedback, compliments, representations and complaints received and handled by the County Council for the third quarter of 2017/2018.

The Report highlighted that throughout Q3 the Council had received 894 items of feedback which was a decrease of 77 items on Q2.

There had been 55 fewer complaints received across the Council in Q3 compared to Q2 (412 compared to 467) (complaints about Children's Social Care decreased from 93 in Q2 to 84 in Q3, in Adult Care & Health they decreased from 73 received in Q2 to 70 in Q3 and complaints in the non-social care areas decreased from 301 in Q2 to 258 in Q3).

In addition, the total number of compliments received had increased from 224 in Q2 to 265 in Q3. The number of MP Letters received in Q3 had fallen significantly. In Q3 there were 142 MP Letters received compared to the 208 received in Q2.

The Council received a total of 9 enquiries from Councillors which was a decrease of 8 enquiries compared to Q2. However, it had been noted that this was not an accurate reflection of Councillor – staff correspondence and in line with the request of the Standards Committee it was suggested that this information be excluded from future reports from 2018-2019 onwards.

Members asked for clarification on the difference between a complaint and a representation and also the potential to move resources between departments to strengthen resilience in responding to and investigating complaints.

It was **MOVED** by Councillor Radford, **SECONDED** by Councillor Mathews, and

RESOLVED that the Report be noted.

* **29** **Standards Committee Annual Report for 2017/18**

The Committee considered the draft of the Standards Committee Annual Report for 2017/18 prepared in line with best practice commenting on its work and developments during the year and on any issues for consideration or development in the future. The draft Annual Report had again been prepared in an easy to read, accessible format.

The Committee acknowledged that the publication, independently, of an Annual Report by the Committee complemented and give rigour to the Council's Annual Governance Statement which it was required to publish on an annual basis.

It was **MOVED** by Councillor Mathews, **SECONDED** by Councillor Bloxham, and

RESOLVED that the Annual Report for 2017/18 be approved and published on the Council's [website](#).

* 30

Ethical Governance Framework: Monitoring

The Committee received the report of the County Solicitor (CS/18/01) summarising feedback from Co-opted Members of this Committee on their attendance at meetings of the Council, Cabinet and Committees since the previous meeting monitoring compliance by Members and Officers with the Council's ethical governance framework.

The Committee were pleased to note that there had been no areas of significant concern or any indication of actions or behaviours that might be felt to have resulted in a potential breach of the Code, acknowledging also that steps would continue to be taken to address practical and procedural matters in light of Member's comments arising from both this and the previous monitoring reports in future training sessions.

The Committee welcomed the observation that the use of forenames was not appropriate in a Committee meeting and also welcomed the suggestion of a reminder to Members regarding declarations of interests at meetings.

It was **MOVED** by Councillor Bloxham, **SECONDED** by Councillor Radford, and

RESOLVED that the Report be noted and the suggestion of a reminder in relation to declarations on interests at meetings be welcomed.

* 31

Heart of the South West - Joint Committee Proposal

The Committee considered the Report of the County Solicitor (CSO/18/7) on the establishment of the Joint Committee in relation to the Heart of the South West, with a focus on the Governance arrangements in place.

The Report highlighted that the Joint Committee commenced in January 2018, in relation to the Heart of the South West Devolution activities. In February 2017 (Minute 86 refers) the Council gave 'in principle' approval to the establishment of a HotSW Joint Committee, subject to approving the Joint Committee's constitutional arrangements and an inter-authority agreement necessary to support the Joint Committee, which provided the governance framework to take forward the devolution and productivity dialogue with Government.

The key role of the HotSW Joint Committee was to develop, agree and ensure the implementation of the Productivity Strategy.

The Committee noted that all Members of the Joint Committee would observe the "Seven Principles of Public Life" (the 'Nolan' principles) and would be bound by their own authority's Code of Conduct in their work on the Joint Committee and that Joint Committee Members / representatives would also be subject to the Code of Conduct for elected members adopted by the Constituent Authority that nominated them to be a Joint Committee Member. This included the requirement to declare relevant interests at formal meetings of the Joint Committee.

In summary, the Committee noted the arrangements that Members of the Joint Committee were expected to adhere to and the requirements of the 'Arrangements' document, as agreed by the Council on 7 December 2017 and that Members were expected to maintain high ethical standards of actions and behaviours.

RESOLVED that the Governance arrangements for the Joint Committee, particularly in relation to adherence to Codes of Conduct and high standards of ethical behaviour be noted.

* 32

Intimidation in Public Life - Select Committee Report and Recommendations

The Committee considered the Report on the County Solicitor (CS/18/10), on the Review by the Committee on Standards in Public Life regarding Intimidation in Public Life.

Members noted that the Report followed a request to undertake a review on the intimidation of Parliamentary candidates in July 2017, but also considering the wider implications for public office-holders, and producing recommendations for action.

The recommendations, it was suggested, should be implemented together, as a comprehensive response to the issue. Of note was the widespread use of social media which had been the most significant factor accelerating and enabling intimidatory behaviour in recent years.

The executive summary of the Report, which had been circulated with the agenda included a table of recommendations, mainly aimed at social media companies. However, there were other recommendations for Government and policing organisations, as well as recommendations for those in positions of leadership within political parties and political parties themselves.

The Members noted the recommendation for Local Authority Monitoring Officers to ensure that members required to declare pecuniary interests were aware of the sensitive interests provisions in the Localism Act 2011 and were reminded that this was included in the Members Code of Conduct in the Constitution.

In addition, there were five recommendations aimed at all those in public life including not engaging in intimidatory behaviour, nor condoning or tolerating it (all in public life had a responsibility to challenge and report such behaviour), seeking to uphold high standards of conduct, adhering to the Seven Principles of Public Life, and helping prevent a decline in public trust in political institutions, setting and protecting a tone in public discourse which was not dehumanising or derogatory, and which recognised the rights of others to participate in public life. Also having a responsibility not to use language which engendered hatred or hostility towards individuals because of personal characteristics; and not engaging in highly personalised attacks, nor portray policy disagreements or questions of professional competence as breaches of ethical standards.

Members noted that the report made recommendations meaning that all those across public life must work together to address the problem and there needed to be greater action from social media companies, political parties, Parliament, the police, broadcast and print media, and from MPs and Parliamentary candidates themselves. This in turn meant leadership by the largest political parties, which, as the report highlighted, was all the more important in the light of recent allegations of sexual harassment and bullying in Parliament which had shaken public confidence.

Members were asked to share the Report with their own political parties.

It was **MOVED** by Councillor Radford, **SECONDED** by Councillor Bloxham and

RESOLVED that the Report be noted.

* 33

Local Determination of Complaints

The County Solicitor reported that, since the last meeting, one complaint concerning an alleged breach of the Members Code of Conduct had been received, as reflected in the Minutes of the Assessment Sub Committee which the Committee had received earlier in the Agenda. The County Solicitor reported that the outcome of the investigation would report to a meeting of the Standards Committee in due course.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 3.20 pm

