

# Public Document Pack

Subject to approval at the next Standards Committee meeting

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## STANDARDS COMMITTEE

15 December 2022 at 6.00 pm

Present: Councillors English (Chair), Kelly (Vice-Chair), Edwards (Substitute for Caffyn), J. English and Gregory

Also present was Independent Person Mr John Cooke.

### 537. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Independent Persons Mrs Sandra Prail and Mr John Thompson, and Councillors Caffyn, Coster, Daniells and Wallsgrove.

### 538. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

### 539. MINUTES

The Minutes of the meeting held on 13 October 2022 were approved by the Committee. These would be signed at the end of the meeting.

### 540. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

There were no urgent matters for this meeting.

### 541. PUBLIC QUESTION TIME

No public questions had been submitted for this meeting.

### 542. MONITORING OFFICER REPORT

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He explained that the latest version of the Constitution had been published in May this year, however, he had since identified a number of items that required amendments such as Officer job titles. A meeting of the Constitution Working Party had taken place the previous week, and recommendations to amend the Constitution would be

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presented to Full Council in January 2023. The Local Assessment Procedure would be presented to this Committee in February 2023 for update. The Protocol on Member and Officer relations and Member Learning & Development were separate agenda items on this agenda.

There were no questions from Members

The Committee noted the report.

#### 543. MEMBER LEARNING AND DEVELOPMENT

Upon the invitation of the Chair, the Monitoring Officer introduced the report, which updated the Committee on the progress of the Member Induction Programme that was being prepared by the Committee Services Manager and the Monitoring Officer. He thanked the Committee Services Manager for her work on this. The programme would be implemented following the May 2023 local elections and would cover the induction, learning and development for all Councillors across the full range of their responsibilities and Committee memberships. He drew Members' attention to pages 15 to 21 which contained the draft Member Induction Programme. He explained that at the request of the Chair, the 2019 Member Induction Programme had also been appended to the report. The final version of the Member Induction Programme would be coming back to the Committee in February for further comments.

Members then took part in a question and answer session where the following points were raised:

- Would Parish Councils that had signed up to the Code of Conduct be given training after the elections? The Monitoring Officer explained that training would be available to Members of all Town and Parish Councils, and he would be offering briefings or training sessions to them.
- The Monitoring Officer and Committee Services Manager were praised for the high standard of the Member Induction Programme.
- Would prospective new Councillors be aware of what was expected of them with regards to attending these training sessions, prior to the elections? The Monitoring Officer confirmed that he would be happy for the calendar of training to be issued to all prospective candidates.
- There was some concern that some Councillors may not be able to attend the daytime sessions, which may require taking time off from work. The Monitoring Officer explained that some sessions were to be repeated – during the daytime and evening so Members could pick the most convenient time for them. They had been very conscious of trying to minimise the impact on Members whilst balancing the amount of content the Members would need to get through. They also had to factor in the availability of external trainers and Officers.

- It was asked whether the figures on Member attendance levels at daytime training sessions during the 2019 Member Induction Programme could be provided. The Monitoring Officer confirmed he would circulate this information to Members of the Committee outside of the meeting.
- Were existing Councillors that had retained their seats expected to undertake the same training sessions as newly elected Councillors? The Monitoring Officer confirmed that all Councillors were expected to undertake the full training.

The Committee noted the report.

#### 544. MONITORING OFFICER PROTOCOL

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He explained this was a new Protocol and was something that would sit within the Constitution and the Corporate Governance Framework. It set out the statutory duty and powers of the Monitoring Officer, and would ensure clarity of the Monitor Officer's functions in advance of and beyond the May elections. He drew Members' attention to the Statutory Functions of the Monitoring Officer set out in pages 41 and 42, and explained the Protocol could be found on pages 37 to 40.

There were no questions from Members

The recommendations were proposed by Councillor Edwards and seconded by Councillor Gregory.

The Committee

#### RESOLVED

That the draft Monitoring Officer Protocol attached as the Appendix to this report be endorsed; and

#### RECOMMEND TO FULL COUNCIL

That the Monitoring Officer Protocol be included within Part 8 of the Constitution.

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545. REVIEW OF OPERATION AND EFFICACY OF THE PROTOCOL FOR MEMBER AND OFFICER RELATIONS

Upon the invitation of the Chair, the Monitoring Officer introduced the report which brought forward a revised Protocol for Member and Officer Relations. The revised Protocol brought the document up-to-date in order that it was fit for purpose and ensured that both Members and Officers understood their responsibilities, their relationships, where and how those intersected and how they worked together in decision-making and day-to-day working. This document formed part of the Constitution and set out how this two-way relationship would be governed and it specified the way in which disagreements would be dealt with. Changes to the document were shown as tracked changes in the appendix. The Monitoring Officer then explained each of the changes and took questions from Members following each one. The questions from Members are summarised below.

Paragraph 7.1 – In cases where the Chair of a Committee found something in a report misleading or inaccurate, but the Officer disagreed, would this progress to the next level? The Monitoring Officer confirmed this was the case and the next step would be for it to be discussed with the relevant Group Head or Director. However, he stressed this would only be in extreme cases.

Paragraph 10.3 – it was felt by the Committee that some Members did not treat Officers with enough respect in meetings and via social media. What were the consequences of this for Members? The Monitoring Officer explained that failure to adhere to the Member/Officer Protocol could be a breach of the Code. He also explained that part of his role was to speak to Members and Group Leaders when necessary to offer advice. This could be done with or without a formal complaint being made.

It was felt the wording on 10.3 'Members should not' should be made stronger and be amended to 'Members shall not'. The Monitoring Officer agreed to change this wording to 'Shall not'.

It was understood by some Members that anything they wrote on their personal social media accounts did not count as being in their Councillor capacity, it was asked whether this should be reviewed? The Monitoring Officer explained that the first filter for a complaint was whether the Councillor had been acting in their capacity at the time. If this was not the case it was unlikely to fall within the scope, however, advice from the Monitoring Officer to inform that their actions were not in line with the Member/Officer Protocol, could still be given.

Paragraph 10.6 – The Monitoring Officer confirmed this wording should say 'they should raise the matter with their line manager **or** Group Head' and the comma should be removed between 'line manager' and 'Group Head'.

Clarification was sought on whether Officers and Members were still able to go down the route of a complaint if they considered a matter to be serious enough. The Monitoring Officer confirmed this was a choice that the individual could make, however there was also an informal option available to them.

Paragraph 13.1 – There was a discussion around whether Members only being able to approach very senior Officers for information on all matters was the best option and most appropriate use of resources. Members understood that some more helpful Officers were at risk of being bombarded with requests if there was not a correct system in place. Members felt that the correct procedure should be to approach a Group Head in the first instance, who could then filter down to their team, or up to the Directors or Chief Executive as appropriate. The Monitoring Officer agreed to re-order the list of Officers to approach in this paragraph to Group Heads, Directors and/or the Chief Executive.

Members felt that a directory covering which Group Head to contact for which matters, including contact telephone numbers would be beneficial to them. The Monitoring Officer explained that this was not within his remit, however, he agreed to feed this request back to his colleagues.

Paragraph 13.2 – Some Members felt that there should be a fixed response time for Officers to reply to Members that was quicker than for members of the public, as they were elected to represent the public, and should have quicker access to information in order to carry out their roles.

The recommendations were proposed by Councillor Edwards and seconded by Councillor Gregory.

The Committee

RESOLVED

That the position set out in the report regarding the operation and efficacy of the Protocol for Member and Officer Relations be noted; and

RECOMMEND TO FULL COUNCIL

That the revised version of the Protocol for Member and Officer Relations be adopted.

546. WORK PROGRAMME

The Committee noted the Work Programme.

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547. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He drew Members' attention to the table at Paragraph 4.2 which gave an overview of the complaints received since the last Committee meeting.

There were no questions from Members.

The Committee noted the contents of the report.

548. EXEMPT INFORMATION

The Committee

RESOLVED

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the items.

549. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS

Upon the invitation of the Chair, the Monitoring Officer introduced the report.

Following a discussion, the Committee noted the contents of the report.

(The meeting concluded at 7.10 pm)