

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on Wednesday, 28 April 2021 at 6.00 pm in Remote Meeting

Present: Councillors A R H England (Vice-Chair), N A M England, J Jones (Chair), G C W Reynolds, P J Scott and J M Seymour

In Attendance: A Lowe (Associate Director: Policy & Governance) and J Galkowski (Democracy Officer)

Apologies: R T Kiernan

ST16 Declarations of Interest

None.

ST17 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting held on 24 March 2021 be confirmed and signed by the Chair.

ST18 Update on the LGA's Model Code of Conduct

The Associate Director: Policy and Governance presented an update on the LGA's Model Code of Conduct. This matter had previously been considered in by the Committee in March 2021. Members were reminded that, in January 2019, the Committee for Standards on Public Life on Ethical Standards in Local Government recommended that there should be a model code of conduct adopted by all local authorities so there was consistency across the country. The Local Government Association then consulted upon the contents of a model code and the final version was published in December 2020.

At the last meeting of the Committee concerns were raised in relation to three areas in particular that the Committee had felt required further discussion, these being:

- 1) The financial limit in respect of gifts and hospitality;
- 2) the application of the Code in respect of private matters;
- 3) the wording of the Code in relation to interests.

The Associate Director: Policy and Governance advised Members that the Code could be updated throughout to make reference to £25 rather than £50. Discussion took place regarding the extent to which the model Code extended into personal matters. It was proposed that two additions be made to the Code of Conduct for clarity.

Proposals were put forwards as follows:

- That under the Application of the Code of Conduct (page three) that it be added that the code would not apply to members private lives unless reference to their position as a councillor had been made.
- Additionally after the first paragraph on page seven, Section 5.1, that additional clarification be added to make it clear when the Code might apply to personal matters. An exception to this would be any criminal activity that would disqualify someone from being a councillor or activity that would bring the role of councillor into disrepute.

Members raised questions regarding the use of the word 'somehow' in the report, and concerns about how it may be interpreted as it appeared ambiguous.

It was proposed and seconded that the word "somehow" was removed from the Code of Conduct.

In the LGA's Model Code of Conduct there were three different types of interest listed: pecuniary, other registerable interests and other non-registerable interests. This would differ from the current code of conduct used by the Council which did not make the distinction between registerable and non-registerable interests. It was suggested that as there was no real difference in the way those interests were dealt with, that reference to non-registrable interests be deleted and incorporated into the registrable table. This would replicate the current process and reduce confusion.

Some Committee members felt that at Parish level discussions about pecuniary interests had been left to individuals to decide, which caused confusion about what should be declared but that this proposal would give clarification.

The Associate Director: Policy and Governance stated that despite this amendment it would still be the responsibility of members to decide what to declare and any appropriate course of action to take. It was a criminal offence not to declare a pecuniary interest, or not to leave a meeting where a matter in which a Member had a pecuniary interest was being discussed. Members could seek advice from the monitoring officer should they have questions about interests and, once a new Code was adopted, further training would be available at borough, town and parish levels. A question was raised regarding the addition of wording surrounding safeguarding.

Upon being put to the vote it was, by a majority:

RESOLVED – that

- a) Additional wording proposed on page three and page seven of the Code of Conduct to be adopted with the use of the word 'somehow' deleted; and**

- b) **Wording of Pecuniary, other registerable interests and other non-registerable interests be amended to Pecuniary and non-pecuniary interests.**

ST19 Update on Committee for Standards in Public Life Report

The Associate Director: Policy and Governance gave Members an overview of the background to the report. In January 2019 the Committee for Standards on Public Life issued a report on Ethical Standards in Local Government and, as well as recommending a model code of conduct be introduced, it also made 15 recommendations for best practice. These did not require a change of legislation, unlike many other recommendations in the report that were still awaiting response at government level.

The purpose of the report was to provide an update with regard to the position of each of the recommended principles, since the last update in February 2020 some actions had been implemented with some being put on hold due to the response to the Covid-19 pandemic.

The Committee was asked to refer to item 4.2 of the report which was a table outlining each of the principles, the agreed action and a current update on the position. It was noted that principles one to four were being dealt with through the adoption of the new code of conduct or activity that had already been undertaken by the council and would not require further discussion at this stage. However, a more in depth update was provided for each of the recommended principles below;

- Principle 5: Publication of the gifts and hospitality register was accepted in February 2020 but it was agreed it would be on update of register rather than quarterly. There has been no updates to the register but this was to be expected and the initial publication will be by no later than end of July 2021.
- Principle 6: It was agreed that the public interest test publication would be adopted after the new Model code of conduct was in place. The Associate Director: Policy and Governance had liaised with the Independent Person regarding this and informed members that whilst the Council does perform a public interest test currently, there was nothing in writing to set out the process. A process was being developed moving forward.
- Principle 7: Local authorities should have access to at least two independent persons as agreed by the Committee in February 2020. A recruitment pack had been prepared and reviewed but recruitment had been deferred due to the Covid-19 Pandemic. The recruitment process would be run jointly with Shropshire and Wrekin Fire Authority in order to provide consistency. Once an appointment had taken place it would be reported back to the Committee.
- Principle 11: That formal standards complaints about the conduct of a Parish councillor towards a parish clerk should be made by the chair or

parish council as a whole, rather than by the clerk. It had been expected that this would be covered in the model code of conduct, but this had not been the case. Instead, this would now be dealt with within the complaints information available to complainants.

- Principle 14: The Council should be reporting on separate bodies they had established or owned in their Annual Governance Statement. These bodies should also abide by best practice principles by making agendas, minutes and reports accessible. This was ongoing and being progressed internally.
- Principle 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues. There had been previous discussions in February 2020 about confidentiality issues around this and it was agreed.

The meeting ended at 6.41 pm

Chairman:

Date: Tuesday, 13 July 2021