



**NOTES
OF THE MEETING OF THE
STANDARDS COMMITTEE
THURSDAY 2 JULY 2015**

Held at 5.30 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

PRESENT:

Councillors R A Adair (Chairman), K P Beardsall, R Hetherington, E J Lungley, S E Mallender, M W Suthers

Independent Members: G Norbury, K White, W A Wood

OFFICERS PRESENT:

V Nightingale Senior Member Support Officer
D Swaine Executive Manager - Operations and Corporate Governance

APOLOGIES FOR ABSENCE:

Independent Person: J R Baggaley

1. Declarations of Interest

There were none declared.

2. Notes of the Previous Meeting

The notes of the meeting held on Tuesday 9 December 2014 were accepted as a true record.

3. Complaints Procedure and Hearings Process

The Executive Manager - Operations and Corporate Governance gave a presentation outlining the Councillor complaints procedure and ethical standards. He stated that the standards regime had been revised in 2012 and that the Council had adopted a new Code in June 2012, which had been reviewed in September 2013. The Council had agreed to retain the Standards Committee with a membership of six Councillors and 3 co-optees - 2 parish representatives and 1 individual person. As a requirement of the Localism Act local authorities needed to appoint an Independent Person to assist the Monitoring Officer when considering complaints; it was noted that the Council had appointed Mr J Baggaley in December 2013.

With regards to the Committee's terms of reference these were

- Promoting and maintaining high standards of conduct by Councillors
- Assisting Councillors & to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the operation of the Member's Code of Conduct;

- Advising, training or arranging to train Councillors and on matters relating to the Members' Code of Conduct;
- Dealing with complaints about Councillors in accordance with the published Members' Complaints Procedure approved under section 28(6) of the Localism Act 2011;
The exercise of the above in relation to Members of parish and town councils
- granting dispensations to Councillors and co-opted Members from requirements relating to disclosable pecuniary interests;
- considering any referral by the Chief Executive relating to the failure of a member to attend any meeting during a period of three months

For clarification the Executive Manager - Operations and Corporate Governance stated that the Committee could grant a dispensation if it was felt that the meeting would not occur as there would be too many people declaring an interest, providing that this was in the public interest. He also said that the Committee could not stop a Member's allowance as a sanction.

Members were informed that the Localism Act 2011 had introduced a new standards regime for local government based on the seven Nolan principles. The new Code, which had been adopted by Council in June 2012, took a light touch approach and appeared to be balanced. However although the Council's scheme was not too prescriptive the Council had taken it wider than the guidance given by the Department for Communities and Local Government so that Members should declare an interest if it was felt that the interest would be deemed prejudicial by a member of the public. Following a question the Executive Manager - Operations and Corporate Governance stated that interests were required to be registered within 28 days of taking up office.

In respect of complaints the Committee were informed that, for it be accepted, there had to be a breach of the code and that this needed to be evidenced. The Executive Manager - Operations and Corporate Governance explained the complaints process including the timeframe for investigations and who could carry these out, sanctions and possible outcomes. The Committee was informed that quite often a judgement had to be made on whether it was a complaint against a Councillor, if there had actually been a breach of the code and if it should be referred to another authority, ie the County Council or parish council.

Following a question the Executive Manager - Operations and Corporate Governance explained that sometimes a delay in the proceedings could be needed for gathering facts/evidence.

4. **Cases Update**

The Monitoring Officer presented a report which outlined the number of cases that had been received since the implementation of the new regime in 2012. There had been 23 cases in total with 6 being received since the last meeting, however 5 of these related to one parish council. It was noted that 8 cases were not classed as a complaint about a Councillor rather more of a dissatisfaction with Council services. Members felt that often, at a parish level, people were unaware of the requirement of office and could be seen as breaching the code unwittingly. It was stated that a knowledgeable chairman

or clerk could be beneficial in raising people's understanding. Also it was acknowledged that the public did not appreciate what a parish council could or could not do. The Executive Manager - Operations and Corporate Governance stated that training sessions regarding the Code, and how this could be interpreted by members of the public, could be held for parish councillors in the larger villages. It was agreed that an initial event should be held in Ruddington.

The Committee felt that the use of social media should be included in the training as there was often a fine balance between private and public life.

With regard to training the Executive Manager - Operations and Corporate Governance stated that 12 of the new Councillors had attended the Induction session entitled "Your Role in Meetings and Making Decisions" which had explained the Council's Code of Conduct, the expectations of being in public office and the Councillor complaints process. As part of the Councillor Induction Programme sessions on understanding the Development Control process were held on three occasions.

In conclusion the Chairman stated that the Committee met twice a year to discuss issues and training opportunities.

The meeting closed at 6.45 pm.