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Our reference:
Your reference:
Date: Tuesday, 28 January 2025

To all Members of the Standards Committee

Dear Councillor

A Meeting of the Standards Committee will be held on Wednesday, 5 February 2025 at 7.00 pm in the to consider the following items of business.

This meeting will be accessible and open to the public via the live stream on YouTube and viewed via the link: <https://www.youtube.com/user/RushcliffeBC>
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Yours sincerely



Sara Pregon
Monitoring Officer

AGENDA

1. Apologies for Absence
2. Declarations of Interest
[Link to further information in the Council's Constitution](#)
3. Minutes of the Meeting held on 6 February 2024 (Pages 1 - 6)
4. Cases and Work Update (Pages 7 - 12)

The report of the Monitoring Officer is attached.

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Membership

Chair: Councillor D Simms

Councillors: T Birch, R Bird, P Matthews, A Phillips, L Plant

Independent Members: K White and A Wood

Meeting Room Guidance

Fire Alarm Evacuation: In the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: Are located to the rear of the building near the lift and stairs to the first floor.

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Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

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The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt



**MINUTES
OF THE MEETING OF THE
STANDARDS COMMITTEE
TUESDAY, 6 FEBRUARY 2024**

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford
and live streamed on [Rushcliffe Borough Council's YouTube channel](#)

PRESENT:

Councillors D Simms (Chair), T Birch, R Bird, L Plant

ALSO IN ATTENDANCE:

K White and A Wood (Independent Members)
C Richards and H Richardson (Independent Persons)

OFFICERS IN ATTENDANCE:

G Dennis	Monitoring Officer
E Richardson	Democratic Services Officer

APOLOGIES:

Councillors P Matthews and A Phillips

1 Declarations of Interest

There were no declarations of interest.

2 Minutes of the Meeting held on 14 November 2022

Ms White said that she was an Independent Member of the Committee, rather than an Independent Person, as recorded in the minutes.

With the above correction, the minutes of the meeting held on 14 November 2022 were approved as a true record and signed by the Chairman.

Councillor Plant referred to the Code of Conduct training and the Monitoring Officer confirmed that this had been provided for Members and had also been incorporated into the Induction Programme for Councillors following the elections last year.

3 Cases and work update 2023-24

The Monitoring Officer presented the Cases and Work Update – 2023-24 report which was a regular report updating Committee on complaints received since the last meeting and on training undertaken or identified as being of assistance to Councillors in understanding the Standard's regime and the actions taken to meet those training needs.

The Monitoring Officer said that thirteen complaints had been considered or

were in the process of being considered during the period. She referred the Group to the table at Appendix A which set out the nature of the complaints and the decision or action taken and she confirmed that all had been discussed with the Independent Persons. She explained that details were not disclosed for complaints which did not come under the Code of Conduct.

The Monitoring Officer said that the Council had committed to support the LGA Debate not Hate campaign and that the Leader has signed their public statement on behalf of the Council. She said that it was for this committee to decide how this would be taken forward by the Council.

The Monitoring Officer said that this was an important topic as many Councillors were declaring that they would not stand again for election due to the abuse they had received and she noted that the LGA were campaigning for Councillor addresses to be withheld from the public. She said that she would report on any progress at the next meeting.

In relation to training, the Monitoring Officer explained that Induction Training had been made available to all Councillors following the elections in May 2023, including introductory training about Standards. The Induction Training had been attended by 28 Councillors, with only four new Councillors being unable to attend. All had been offered the opportunity to have catch up training with Officers separately, and presentation materials from the training sessions were available to all Councillors on their Intranet. She confirmed that the Standards Training had been well attended with only one Standards Committee member being unable to attend.

In relation to the Member Code of Conduct, the Monitoring Officer confirmed that the Committee was required to review it on an annual basis and as such it would be an agenda item at the next meeting of this Committee. She said that the Code of Conduct had last been reviewed by a Working Group following publication of the LGA Model Code, and that the Working Group had recommended changes to more closely align the Rushcliffe Code with the LGA Model Code. She suggested that the Council update its Code when the LGA updated their Model Code but thought it prudent for the Council to continue to review its code annually to ensure that it remained fit for purpose.

The Monitoring Officer said that Members of the Group could suggest other items of business for this Committee to review or explore and any training that it may consider appropriate.

Councillor Plant asked about Code of Conduct training for parishes as she noted that many of the complaints appeared to be in relation to parish/town Councillors. The Monitoring Officer said that it was on the agenda for the next Town and Parish Forum with the whole agenda focussing on governance. She said that National Association for Local Councils (NALC) would be attending the Forum also to present their point of view.

The Monitoring Officer said that it was expected that town and parish councils would have a Code of Conduct and that NALC produced a Model Code which they could adopt. She said that there was some variability between local town and parish council Codes of Conduct, with some being rather out of date, and it

may be that this variability had given rise to some of the complaints due to different guidance being followed.

Ms White – Independent Member said that it was pleasing that complaints were not concentrated in any one area and that completion dates showed that matters were being dealt with quickly so that Councillors and members of the public were receiving answers quickly.

The Monitoring Officer said that whilst there was no set timeframe for responses, she tried to contact people as soon as possible depending on the circumstances. She added that the Council focussed on training and education in its outcome recommendations and said that the Council had limited power to apply sanctions.

Members of the Group referred to negative activity against Councillors on social media. The Monitoring Officer said that the Council did not have powers in this area and referred the Group to the LGA Debate not Hate campaign which sought to give Councillors tools to deal with it. She said that the Council would not fund Councillors in taking legal or civil action but would support them as much as possible. She confirmed that Councillors were elected representatives and not employees of the Council.

The Monitoring Officer said that a report on Debate not Hate would be brought to a future meeting of this Committee and she referred the Group to information about the campaign on the LGA website which could be found [here](#).

The Chair said that it was important for the Council to support the health and wellbeing of its Councillors and the Monitoring Officer said that she would report back to the Group about any counselling and support available to them. The Chair also asked how the Council could support Councillors with interactions with the police and with criminal proceedings.

It was **RESOLVED** that the Committee received and noted the report.

4 **Review of the Protocol on Councillor/Officer Relations**

The Monitoring Officer presented the Review of the Protocol on Councillor/Officer Relations report which provide an update on the operation and efficacy of the Protocol, including awareness of the Protocol by Councillors and any actions taken to improve that awareness.

The Monitoring Officer said that the Protocol was to be reviewed by Standards Committee at least once every four years to ensure that it remained fit for purpose. She said that the Council reviewed its entire Constitution on a yearly basis, which the Protocol formed part of, and that no changes had been made to the Protocol since its adoption. It was considered timely to revisit it now in light of the recent Peer Challenge and to also design a training resource specific to the Protocol to ensure that Councillors and Officers were aware of it and its application.

The Monitoring Officer said that every local authority should have its own written Statement or Protocol governing relations between Councillors and

Officers. She referred the Group to the Council's Protocol at Appendix A which she had reviewed and considered to be aligned with the Council's Code of Conduct. As such she did not propose any amendments at this time but said that if amendments were made to the Council's Code of Conduct in the future, then a review would be required to ensure alignment of the Protocol with those changes.

The Monitoring Officer confirmed that a session on conduct and ethical standards had been included in the Councillor Induction Programme following the elections in May 2023, which had included reference to the Protocol. She said that new Officer Inductions also included reference to the Code of Conduct which included reference to the Protocol.

The Monitoring Officer said that the LGA had produced a Councillor Workbook which could be found at Appendix B and suggested that this could be used to inform a training session for both Councillors and Officers, to assist in understanding of each other's roles and how best to assist each other to achieve the best outcomes for residents.

Ms White – Independent Member raised a number of points, including that both Officer and staff terminology was used in the Protocol, where reference was made to Officers reporting matters to senior managers she suggested that more information be provided as to what that senior should do about it, and where there was reference to signposting that more information be included about this including where and how to signpost.

Members of the Group noted that there was much information provided in the Protocol and much for new Councillors to learn. The Group wondered whether too much was expected of new Councillors too quickly and whether it be more that they learned over time. Perhaps key information, such as the distinction between County, borough and parish functions, be provided and that signposting to information be provided as required.

Mr Richards – Independent Person said that the Protocol did not mention the relationship between Councillors and the Council as an organisation and thought that it would be helpful if this could be included to help clarify the role of and what the Council offered, for example counselling, to Councillors.

The Chair said that policies were often split into three sections, policy (what the organisation wanted to do), organisation (how it wanted to do it) and arrangement (how it was going to be done).

Councillor Birch referred to social media and said that it was the platform through which Councillors were most likely to receive abuse and how this could have a serious impact on a person's life. The Monitoring Officer said that the Council did have a social media policy which could be reviewed by this Committee, although it was noted that the policy was tailored more to Councillor's use of social media rather than dealing with abuse received through it.

Councillor Bird asked about social media being an item at Town and Parish Forum and the Monitoring Officer said that it may be most appropriate for the

Council to review it first before taking it to the Forum.

Members of the Group discussed the Standards process and the Committee's powers to apply sanctions. It was commented that the Committee lacked teeth and had limited powers to sanction but also that the Council could provide arbitration and mediation and training and education. It was commented that people were often apologetic when they realised that they had done something wrong and that often what people who had made a complaint wanted was an apology, recognition of their complaint and a solution. It was noted that having more teeth would be helpful for those who did not acknowledge that they had breached standards.

It was **RESOLVED** that the Standards Committee:

- a) Agrees that the Protocol on Councillor/Officer Relations remains fit for purpose
- b) Endorses and provides feedback on the proposed creation of a training resource for Councillors and Officers to promote and maintain effective relations.

The Monitoring Officer referred to preparing a Work Programme for the Committee and said that she would capture ideas and comments from Members of the Group to prepare a programme of work to be taken forward.

The meeting closed at 7:55pm

CHAIR

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Standards Committee

Wednesday, 5 February 2025

Cases and Work Update

Report of the Monitoring Officer

1. Purpose of report

This report provides the Standards Committee with information relation to Member Code of Conduct complaints received since the last Standards Committee on 6 February 2024. It also outlines standards training that has been undertaken during that period.

2. Recommendation

It is RECOMMENDED that the Standards Committee notes the contents of the report.

3. Reasons for Recommendation

To advise members of the committee of the Code of Conduct complaints received by the Monitoring Officer in accordance with good practice and to demonstrate good governance.

4. Supporting Information

- 4.1 Details of Code of Conduct complaints are reported periodically to the Committee, with the last report in February 2024. Since the date of the last meeting, 13 Code of Conduct complaints have been received by the Monitoring Officer. A summary of complaints is provided at the Appendix A.
- 4.2. The table in the Appendix A confirms the date of the complaint, if it related to a Borough, Parish or Town Councillor, if the complaint was made by a member of the public, another Borough, Parish or Town Councillor, the nature of the complaint and the action taken to address the complaint.
- 4.3. The tables also confirm which cases have been discussed with the Independent Persons. The Independent Persons are appointed by Full Council. There are a number of statutory restrictions on eligibility for this role to ensure that the post-holder has no close associations with the Council and is therefore truly independent. They are not a member of the Standards Committee, but they must be consulted by the Monitoring Officer prior to any decisions or findings on alleged breaches of the Code and may be consulted at other stages of the complaints process.

4.4. Where complaints were not accepted under the Code, the details have not been included as to do so would be misleading; and could be seen to misrepresent the nature of complaints received.

5. Other work

5.1. During the year, the Monitoring Officer has been available to provide support on questions raised by Councillors and Parish and Town Councillors.

5.2. The Member Development Group continues to develop the Councillors training programme and the Monitoring Officer is available to support the Group.

5.3. Standards training was last delivered to Rushcliffe Borough Council Councillors in November 2023. Training on Code of Conduct and how complaints are dealt with was also delivered to Parish and Town Councillors at the Town and Parish Forum held on 22 March 2024. This training covered why conduct and standards matter in local government and the types of conduct covered by the Code of Conduct, to ensure that all Councillors are confident about how the Code applies to them.

5.4. The Government is currently consulting on the standards regime. The consultation is seeking views on proposals to introduce measures to strengthen the standards and conduct regime. Specific proposals being consulted upon for legislative change include:

- the introduction of a mandatory minimum code of conduct for local authorities in England
- a requirement that all principal authorities convene formal standards committees to make decisions on code of conduct breaches, and publish the outcomes of all formal investigations
- the introduction of the power for all local authorities (including combined authorities) to suspend councillors or mayors found in serious breach of their code of conduct and, as appropriate, interim suspension for the most serious and complex cases that may involve police investigations
- a new category of disqualification for gross misconduct and those subject to a sanction of suspension more than once in a 5-year period
- a role for a national body to deal with appeals

This consultation closes on 26 February 2025 and all members are encouraged to respond to the consultation.

6. Risks and Uncertainties

None identified.

7. Implications

7.1. Financial Implications

There are no direct financial implications. The Independent Person roles are funded through existing budgets.

7.2. Legal Implications

Section 27 of the Localism Act 2011 requires authorities to promote and maintain high standards of conduct by elected councillors and co-opted members. Under s 28(6), the Council must also have in place arrangements under which allegations can be investigated and decisions on allegations can be made. Code of Conduct complaints received by the Monitoring Officer are dealt with in accordance with the Council's approved arrangements for dealing with such complaints in accordance with the Act.

7.3. Equalities Implications

All complaints are considered with reference to the Council's Equality duty.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

None identified.

7.5. Biodiversity Net Gain Implications

None identified.

8. Link to Corporate Priorities

The Environment	The recommendations in this report do not impact on or contribute to the Council's Environment priority.
Quality of Life	Delivery of an effective Standards regime supports the Council's priority of 'quality of life'
Efficient Services	Delivery of an effective Standards regime supports the Council's Efficient Services priority
Sustainable Growth	The recommendations in this report do not impact on or contribute to the Council's Sustainable Growth priority.

9. Recommendation

It is RECOMMENDED that the Standards Committee notes the contents of the report.

For more information contact:	Sara Pregon Monitoring Officer and Head of Chief Executive's Department 0115 914 8480 spregon@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	Appendix A - Summary of Complaints

APPENDIX A

Table A

Summary of cases reported to Committee on 6 February 2024 where the decision was determined post committee meeting

Case Ref	Date Received	RBC/ Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
1457	24/11/23	Borough Cllr	Member of the public	Failure to disclose an interest	Yes	No breach of the Code

Table B

Summary of new complaints

Case Ref	Date Received	RBC/ Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
1492	2/2/24	Borough Cllr	Borough Cllr	Breach of the Code – disrespectful behaviour	Yes	No further action
1502	21/2/24	Parish Cllr	Member of the public	Breach of the Code – behaviour at a council meeting	Yes	No further action
1506	28/2/24	Borough Cllr	Member of the public	Breach of the Code – lack of response	Yes	Complaint not accepted under the code - no breach
1541	14/06/24	Borough Cllr	Parish Council	Breach of the Code – behaviour at a council meeting	Yes	No further action
1567	31/07/24	Borough Cllr	Member of the public	Breach of the Code - conduct in connection with a planning application	Yes	Complaint not accepted under the code - no breach
1594	28/10/24	Parish Cllr	Member of the public	Breach of the Code – allegation of bullying	Yes	Refer for investigation (on hold)

1601	14/10/24	Parish Cllr	Parish Cllr	Breach of the Code – disclosure of confidential info	Yes	No further action
1602	06/10/24	Borough Cllr	Member of the public	Breach of the Code - conduct in connection with a planning application	Yes	No further action
1615	18/12/24	Borough Cllr	Borough Cllr	Breach of the Code – behaviour at a Council meeting	Yes	No further action
1615	18/12/24	Borough Cllr	Borough Cllr	Breach of the Code – behaviour at a Council meeting	Yes	Complaint not accepted under the code - no breach
1615	18/12/24	Borough Cllr	Borough Cllr	Breach of the Code – behaviour at a Council meeting	Yes	Complaint not accepted under the code - no breach
1617	10/12/24	Borough Cllr	Member of the Public	Breach of the Code – dress code at Council meetings	Yes	Complaint not accepted under the code - no breach
1630	09/01/25	Parish Cllr	Parish Cllr	Breach of the Code - bullying	Yes	Being assessed