

# EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of the Standards Committee held in a virtual environment on Monday 8<sup>th</sup> March 2021.

## Present:

Councillors Mrs J Killoran (Chairman), D F Fletcher, D Florence-Jukes, M Metcalfe and C Sylvester.

## Officers Present:

Mrs A Wakefield (Solicitor and Monitoring Officer) and Mrs M Henchcliffe (Senior Democratic Services Officer).

## Also Present:

Mr G Goodall (Independent Person) and Mrs A Trenergy and Mr W Qneibi (Parish Councillors).

### 20/21 **DECLARATION OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

### 21/21 **MINUTES**

#### **Resolved:**

That the Public Minutes of the Meeting held on 1<sup>st</sup> June 2020 be approved and signed as a correct record by the Chairman.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor D Fletcher		Councillor D Florence-Jukes
Councillor Mrs J Killoran		
Councillor M Metcalfe		
Councillor C Sylvester		

### 22/21 **URGENT BUSINESS**

There was no urgent business pursuant to Rule 12.

### 23/21 **MONITORING OFFICER'S ANNUAL REPORT**

The Monitoring Officer informed members of the committee that she would be updating them on the following three separate headings:

## Decision Notices Issued

She reported updated the Committee on the decision notices issued since the last meeting on 1<sup>st</sup> June 2020.

A complaint had been received from a member of the public against a Tutbury parish councillor regarding a derogatory remark about an East Staffordshire Borough Council officer. The parish councillor apologised and the matter was resolved informally. A decision notice had been served and the Chairman and Clerk of the parish council supported refresher training for that parish councillor.

Decision notices were also sent to three member of Mayfield Parish Council following a complaint received from the 'soon to be' former clerk. An independent investigator had been appointed to look in the matter. Interviews were in progress over recent weeks with the parish council members and clerk, as well as the mother of the witnesses that were viewing the meeting via Zoom.

Two further decision notices was issued in respect of two Borough Councillors.

One was against the Chairman of one the Scrutiny Committees. It was alleged that the Chairman had disrespected another Borough Councillor, in the way he had addressed her during a meeting of the Committee. In consultation with Mr G Goodall (Independent Person), the Monitoring Officer found that there was no breach of the code of conduct. Although the words spoken could have been better, which came at the end of a long and arduous meeting the threshold had not been met to engage the Standards Committee process.

The other decision notice had been issued to a Borough Councillor, following a complaint received from another Borough Councillor. The matter had been referred to an Independent Investigator. The Monitoring Officer informed Members that the issue was at an early stage and she could not submit any further details, and depending on the outcome of the investigation report, the matter may be submitted for a hearing at a future Standards Committee.

The Monitoring Officer reported that she had received a further 7 complaints which were at the assessment stage. Decision notices would be drafted in due course and the matters would be reported to a future meeting of the Standards Committee.

An opportunity for questions followed.

## **NOTED**

### Standards in Public Life

The Monitoring Officer updated Members on the ongoing work of the Standards in Public Life. Some Members were briefed previously on the report, published in January 2019 by the Committee of Standards in Public Life, in which there were 15 best practices recommendations that formed part and parcel of the report. All local councils were urged to consider the report, to ensure that these best practices were in place, and any additional work to be undertaken to accommodate them.

In the autumn of last year the Council was asked to respond to an enquiry by the Chairman of the Standards in Public Life Committee. They were interested to know how each councils across the country were working on the implementation of those 15 best practices. The Monitoring Officer responded on behalf of East Staffordshire Borough Council in October/November of last year. The Committee's findings were published at the beginning of 2021. It was agreed that the link would be shared with Members after the meeting.

It was reported that a large number of councils' had provided responses with general themes. One of the noticeable themes were their prevalent views that the sanctions were not fit for purpose in their current form. Since then the Standards in Public Life Committee had been lobbied by some professional bodies in order that the primary legislation would provide more meaningful sanctions.

The Monitoring Officer informed the committee that she welcomed and fully supported the need to have the strongest possible code of conduct for Councillors, but any code would only be meaningful as the sanctions that were available.

She also reported that the code of conduct work was ongoing, and that various other work and projects were being undertaken by the Committee if Standards in Public Life via Zoom if Members wished to access them.

An opportunity for questions followed.

## **NOTED**

### Model Code of Conduct

The Monitoring Officer introduced Members to the Code of Conduct published by the Local Government Association on 3<sup>rd</sup> December 2020, which formed strong links with the Standards in Public Life document. Members were requested to consider the document being circulated after the meeting. The Monitoring Officer requested written responses as to whether to adopt the code in part, whole or any amendments and any comparison to the existing code of conduct within the next two weeks, on order that the code could be agreed and be included in the report when the Constitution is updated and take to Council in June.

Discussions and question followed.

It was agreed that a meeting would be scheduled in the next 3 to 4 weeks to discuss how the Code of Conduct would be taken forward.

## **24/21 EXCLUSION OF THE PRESS AND PUBLIC**

### **Resolved:**

That, in accordance with Section 100(A) (4) of the Local Government Act, 1972, the Press and Public be excluded from the Meeting during discussion of the following items it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that there would be disclosed exempt information as defined in the

paragraph of Part 1 of Schedule 12A of the Act indicated in brackets before each item number on the Agenda:

**PRIVATE MINUTES**

**MONITORING OFFICER'S UPDATE REPORT**

25/21 **PRIVATE MINUTES**

**Resolved:**

That the Private Minutes of the Meeting held on 1<sup>st</sup> June 2020 be approved and signed as a correct record by the Chairman.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor D Fletcher		Councillor D Florence-Jukes
Councillor Mrs J Killoran		
Councillor M Metcalfe		
Councillor C Sylvester		

26/21 **MONITORING OFFICER'S UPDATE REPORT**

The Monitoring Officer confirmed that there were no updates in Part B.

**Chairman**