

## STANDARDS COMMITTEE

16 MAY 2019

Present: Councillors Barnett (Chair); O'Callaghan (Vice-Chair); Bishop; Edwards; and Roberts. Independent persons: Amanda McIntyre; and John Baker.

### 10. APOLOGIES FOR ABSENCE

None received.

### 11. DECLARATIONS OF INTEREST

None received.

### 12. MINUTES OF THE PREVIOUS MEETING HELD ON 21 MARCH 2018

**RESOLVED that the minutes from the last meeting held on 21 March 2018 be approved and signed by the Chair as a correct record of the meeting.**

### 13. ANNUAL STANDARDS REPORT

Kirsty Cameron, Deputy Monitoring Officer, presented an annual report on the activities of the Standards Committee over the past year.

The Code of Conduct and revised Standards arrangements were adopted by the Council in July 2012 in order to comply with the provisions of the Localism Act 2011.

This introduced delegation to the Monitoring Officer to make an initial decision on whether the complaint requires investigation, with the power to consult with the Independent Person if required and the ability to refer particular complaints to the Standards Committee if that is appropriate.

The Monitoring Officer has discretion to deal with some complaints that in her opinion do not need to be considered further as set out in detail in paragraph 3 of the annual report. However she considers it good practice to inform the Chair of Standards Committee and the Independent Persons of any decision she makes in this way.

The original report to Standards Committee dated 28th May 2012 was made available to the Committee alongside the annual report.

Standards Committee has a membership of 7, of whom 5 are elected Councillors and 2 are Independent Persons. The elected Councillors sitting on the Standards Committee in the last municipal year were Councillors Barnett (Chair), Roberts (Vice-Chair), Bishop, Edwards and Forward.

Councillor O'Callaghan has replaced Councillor Forward on the Committee for the new municipal year. The Committee is politically balanced although not required to be so by law.

The Localism Act 2011 requires the Council to appoint at least one Independent Person to assist with the standards process. Council previously recommended that

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two Independent Persons should be appointed in case of non-availability or a conflict of interest.

At the Council meeting on 18th October 2017, John Baker and Amanda McIntyre were appointed as Independent Persons from 1st November 2017 to 31st October 2022.

In 2018 seven complaints were received. Three are ongoing investigations pending conclusion of the European election on 23 May 2019 so as not to take place during purdah. The remaining four were dealt with under Monitoring Officer's discretion.

The Monitoring Officer informed the Committee of the four complaints dealt with under her discretion, details of which were included in the annual report.

The Chair thanked officers for their work over the past year.

In response to a question from one of the Independent Persons the Monitoring Officer confirmed that Councillors receive training on the Council's Code of Conduct as part of their induction.

**RESOLVED (unanimously) that the Committee notes the contents of the report.**

Reasons for the decision:

1. To keep the Standards Committee advised of past complaints.
2. To inform the Standards Committee of procedures that worked well.
3. To contribute to continuous improvement of the way the Council deal with complaints about elected members.

#### **14. AMENDMENTS TO HEARINGS/INVESTIGATION PROCEDURE FOR STANDARDS**

The Monitoring Officer presented a report to the Committee to review the Standards Hearings and Investigations procedures originally adopted by Council in 2012.

The Monitoring Officer informed the Committee of the current procedures and the new proposed procedures presented to the Committee for approval.

The Code of Conduct Investigation Procedure, set out in Appendix 1 of the report, outlines the procedure to be followed once a decision has been taken by a sub-assessment Committee that an allegation of misconduct by a member should be investigated further.

The Code of Conduct Hearings Procedure, set out in Appendix 2, outlines the process which will be followed when a decision has been taken that a public hearing as to whether a Councillor has breached the Code of Conduct is required. This would normally follow a private sub-assessment hearing where members of the Standards Committee will consider if a public hearing is necessary.

Councillors asked questions regarding the current and new proposed procedures.

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**RESOLVED (unanimously) that the Committee agree the amended procedures for Standards Hearings and Investigations.**

Reasons for the decision:

The Standards Hearings and Investigation procedures have not been reviewed since 2012.

**15. UPDATE ON RESULT OF CONSULTATION ON STANDARDS CARRIED OUT BY THE COMMITTEE ON STANDARDS IN PUBLIC LIFE LOCAL GOVERNMENT ETHICAL STANDARDS**

The Monitoring Officer presented a report to inform the Committee that there will be future changes in legislation and best practice that will affect the Standards Procedure.

Councillors discussed the recommendations put forward by the Committee on Standards in Public Life. The Monitoring Officer agreed to report back to the Committee on the progress of the recommendations.

The Committee suggested that the report be made available to all Councillors.

**RESOLVED (unanimously) that the Committee note the proposed recommendations and content of the report Local Government Ethical Standards published January 2019.**

Reasons for the decision:

To inform the Standards Committee of proposed changes in procedure.

(The Chair declared the meeting closed at. 6.29 pm)