

STANDARDS COMMITTEE MINUTES - 10 OCTOBER 2022

Present: Mrs T Barnes (Chair);
Councillors Edwards (Vice-Chair), Keane, McEwan and Terry

Apologies: Councillor Lovelock

1. MINUTES

The Minutes of the meeting held on 10 March 2021 were confirmed as a correct record.

2. INVESTIGATION OF COMPLAINTS 2020/21 AND 2021/22

The Monitoring Officer submitted a report outlining the number, type and disposal of complaints made by members of the public against councillors. The report covered complaints for two financial years 2020/21 and 2021/22.

The Committee noted that the complaints report was usually provided on an annual basis. However, due to the Coronavirus pandemic the Standards Committee had temporarily stood down during 2020 and the last report considered was for 2019/20 at the meeting in March 2021.

Annex A to the report contained a list of six complaints in the financial year 2020/21 and Annex B contained seven complaints made to the Monitoring Officer in the financial year 2021/22.

Of the six complaints set out in Annex A:

- 4 complaints were judged not to engage the Code of Conduct and were rejected at the initial filter stage.
- 1 complaint was already resolved by the councillor and there was no further action.
- 1 complaint was referred to the Group disciplinary process and a breach of the Code was found, and training identified.

Of the seven complaints set out in Annex B:

- 1 complaint was resolved at the filter stage (advice was given to the councillor).
- 4 complaints were judge not to engage the Code of Conduct and were rejected at the initial filter stage.
- 1 complaint was referred to the Group disciplinary process but was unresolved before the councillor stood down.
- 1 complaint was found to be trivial and was dismissed with no further action.

The associated annexes A and B also provided data on the timeliness of responses to acknowledge and answer complaints.

The Committee considered the 15 best practice recommendations for local authorities from the Committee on Standards in Public Life. They agreed that public consultation for the Members Code of Conduct was not necessary as the Standards Committee already reviewed this on an annual basis. Regarding access to at least two Independent Persons; the Committee noted that if an additional independent person was required then neighbouring local authorities would be contacted. Also, the Berkshire Monitoring Officers were considering recruiting a shared panel member for all Berkshire unitary authorities.

The Committee discussed the publication of the councillors' gifts and hospitality register and agreed that the register should be provided to the Standards Committee on an annual basis.

STANDARDS COMMITTEE MINUTES - 10 OCTOBER 2022

Resolved -

- (1) That the complaints received in the financial year 2020/2021 and 2021/2022 be noted.
- (2) That the Councillors' Gifts and Hospitality Register be provided to the Standards Committee on an annual basis.

3. CODE OF CONDUCT

The Monitoring Officer submitted a report outlining the new proposed Member Code of Conduct reflecting changes agreed at the meeting in March 2021 for recommendation to Council.

A new model Councillor Code of Conduct had been published by the Local Government Association (LGA) on 23 December 2020. The Committee at its meeting on 10 March 2021 considered the Code and had agreed two amendments to the final documents. These included:

- That the monetary threshold relating to gifts or hospitality received of £50.00 be reduced to £25.00 as they considered that the current amount of £25.00 was an appropriate figure.
- That the clauses regarding matters a councillor were required to consider when dealing with exempt and confidential information, as set out in 4.1 of the Model Code, were complicated. The Committee agreed that Councillors should seek advice from the Monitoring Officer before releasing confidential or exempt papers.

These amendments were included in the new Councillor Code of Conduct.

The Committee considered changes to Article 9 of the Constitution and a revised set of Arrangements for dealing with complaints. The revised Article 9 provided better accessibility for members of the public. The current 'arrangements' would be moved to a separate document and published on the Council's website with a copy of the new Code.

The Standards Committee would keep the Arrangements under review and amended if necessary. The Committee also considered an assessment criteria for the initial disposal of complaints and a Hearings Procedure.

The Committee noted that training would be provided on the new Code of Conduct and associated procedures.

The Monitoring Officer informed the Committee of appropriate amendments within the Code of Conduct, Article 9 of the Constitution, Arrangements, and Policy for Unreasonable and Unreasonably Persistent Complaints that would be made ahead of submission to Council on 18 October 2022. The Committee agreed with the amendments and thanked the Monitoring Officer for the work undertaken.

Resolved -

- (1) That the proposed Revision to Article 9 of the Constitution (as shown in Appendix 1 to the report) be recommended to Council for adoption, with appropriate revisions made by the Monitoring Officer, be agreed.

STANDARDS COMMITTEE MINUTES - 10 OCTOBER 2022

- (2) That the proposed Member Code of Conduct (as shown in Appendix 2 to the report) be recommended to Council for adoption, with appropriate revisions made by the Monitoring Officer, be agreed.
- (3) That the proposed Arrangements for Dealing with Allegations of Misconduct (as shown in Appendix 3 to the report), be recommended to Council for adoption, with appropriate revisions made by the Monitoring Officer, be agreed.
- (4) That the Proposed Policy for Unreasonable and Unreasonably Persistent Complaints, (as shown in Appendix 4 to the report) be recommended to Council for adoption, with appropriate revisions made by the Monitoring Officer, be agreed.
- (5) That the proposed Hearing Procedures (as shown in Appendix 5 to the report, be recommended to Council for adoption.
- (6) That training be provided to all councillors about the Code and the new Arrangements

(The meeting commenced at 6.00pm and closed at 6.30pm).