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STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

Thursday, 3 July 2014

Present:

Councillor WJ Davies (Chair)

Councillors M McLaughlin
R Gregson
J Salter
C Jones

L Rowlands
P Williams
B Berry

In attendance:

B Cummings
Prof RS Jones

Independent Person
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1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G Ellis, J Hale and D Roberts.

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3 **MEMBER'S CODE OF CONDUCT - DECLARATIONS OF INTEREST**

No declarations of interest were received.

4 **MINUTES**

RESOLVED:

That the Minutes of the Special meeting of the Committee held on 28 April 2014 be confirmed as a correct record.

5 **SUMMARY OF COMPLAINTS MADE UNDER THE MEMBERS' CODE OF CONDUCT**

The Council was required to provide a summary of standards complaints made under its approved Ethical Framework. The Committee as part of its monitoring role considered the nature and handling of complaints received pursuant to the Members' Code of Conduct.

A report by Head of Legal and Member Services and Monitoring Officer summarised standards complaints made under the Members' Code of Conduct between 1 April 2013 and 25 June 2014. Appended to the report was a list detailing the dates on which complaints had been received, the nature of each one, their status and the next stage and anticipated date for conclusion where this was applicable.

The Committee noted that between 1 April 2013 and 31 March 2014 a total of six complaints had been made (two by other Members of the Council and four by members of the public). One had been referred for investigation but none had been upheld. From 1 April 2014 to 25 June 2014 it was noted that a further six complaints had been made (two by Members of the Council and four by members of the public).

Members asked a number of questions about the information which they had before them which were answered by the Head of Legal and Member Services as appropriate.

RESOLVED:

That the summary of standards complaints set out in the report and its appendix be noted.

6 WORK PROGRAMME 2014/15

A report by Head of Legal and Member Services and Monitoring Officer set out proposals for work to be carried out during the 2014/15 Municipal Year. They were based primarily on matters arising out of the work undertaken by the Standards Working Group in 2013/14 in respect of the Council's Ethical Framework relating to Members' conduct and consideration of the Member Survey on Perceptions and Experiences on the Council's Governance Arrangements.

The Committee was reminded that the Working Group had considered the following matters and made recommendations to the Committee at its meeting on 28 April 2014:

- Member Survey on Perceptions and Experiences on the Council's Governance Arrangements;
- Members' Code of Conduct;
- Protocol on Dealing with Complaints Against Members;
- Disclosure and Barring Service checks for Members; and

- Amendment to the Council's Constitution to give effect to The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

The Committee had recommended a revised Members' Code of Conduct and Protocol (effective from 1 August 2014, a revision to the Council's DBS Policy and further amendments to the Council's Constitution, all of which had been approved by the Council at its meeting on 9 June 2014.

The Working Group, however, had put forward further proposals which it had considered appropriate for consideration by the Committee when it developed its Work Programme for this Municipal Year as follows:

- (a) To establish a Protocol of Etiquette (primarily focused on conduct and behaviour expected at Council meetings) to be developed in conjunction with the Council's Occupational Development team/initiatives;
- (b) To review and revise the Members' ICT Policy;
- (c) To review and revise the information governance arrangements relating to Members in conjunction with the Council's Information Governance Board;
- (d) To consider how high standards of conduct can be further embedded; and
- (e) To monitor (and review) the Constitution to ensure any improvements/amendments required can be addressed promptly.

It was proposed that the Committee again established a Standards and Constitutional Oversight Working Group to progress the work outlined above. Its proposed terms of reference were set out in the appendix to the report. The Working Group would be a cross-party group that would make recommendations to the Committee for consideration and approval.

Members were aware that a lot less members of the public attended Council and Committee meetings now than in previous years and they considered that this could be because of the way Members now conducted themselves in meetings as in the past the level of etiquette had been considerably higher. Respect for the Mayor and themselves was an issue. They proposed that the Working Group embark on a project to promote Council and Committee meetings and encourage public engagement and participation at them. It was noted that Planning and Licensing meetings attracted people but apathy was a factor in respect of the others. Also, some people were not aware that the public could attend meetings.

Members also noted that previously if the public were aware that the Cabinet would be making a particular decision they would turn up and if they disagreed with that decision they would attend the Council meeting to register their disapproval. They were now beginning to see this as “a waste of time” as they were aware that once the Cabinet made a decision it was not changed.

Members further noted that it was difficult for the public to hear what was being said in the Council Chamber. They considered that they should treat each other with respect, speak clearly and allow others to listen to what was being said. It was important to welcome and positively encourage people to attend meetings.

RESOLVED: That

- (1) the Work Programme as set out from (a) to (e) above be agreed along with**
 - (f) To consider how the public can be engaged further with the Council’s democratic arrangements; and**
 - (g) To undertake further Members’ Survey(s) as appropriate to help improve the Ethical Framework and the Constitution, and support improvements in governance.**
- (2) the Standards and Constitutional Oversight Working Group be established in accordance with the Terms of Reference appended to the report and each Party Spokesperson be requested to confirm their the names of their Group Members to be appointed to the Working Group as soon as possible so that the first meeting can be arranged; and**
- (3) the Terms of Reference of the Working Group as set out in the appendix to the report be amended to include:**
 - (a) the ability for Members of the Working Group to also nominate Deputy Members of the Committee to attend the Working Group when they are unable to do so; and**
 - (b) all four Independent Persons be invited to attend the meetings of the Working Group and support/assist the Group in undertaking its programme of work.**

7 URGENT BUSINESS APPROVED BY THE CHAIR

The Chair informed that the Head of Legal and Member Services and Monitoring Officer would be providing training on the new Members’ Code of

Conduct and the Code of Corporate Governance on 21 July 2014. All Members were invited to attend as were the Independent Persons.

The Head of Legal and Member Services and Monitoring Officer informed that he was willing to attend Political Group meetings to provide an update on the Code of Conduct and the Protocol on dealing with Members' Complaints if Members were agreeable to this. They would both become operative on 1 August 2014.

A Member proposed that the Members' Training being arranged on the Selfserve System also include an element of training on the Code of Conduct and the Protocol on dealing with Members' Complaints.

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