



**MINUTES of
JOINT STANDARDS COMMITTEE
27 OCTOBER 2020**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Apologies
Councillors	M G Bassenger, Mrs P A Channer CC, K W Jarvis, C Mayes, S P Nunn and Mrs M E Thomson
Town Councillor	P Stilts
Substitute Councillor	R H Siddall
Independent Person	Mr N Hodson

1281. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the remote meeting, held under new regulations which came into effect on 4 April 2020 in response to the COVID-19 pandemic. He took Members through some general housekeeping issues together with the etiquette for the meeting and then asked Officers present to introduce themselves.

This was followed by a roll call of Committee Members present and any Councillors in attendance

1282. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor W Stamp.

In accordance with notice duly given Councillor R H Siddall was attending as a substitute for Councillor W Stamp.

1283. MINUTES OF THE LAST TWO MEETINGS HELD ON 3 SEPTEMBER 2020

RESOLVED that the Minutes of the meeting of the Committee held in the afternoon of 3 September 2020 be approved and confirmed.

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on the morning of 3 September 2020 be received.

Minute No. 1178

That the reference to the 'Equality Act 2020' found in paragraph three on page 8 of the meeting pack be amended to read 'Equality Act 2010'.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on the morning of 3 September 2020 be confirmed.

1284. DISCLOSURE OF INTEREST

Councillor Mrs M E Thompson declared a conflict of interest in respect of Item 8 on the agenda and advised the Committee that she would not be partaking in the discussion or vote on that item.

Councillor R H Siddall declared a non-pecuniary interest in Agenda Item 8 as he felt some of the issues were directed at him. However, he had no conflict of interest in taking part in the discussion.

1285. COMMITTEE ON STANDARDS IN PUBLIC LIFE- BEST PRACTICE RECOMMENDATIONS

The Committee considered the report and associated appendices of the Monitoring Officer that set out the Council's position in relation to the Committee on Standards in Public Life - Best Practice Recommendations.

The Chairman introduced the report and deferred to the Lead Legal Specialist and Monitoring Officer to present the detail.

He took the Committee through the report and drew Members' attention to Appendix 1 that contained the letter issued to all authorities from the Committee on Standards in Public Life (CSPL), setting out fifteen best practice recommendations. The CSPL had asked that authorities reply confirming adoption or otherwise. He explained that there was no legal requirement to adopt the recommendations but that it was good practice to benchmark the Council's standards against the CSPL. He then took Members through Appendix 2 that contained the CSPL recommendations together with the suggested response from the Lead Legal Specialist and Monitoring Officer displayed in italics.

Councillor Nunn, referring to the recommendations as a whole felt that the Council should adopt the principles and that he was pleased to note that the Council already covered most of the practices in the existing code. However, he said he was concerned regarding the application of the policy, given the recent volume and nature of complaints and hoped to move to more harmonious and stable times in the future.

At this point Councillor Mrs P A Channer, CC declared a non-pecuniary interest as she had recently gone through this exercise at Essex County Council.

A debate ensued where issues were raised around bullying, the complaints process and the Members Code of Conduct. It was agreed that examples of bullying could be a 'one-

off' or a 'continuous pattern' of behaviour and that a definition of bullying must be included to inform the work of the Standards Committee. It was further agreed that it be clarified that these best practice recommendations related to the Code of Conduct for Members not employees.

Councillor Nunn proposed that the Committee adopt the recommendations and suggested changes outlined in Appendix 2 subject to the Monitoring Officer circulating the appendix to committee members for further comment, re-submitting the revised draft to the next Standards Committee for final approval and recommendation to Council. This was seconded by Councillor Mayes.

Further discussion then took place about the application of the Complaints Procedure, difficulties with interpreting the procedure and the importance of the Independent Person in the process. Councillor Mrs P A Channer acknowledged the importance of the issues raised. However, she reminded Members that the agenda item today was about the CPSL best practice recommendations and the Council's intended response to it and she suggested that the other important issues be dealt with separately.

The Committee agreed that the other issues raised around the Complaints Procedure and the Code of Conduct were extremely important and should therefore come back as a separate agenda item to a future committee meeting.

The Chairman moved Councillor Nunn's proposal and upon a duly seconded recorded vote being taken it was agreed as follows:

For the proposal

Councillors M L Bassenger, Mrs P A Channer, M W Helm, K V Jarvis, C Mayes, S P Nunn, R H Siddall and Mrs M Thompson.

Against the proposal

None

Abstentions

None

RESOLVED that the Committee adopt the recommendations and suggested changes outlined in Appendix 2 subject to the Monitoring Officer circulating the appendix to committee members for further comment, re-submitting the revised draft to the next Standards Committee for final approval and recommendation to Council.

1286. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN DECIDES ARE URGENT

The Chairman advised the Committee that there was a further item of urgent business to be dealt with. It related to a complaint by a councillor against himself and a complaint against another councillor. The two complaints were connected, and he said all members had sight of these in advance as the complainant had emailed both the Monitoring Officer and Members. He said these would be dealt with as private and

confidential matters following consideration of the existing report at Item 8 in the private and confidential section of the meeting.

1287. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 6b of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

1288. COMPLAINTS AGAINST A COUNCILLOR - FUTURE STEPS

The Committee considered the report of the Monitoring Officer that sought a decision from the Committee on the future handling of three complaints together with the two further complaints raised under Item 6. Any Other Items of Business that the Chairman decides are urgent.

Councillor Mrs P A Channer proposed that the first three complaints be investigated utilising the services of both an external Monitoring Officer and an external Investigator. This was duly seconded. A recorded vote was requested and seconded. The chairman put the proposal to the Committee and the result of the recorded vote was as follows:-

For the proposal

Councillors M G Bassenger, Mrs P A Channer, M W Helm, K W Jarvis and S P Nunn.

Against the proposal

Councillor C Mayes and R H Siddall

Abstentions

None

On the Item of Business raised under Agenda Item 6 detailing two further complaints the Independent person advised that if this was an informal meeting then the Code of Conduct had not been engaged, and they could be disregarded. Councillor Mrs P A Channer proposed that neither complaints be investigated. This was seconded by Councillor Helm

Further discussion took place around the nature of the meeting and given the fact that it was convened, minuted and called by the Leader of the Council, Members concluded it was a formal Council meeting.

The Chairman put Councillor Channer's proposal to the Committee and upon a duly seconded recorded vote being taken the results were as follows:-

For the proposal

Councillors Mrs P A Channer and M W Helm.

Against the proposal

Councillors M G Bassenger, K W Jarvis, C Mayes, S P Nunn and R H Siddall.

Abstentions

None

Councillor C Mayes then requested that both complaints be dealt with separately. She proposed that the Committee not investigate the self-referral complaint, and this was seconded by Councillor Bassenger. The Chairman put the proposal to the Committee and upon a duly seconded recorded vote being taken the results were as follows:-

For the proposal

Councillors M G Bassenger, K W Jarvis, C Mayes, S P Nunn and R H Siddall

Against the proposal

None

Abstentions

Councillors Mrs P A Channer and M W Helm.

Councillor C Mayes then proposed that the second complaint be investigated in relation to integrity and honesty contained in section 3.1 Rules on public Life that form part of the Members' Code of Conduct. This was seconded by Councillor Siddall. The Chairman put the proposal to the Committee and upon a duly seconded recorded vote being taken the results were as follows:-

For the proposal

Councillors M G Bassenger, K W Jarvis, C Mayes, S P Nunn and R H Siddall

Against the proposal

None

Abstentions

Councillor Mrs P A Channer and M W Helm.

Helm

Councillor Mrs P A Channer asked that her abstention from both the above votes be minuted as she felt they were one item, both issues were intrinsically linked and therefore should not be dealt with separately.

As with the previous three complaints it was agreed this be investigated by an external Monitoring Officer and an external Investigator.

RESOLVED that with the exception of the self-complaint all four other complaints be investigated, utilising the services of both an external Monitoring Officer and Investigator.

There being no further items of business the Chairman closed the meeting at 3.48 pm.

M W HELM
CHAIRMAN