



## **Standards Committee Agenda**

Wyre Borough Council  
Date of Publication: 11 November 2020  
Please ask for : Duncan Jowitt  
Democratic Services Officer  
Tel: 01253 887481

**Standards Committee meeting on Thursday, 19 November 2020 at 6.00 pm by Remote access, via WebEx.**

**For public access to the meeting please dial:** +44-20-7660-8149 (free WebEx UK number).

**And enter:**

Meeting number (access code): 175 622 0189 Meeting password: 77758637.

**1. Apologies for Absence**

**2. Declarations of Interest**

Members will declare any pecuniary or significant other interests they have in relation to the items on this agenda.

**3. Confirmation of Minutes**

(Pages 3 - 4)

To confirm as a correct record the minutes of the previous meeting.

**4. Model Code of Conduct**

(Pages 5 - 8)

Report of the Monitoring Officer.

**5. Best practice recommendations progress update**

The Monitoring Officer will report verbally on the council's response.

**6. Current Complaints: Summary**

(Pages 9 - 10)

Schedule prepared by the Monitoring Officer attached.

The Monitoring Officer will report verbally on the latest position with regard to the complaints listed and any issues arising from them.

**7. Date of next Meeting**

The next scheduled meeting of the Committee is due to be held at 6pm on Thursday 18 March 2021.

This page is intentionally left blank



## Standards Committee Minutes

The minutes of the Standards Committee meeting of Wyre Borough Council held on Thursday, 12 March 2020 at the CivicCentre, Poulton-le-Fylde.

---

**Standards Committee members present:**

Councillors Catterall, Sir R Atkins, Gerrard, Swales and Orme.

**Apologies for absence:**

Cllr B Birch and Barry Parsonage (Independent Person).

**Other councillors present:**

None.

**Officers present:**

Liesl Hadgraft, Head of Business Support and Monitoring Officer  
Mary Grimshaw, Legal Services Manager and Deputy Monitoring Officer  
Roy Saunders, Democratic Services and Scrutiny Manager.

No members of the public or press attended the meeting.

---

**13 Apologies for Absence**

**14 Declarations of Interest**

**15 Minutes**

**Agreed** that the minutes of the meeting held on 7 November 2019 be confirmed as a correct record.

**16 Code of Conduct Amendment: Definition of Anti-Semitism**

The Monitoring Officer submitted proposed wording on a definition of Anti-Semitism, for inclusion in the Councillor's Code of Conduct.

The Monitoring Officer explained that, following the Government's adoption of the International Holocaust Remembrance Alliance (IHRA) working definition of Anti-Semitism in 2017, councils had been encouraged to formally adopt the definition as a clear message that Anti-Semitic behaviour would not be tolerated. The most recent correspondence encouraging the Council to take this stance had been received from the Secretary of State for Housing

Communities and Local Government in October 2019. It was had therefore been decided that specific reference would be made in the relevant council policies for employees. Those additions had been agreed at the Employment and Appeals Committee meeting in February 2020. For consistency, this committee was now being asked to consider recommending the Council to include the same definition in the Members Code of Conduct.

**Agreed** to recommend to the Council:

1. That the following additional wording be included as paragraph 1.3 of the Councillors Code of Conduct:

*Every Councillor has a duty to behave in a non-discriminatory way towards all individuals with whom he/she has contact at work, including employees, members of the local community, customers and other Councillors.*

*As part of the Council's commitment to anti-discrimination and tackling Hate Crime we endorse the International Holocaust Remembrance Alliance Definition of Anti-Semitism details of which are shown in Appendix C.*

2. That the IRHA definition of Anti-Semitism, as submitted to the meeting, be included as Appendix C of the Council's Code of Conduct.
3. That the updated version of the Code of Conduct be included as Part 5.01 of the Council's Constitution, in place of the current version.

## **17 Current Complaints: Summary**

The Monitoring Officer submitted a schedule summarising complaints of alleged breaches of the Council's code of conduct, which were currently being processed or which had been completed since the last meeting of the Committee. She said that the majority of complaints on the schedule related to 2019 and, with the exception of one, all of the complaints submitted in 2019 had been concluded.

The Monitoring Officer provided further information on each of the complaints referred to in the schedule, as follows.

### **2019/10**

The Monitoring Officer said that, at the last meeting, she had reported that a resolution of this complaint had been delayed, as it had not been possible to meet with the subject member. That meeting had now taken place between the subject member, herself and the Independent Person. The subject member had acknowledged that the comments they had made on social media had been inappropriate and a written apology had voluntarily been made to the complainant. The complaint had therefore been satisfactorily dealt with and no further action was proposed.

## **2019/12**

The Monitoring Officer reminded members that she had reported at the last meeting that insufficient information had been supplied by the complainant and, what information that had been provided, was difficult to decipher. In their initial complaint, the complainant had promised to provide more information, but this had still not been forthcoming. Therefore, as agreed at the last meeting, she now intended to write to the complainant advising that that as no further information has been received, the complaint would be closed and no further action would be taken.

## **2019/13**

The Monitoring Officer said that this complaint had been received and logged following the last standards meeting. She had met with the Independent Person to discuss the details and they had determined that the complaint did not pass the preliminary test. This was because the subject member had not been acting in their capacity as a councillor at the time the alleged complaint had taken place. Therefore, no further action would be taken.

## **2019/14**

The Monitoring Officer said that this complaint related to a subject member having involvement with an organisation which was not listed on their register of interest. She and the Independent Person had met with the subject member to obtain clarification about what this involvement entailed. To err on the side of caution, it had been agreed that the member would add further information to the register about their involvement with the organisation referred to by the complainant. That information had now been included. Therefore, no further action was required.

## **2019/15**

The Monitoring Officer said that the subject member in this complaint had made comments on social media which could be misinterpreted. She and the Independent Person had met with the subject member who had acknowledged that the comments made were inappropriate. It had been agreed that the subject member would attend the social media training session for councillors which was being arranged at that time. The subject member had subsequently attended the training.

## **2020/01**

The Monitoring Officer said that this was the first complaint received in 2020. She and the Independent Person had met first with the complainant to gather further information and then with the complainant to obtain their response to the allegation made. The subject member had given a detailed explanation and had provided written records and other factual evidence which had satisfied both her and the Independent person that the matter complained about had been handled appropriately by the subject member. Therefore, no further action was to be taken.

**Agreed** that the summary of complaints submitted by the Monitoring Officer and, her verbal update on each of the complaints referred to, be noted.

**18 Date of next Meeting**

**Noted** that the next scheduled meeting of the Committee was at 6pm on 18 June 2020.

The meeting started at 5.30 pm and finished at 2.47 pm.

**Date of Publication: 26 March 2020**



Report of:	Meeting	Date
Liesl Hadgraft, Monitoring Officer	Standards Committee	19 November 2020

<b>Model Code of Conduct update</b>
-------------------------------------

## 1. Purpose of report

- 1.1 To provide an update on the preparation of the Model Code of Conduct (MCC) following the Committee on Standards in Public Life (CSPL) report published in January 2019.

## 2. Outcomes

- 2.1 Following approval by the Local Government Association (LGA) Board on 3 December 2020, the LGA will finalise and publish a MCC.

## 3. Recommendation

- 3.1 That members note the current progress of the MCC.
- 3.2 That a further report to consider any possible update to the council's Code of Conduct be taken to a subsequent meeting of the Standards Committee.

## 4. Background

- 4.1 The CSPL review of local government ethical standards published on 30 January 2019 was a major consultation exercise undertaken in the first half of 2018 investigating local government standards.

The review was critical of the model codes produced previously by the LGA and the lack of consistency in different councils' Codes of Conduct. The LGA was instructed to develop an updated MCC for councillors.

- 4.2 The LGA held an event on Civility in Public Life with a range of stakeholders at the end of 2019 and three consultation workshops of members and Monitoring Officers at the beginning of 2020 to discuss the approach and content of the revised MCC. LGA consultants also examined examples of good practice in local government and in other professions.

- 4.3** The result of this initial work was a draft MCC and an LGA consultation on that draft, facilitated by an online consultation questionnaire <https://www.local.gov.uk/local-government-association-model-member-code-conduct-consultation> which was available for all members and officers to complete for 10 weeks from Monday 8 June until Monday 17 August.
- 4.4** The LGA received over 1600 written responses to the consultation, including a response from Wyre and held four webinars, which attracted over 1000 participants who provided further comments, questions and feedback during those webinar sessions.
- 4.5** A consultation summary response showed overwhelming support for the MCC. However a number of issues in respect of the draft were raised, which included:
- whether written in first person or third person.
  - whether to use the term “respect” or “civility”.
  - more to be included on social media including confidentiality.
  - declaration of gifts e.g. whether £25 too low and £50 too high.
  - a need for accompanying guidance with examples.
  - Equality Act and obligation to comply.
  - obligation to cooperate with investigation.
  - compulsory training for members.
  - sanctions.
- 4.6** A stakeholder roundtable to discuss the response and next steps took place on 30 September 2020 and a revised draft MCC was considered at an LGA Councillors Forum on 22 October 2020.

The LGA will now review the draft in light of the discussion on 22 October 2020 and prepare a final MCC for submission to the LGA Board for approval on 3 December 2020, following which the approved MCC will be published.

## 5. Key issues and proposals

- 5.1** Wyre Council last approved amendments to its own Code of Conduct at its meeting on 14 March 2019 and a revised Code taking effect from 2 May 2019 was included in Part 5.01 of the Constitution.

<b>Financial and legal implications</b>	
Finance	None arising directly from this report.
Legal	Section 27 of the Localism Act 2011 requires that the Council promotes and maintains high standards of conduct by members of the authority and publishes a Code of

	Conduct. Parish and town councils in the Borough are required either to agree their own code or to adopt Wyre's. The Council must have procedures in place to deal with any breaches of the Code including any alleged breaches of the Code by parish and town councillors.
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Other risks/implications: checklist**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	✓
equality and diversity	✓
sustainability	✓
health and safety	✓

risks/implications	✓ / x
asset management	✓
climate change	✓
ICT	✓
data protection	✓

**Processing Personal Data**

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Duncan Jowitt	01253 887608	<a href="mailto:duncan.jowitt@wyre.gov.uk">duncan.jowitt@wyre.gov.uk</a>	6 November 2020

<b>List of background papers:</b>		
name of document	date	where available for inspection

**List of appendices**

This page is intentionally left blank

**Summary of current complaints: 11 November 2020**

The following alleged breaches of the Code of Conduct are either currently being dealt with under the Council's complaints process or have been concluded since the meeting of the Standards Committee held on 12 March 2020

Ref No	Complainant	Subject Member	Category of Complaint	Progress/Outcome
2020/01	A member of the public	A Parish/Town Councillor	Accountability and reputational issues relating to arrangements for an event.	The Monitoring Officer and Independent Person were to meet with both the complainant and the subject member to obtain further information.  An investigation into the matter has now taken place and found no breach of the Code.  No further action to be taken.
2020/02	Various Councillors	A Wyre Councillor	Inappropriate comments at a council meeting. Alleged untrue and defamatory statements.	MO has met with IP and the process is ongoing
2020/03	Various Councillors	A Wyre Councillor	Inappropriate comments at a council meeting. Alleged untrue and defamatory statements	MO has met with IP and have determined that a breach of the code has not occurred.  No further action to be taken
2020/04	A member of the public	A Parish/Town Councillor	Inappropriate comments to press.	The member of the public withdrew their complaint.  No further action to be taken.

<b>Ref No</b>	<b>Complainant</b>	<b>Subject Member</b>	<b>Category of Complaint</b>	<b>Progress/Outcome</b>
2020/05	A member of the public	A Wyre Councillor	Intimidation and Bullying.	MO has met with the IP to carry out the initial preliminary test and establish the best way to deal with the complaint
2020/06	A member of the public	A Parish/Town Councillor	Acting inappropriately when in the capacity of a Councillor.	MO has met with the IP to carry out the initial preliminary test and establish the best way to deal with the complaint

Updated 11 November 2020