

Standards Committee Minutes

The minutes of the Standards Committee meeting of Wyre Borough Council held on Thursday, 16 November 2017 at the Civic Centre, Poulton-le-Fylde.

Standards Committee members present:

Councillors Ian Amos, Marge Anderton, Barry Birch, Terry Lees and Paul Moon

Officers present:

Liesl Hadgraft, Head of Business Support and Monitoring Officer
Roy Saunders, Democratic Services and Scrutiny Manager

Also present: Barry Parsonage (Independent Person).

Apologies for absence: Councillor Michael Vincent and Mary Grimshaw (Deputy Monitoring Officer and Senior Solicitor).

8 Declarations of Interest

Councillor Moon declared a significant non-pecuniary interest in agenda item 6 (Summary of Current Complaints) because he had been informed that he was the subject member in complaint Ref: 2017/06. He said that he would withdraw from the meeting should the complaint be discussed in any detail.

9 Minutes

RESOLVED that the Minutes of the meeting of the Committee held on 22 June 2017 be confirmed as a correct record.

10 Social Media Policy for Councillors

The Monitoring Officer submitted a report on a proposed media policy for councillors.

The Monitoring Officer reminded the Committee that there had been a discussion at its last meeting about the possibility of having a protocol for members on the use of social media. The proposed policy, attached as an appendix to her report, had been adapted for Wyre from a policy recently introduced at South Ribble District Council, where Barry Parsonage was also an Independent Person for standards issues. She said that she was having to deal more frequently with issues arising from the use of social media which, if

handled incorrectly, could get members into unnecessary hot water. The proposed policy would provide guidance to members and ultimately would also make it easier for this committee to decide, if necessary, whether or not there had been a breach of the Code of Conduct, when dealing with a complaint.

The Monitoring Officer said that there had also been discussion at the last meeting about training on this topic and other areas which tended to crop up as complaints from time to time. She said that it was now proposed to use one of the pre-council briefing slots, probably on 8 March 2018, to advise members on the new social media policy. The topics covered would, where appropriate, reflect areas where there had been complaints, in an effort to educate and remind members on do's and don'ts, which would hopefully reduce future complaints.

RESOLVED:

1. That the contents of the proposed Social Media Policy for Councillors attached as Appendix 1 to the Monitoring Officer's report be approved and that the Council be recommended to include it in Part 5 of the Constitution.
2. That the intention to provide information and advice on the new Social Media Policy and related standards issues at a pre-Council briefing session be supported.

11

Consultation: Disqualification Criteria for Councillors

The Monitoring Officer submitted a report on a consultation process being carried out by the Department for Communities and Local Government (DCLG) about proposed additions to the criteria for the disqualification of Councillors.

The Monitoring Officer said that, when she had first read the title of this consultation she had hoped it was to consider a much broader remit, which might ultimately return more extensive powers to monitoring officers and standards committees. However, the aim of the consultation was quite specific and limited. There was currently legislation in place to address situations where councillors had been convicted in the UK of an offence and as a result received a sentence of imprisonment. This consultation proposed to update this area of legislation to include sex offenders and certain anti-social behaviour sanctions.

There were a total of 6 questions in the consultation, 2 relating specifically to the proposals relating to sex offenders, 2 in relation to anti-social behaviour and a further 2 general questions.

RESOLVED:

1. That the DCLG's proposals to introduce new rules prohibiting any individual who is subject to an Anti-Social Behaviour Injunction, a Criminal Behaviour Order or is added to the sex offenders' register from standing for election or holding office as a councillor, be supported.
2. That the Monitoring Officer be instructed to respond accordingly, i.e, answering "yes" to questions 1 – 4 and "no" to question 5 in the list of specific questions set out on page 16 of the consultation document.
3. That the Monitoring Officer also be instructed to inform the DCLG, in response to question 6 in the consultation document, that it was the Committee's view that a more comprehensive review of the local government standards regime, including the provision of a wider range of sanctions for breaches of the Councillors Code of Conduct, should be undertaken as soon as possible.

12 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 had been completed since the last report to the Standards Committee. Ms Hadgraft said that brief details of each of the complaints were included in the schedule. She provided further information to the Committee at the meeting, as follows:

Ref:2016/18

The Committee had been informed at its' last meeting that this complaint was more or less concluded. Unfortunately, the subject member, having initially agreed to make an apology, had subsequently refused to do so. They had been given two opportunities to make the apology at an appropriate public meeting, but had declined on both occasions. The Monitoring Officer therefore had no alternative but to recommend that the complaint be brought before a special Standards hearing.

Ref: 2017/01

This matter related to the wording of minutes. The Committee had been informed at its' last meeting that the subject member had acknowledged that some clarification to the wording of the minutes was required and that a mechanism to rectify that was being sought. Since then an electronic link has been added on the website against the minutes in question which, when clicked on, took the reader to a report of the Monitoring Officer which clarified the wording. This matter was therefore now closed.

Ref: 2017/04

A meeting between the Monitoring Officer, an Independent Person and the subject member had taken place. Having listened to the information provided the Monitoring Officer and the Independent Person had been of the view that a breach of the code had occurred and that an apology would be an appropriate way to deal with this matter. However, the subject member had declined that solution and a special Standards Committee Hearing would therefore need to be convened.

It was hoped that it would be possible to arrange the hearings for both this case and for case Ref: 2016/18 on the same day. Members would be informed as soon as possible of the date and detailed arrangements for each of the hearings.

Refs: 2017/05, 2017/06, 2017/07 and 2017/08

The Monitoring Officer said that these four fairly recent complaints had all been made by the same complainants and were related to a single event, but were about four different subject members.

No progress had yet been made on Ref: 2017/05, other than the preliminary tests having been completed.

No progress had yet been made on Ref 2017/06, other than the preliminary tests being completed.

Complaint Ref: 2017/07 was not being taken further by the Monitoring Officer because the member who was the subject of the complaint had not been considered to be acting as Councillor when the alleged behaviour took place.

Complaint Ref: 2017/08 was also not being taken further by the Monitoring Officer because the member who was the subject of the complaint had again not been considered to be acting as Councillor when the alleged behaviour took place.

RESOLVED:

That the summary of current complaints submitted by the Monitoring Officer and her verbal report on each of the complaints referred to, including the arrangements being made for two Standards Committee hearings, be noted.

13 Date of next meeting

The Committee noted that its next scheduled meeting was currently due to be held at 6pm on Thursday 15 March 2018.

The meeting started at 6.00 pm and finished at 6.50 pm.