



## **Standards Committee Agenda**

**Wyre Borough Council**  
**Date of Publication: 4 March 2020**  
**Please ask for : Roy Saunders**  
**Democratic Services and Scrutiny**  
**Manager**  
**Tel: 01253 887481**

**Standards Committee meeting on Thursday, 12 March 2020 at 5.30 pm  
in Committee Room 2 at the CivicCentre, Poulton-le-Fylde**

**(Please note the earlier than usual start time)**

**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. Minutes** (Pages 3 - 6)

Confirmation of the Minutes of the meeting of the Committee held on 7 November 2019.

**4. Code of Conduct Amendment: Definition of Anti-Semitism** (Pages 7 - 16)

Proposed amendment attached.

The Monitoring Officer will report verbally on the proposal.

**5. Current Complaints: Summary** (Pages 17 - 18)

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.

**6. Date of next Meeting**

The next scheduled meeting of the Committee is due to be held at 6pm on 18 June 2020.

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## Standards Committee Minutes

The minutes of the Standards Committee meeting of Wyre Borough Council held on Thursday, 7 November 2019 at the CivicCentre, Poulton-le-Fylde.

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**Standards Committee members present:**

Councillors Catterall, Gerrard, Swales and Orme

**Apologies for absence:**

Councillor Sir R Atkins.

**Other councillors present:**

None.

**Officers present:**

Liesl Hadgraft, Head of Business Support and Monitoring Officer;  
Barry Parsonage, Independent Person;  
Roy Saunders, Democratic Services and Scrutiny Manager;  
Duncan Jowitt, Democratic services and Member Development Officer.

No members of the public or press attended the meeting.

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**8 Membership of the Committee**

The Chairman (Cllr Catterall) welcomed Cllr Swales to her first meeting of the Committee, following her appointment to the Committee (in place of Cllr Beavers) at the Council meeting on 3 October 2019.

**9 Declarations of Interest**

None.

**10 Minutes**

**Agreed** that the minutes of the meeting held on 20 June 2019 be confirmed as a correct record.

**11 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 provided further information on each of the complaints referred to in the schedule, as follows:

### **2019/08 and 2019/09**

The Monitoring Officer explained that, as reported at the last meeting, complaints 2019/08 and 2019/09 were very much interlinked and therefore they had been dealt with simultaneously.

An investigation had now been concluded, the outcome of which had been considered by the Independent Person who had agreed with the proposed findings. With regard to both complaints, no breach of the code had been found. However it was clear from the details of both complaints that there were issues which, if addressed, would benefit the particular Council in question and the individuals involved. Therefore, a recommendation had been made to both the complainants and the subject members, that training be arranged by the Parish/Town Council and that all those involved attend, to prevent similar situations in the future.

The Monitoring Officer informed that Committee she had received an email at 4.15pm that afternoon from the complainant in Ref 2019/08, who was also the subject member in complaint Ref 2019/09, expressing their “displeasure” at the way the complaints had been dealt with and asking that the contents of the email be reported to the Committee.

In order to consider the new information submitted, the Committee then resolved:

That the public and press be excluded from the meeting whilst complaints 2019/08 and 2019/09 were considered, on the grounds that their presence would involve the likely disclosure of exempt information as defined in category 1 (Information relating a particular individual) of Part 1 of Schedule 12(a) of the Local Government Act, 1972, as amended by the Local Government (Access to Information) Variation Order 2006 and, that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Whilst in confidential session, the Committee discussed the contents of the email submitted by the complainant/subject member and an explanation by the Monitoring Officer of the issues referred to in the complaints. When they had done so, the meeting continued in public session.

### **2019/10**

The Monitoring Officer said that it had not yet been possible to move this complaint forward because she had not had the chance to speak with the subject member. A meeting had now been arranged for the middle of November. Hopefully, once that meeting had taken place, the complaint could

be resolved.

## **2019/11**

The Monitoring Officer reported that, as with the previous complaint, this also involved inappropriate comments on social media. She said that these types of complaints were often difficult to address, particularly when considering whether or not a member was acting in their capacity as a councillor. This was because the member of the public saw comments they believed were inappropriate. As they were aware the individual making those comments was a councillor, they felt they should “know better” than to make them. In Wyre’s Social Media Policy for Councillors, this was referred to as “blurred identity” because it was often difficult to distinguish between them. The Monitoring Officer said that, in this case, both she and the Independent Person had had the opportunity to speak with the subject member regarding this complaint to gain a better understanding of the background behind the comments made. Taking information from both parties into account, it had been concluded that, whilst the subject member had not necessarily made the best choices with regards to comments made on social media, on this occasion no breach of the code had occurred. During the meeting with the subject member both the Independent Person and herself had been able to highlight some of the key do’s and don’ts around social media and had also strongly recommended that the subject member attended social media training which was being planned for Wyre councillors the new year.

## **2019/12**

The Monitoring Officer said that, sometimes complaints were received which were difficult to decipher and the substance of the complaint was unclear and this case fell in to this category. In their submission, the complainant, had promised to provide more information which, up to now, had not been forthcoming. If no further information was received, the likelihood was that no further action would be taken. She said that an update would be reported to the next meeting of the Committee.

### **Agreed:**

1. That the summary of complaints submitted by the Monitoring Officer and her verbal update on each of the complaints referred to be noted.
2. That, with regard to complaints 2019/08 and 2019/09, the conclusions of the investigation be noted and, that the actions recommended by the Monitoring Officer be endorsed.
3. That the intention to provide a training session for Wyre Councillors on social media, which would include reference to the Council’s Social Media Policy, in the New Year be welcomed and supported.

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### **Date of next Meeting**

Noted that the next scheduled meeting of the Committee was at 6pm on 12

March 2020.

The meeting started at 6.00 pm and finished at 6.40 pm.

**Date of Publication:** 19 November 2019

# **COUNCILLORS CODE OF CONDUCT**

## COUNCILLORS CODE OF CONDUCT FOR WYRE

### Part 1:

#### General Provisions and Obligations

- 1.1** As a member or co-opted member of Wyre Borough Council you must have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 1.2** Accordingly, when acting in your capacity as a member (or when you claim to act, or give the impression you are acting in your capacity as a member or when you are acting as a representative of the Council on another body):
- (a) – You must uphold and have respect for the law.
  - (b) – You must treat others with respect (\* see advisory note).
  - (c) – You must have due regard, to advice provided by the Council's officers, particularly any advice given by the Chief Finance Officer, the Monitoring Officer or their Deputies and the Head of the Paid Service.
  - (d) – You must respect others and not bully or intimidate any person or attempt to bully or intimidate them (\*\* see advisory note). This includes not intimidating or attempting to intimidate any person who is, or is likely to be, a complainant, a witness or to be involved in the administration of proceedings, meetings or hearings, relating to an allegation that a councillor (including yourself) has failed to comply with the code of conduct.
  - (e) – You must not disclose confidential information unless: you have the consent of a person authorised to give it; you are required by law to do so; the disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or, there is a clear and overriding public interest in doing so and the disclosure is made in good faith and in compliance with the reasonable requirements of the council and that you have consulted the Monitoring Officer or the Deputy Monitoring Officer prior to its release.
  - (f) – You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
  - (g) – You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
  - (h) – When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
  - (i) – You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

- (j) – You must be as open as possible about your decisions and actions and the decisions and actions of your authority and be prepared to give reasons for those decisions and actions, in accordance with statutory requirements or any additional requirements made by the council
- (k) – You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in Part 2 below.
- (l) – You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes).
- (m) – You must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- (n) – You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.
- (o) – You must be clear when communicating with the media or speaking in public that you do not give the impression you are acting in an official capacity when you are not. Nor should you express your own views in a way which misleads anyone reading or listening that it is official or agreed policy or position of the Council when it is your own personal view or those of a political party or group of people of which you are a member
- (p) – You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council in to disrepute.

\* Advisory note on treating others with respect

*If you make personal attacks or indulge in rude or offensive comments this may be interpreted as disrespectful behaviour.*

\*\*Advisory note on bullying

*Bullying can include behaviour, which is inappropriate, unwelcome or offensive and which makes an individual or group feel undermined, hurt, humiliated or insulted. It can have a damaging effect on a victim's confidence, capability and health. Inappropriate behaviour, even if not intentionally malicious, may amount to bullying if the impact is, or could be perceived to be, significant. Bullying conduct can involve behaving in an abusive or threatening way, or making allegations about people in public, in the company of their colleagues, through the press or social media. It may happen once or be part of a pattern of behaviour, although minor isolated incidents are unlikely to be considered bullying, particularly if there is not an imbalance of power or status between the perpetrator and the victim. Bullying does not include criticisms, comments or other actions that are delivered in an appropriate manner and in an appropriate arena which can reasonably be considered to be part and parcel of the hurly burly of political life.*

**1.3 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.

## **PART 2:**

### **REGISTERING AND DECLARING INTERESTS**

#### **2. Registering Interests**

- 2.1** You must, within 28 days of taking office as an elected member or co-opted member, notify the Council's Monitoring Officer of any Disclosable Pecuniary Interest (DPI) as defined by Regulations made by the Secretary of State, where the interest is yours, your spouse's or civil partner's, or somebody with whom you are living with as a husband or wife, or as if you were civil partners. **(Listed in Appendix A)**
- 2.2** In addition, you must, within 28 days of taking office as a member or co-opted member, notify the Monitoring Officer of any disclosable interests which the Council has decided should be included in the register. **(Listed in Appendix B)**
- 2.3** You must also notify the Monitoring Officer within 28 days of any new interests listed in Appendix A or B or any changes to those interests already notified/registered.
- 2.4** Any interests notified to the Monitoring Officer will be included in a register of interests, which will be available for public inspection and will be published on the Council's website, unless it is a 'sensitive interest', as defined in the Localism Act 2011, (i.e. the nature of the interest is such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation).

#### **Declaration of Disclosable Pecuniary Interests at Meetings (Appendix A),**

- 2.5** You must make a verbal declaration (at the beginning or as soon as you become aware of the interest) of the existence and nature of any Disclosable Pecuniary Interest at any meeting at which you are present where an item of business which affects or relates to the subject matter of the interest is under consideration. Having declared the interest you must comply with the statutory requirement to withdraw from participating in any discussion or consideration of the matter in which you have a DPI. In addition, the Council Procedure Rules require you to leave the room where the meeting is held while any discussion or voting takes place.
- 2.6** The Council's Standards Committee may, in limited circumstances, grant you a dispensation to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
- 2.7** Following any disclosure of a disclosable pecuniary interest not on the Council's register or the subject of a pending notification, you must notify the Council's Monitoring Officer of that interest as soon as possible and, in any case, within 28 days beginning with the date of the disclosure at the meeting.

**Declaration of Non- Pecuniary Interests at Meetings (Appendix B) or Other Significant Non- Pecuniary Interests**

- 2.8** You must also make a verbal declaration at any meeting of the authority at which you are present or if you are an executive member discharging a function alone and you either have an interest described in Appendix B or any other significant non-pecuniary interest which you feel should be declared in the public interest. A significant non-pecuniary interest might, for example, include one where you anticipate that a decision might reasonably be deemed to benefit or disadvantage yourself, a member of your family or a person with whom you have a close association to a greater extent than the other Council constituents and that interest is not a Disclosable Pecuniary Interest.
- 2.9** In such circumstances you must then consider whether your participation in the matter relating to your interest would be reasonable in the circumstances particularly if the interest may give rise to a perception of a conflict of interest and/or is likely to prejudice your judgement.
- 2.10** In such circumstances you will be allowed to make representations on the matter being discussed at the meeting, where there is an entitlement for a member of the public to speak, but you must not vote. If there is no entitlement for a member of the public to speak then you must not participate or vote on the matter being discussed at the meeting. In either case the Council Procedure Rules require you to leave the room where the meeting is held while any discussion or voting takes place.
- 2.11** Any declarations of interest made at a meeting will be recorded in the minutes.

## **APPENDIX A**

### **DISCLOSABLE PECUNIARY INTERESTS AS DEFINED BY REGULATIONS**

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the monitoring officer about your disclosable pecuniary interests following your election or re-election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.
- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where –
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.**

**APPENDIX B****NON- PECUNIARY DISCLOSABLE INTERESTS WHICH THE COUNCIL HAS DECIDED SHOULD BE INCLUDED IN THE REGISTER**

- Details of any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- Details of anybody exercising functions of a public nature, anybody directed to charitable purposes or anybody one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management.
- Details of any gift or hospitality with an estimated value of at least £50 that you have received in connection with your role as a member of the Council, and details of the donor (which will be kept on a separate register and will also be published on the Council's website).

## **Appendix C**

### **The International Holocaust Remembrance Alliance Definition of Anti-Semitism**

**“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”**

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

**Antisemitic acts are criminal** when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

**Criminal acts are antisemitic** when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

**Antisemitic discrimination** is the denial to Jews of opportunities or services available to others and is illegal in many countries.



**Summary of current complaints: 12 March 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 7 November 2019

Ref No	Complainant	Subject Member	Category of Complaint	Progress/Outcome
2019/10	A member of the public	A Wyre Councillor	Inappropriate language and comments on social media.	Monitoring Officer and Independent Person met with subject member. Apology made by the subject member and accepted by the complainant. Matter resolved. No further action to be taken
2019/12	A member of the public	A Wyre Councillor	Category of complaint unclear.	Insufficient information submitted with the complaint to enable it to be dealt with. No further information yet received. No further action to be taken unless additional information is received.
2019/13	A member of the public	A Wyre Councillor	Issues relating to involvement in a publicity campaign.	Monitoring Officer and Independent Person concluded that the subject member was not acting as a councillor when involved in the campaign.  No further action to be taken.
2019/14	A member of the public	A Wyre Councillor	Failure to properly complete Register of Interests	Monitoring Officer and Independent Person met with subject member. Extent of interest clarified and additional information added to Register to make entry more specific. Monitoring Officer to write to complainant and subject member. No further action to be taken.

Ref No	Complainant	Subject Member	Category of Complaint	Progress/Outcome
2019/15	A Wyre Councillor	A Wyre Councillor	Inappropriate comments on social media during the general election campaign	<p>Monitoring Officer discussed with Independent person and spoke to subject member.</p> <p>Subject member acknowledged that comments made could be misinterpreted and removed them. Also agreed to attend the social media training for councillors on 11 March.</p> <p>Monitoring Officer to write to complainat and subject member.</p> <p>No further action to be taken.</p>
2020/01	A member of the public	A Parish/Town Councillor	Accountability and reputational issues relating to arrangements for an event.	Monitoring Officer and Independent person to meet with both the complainant and the subject member to obtain further information.