

MINUTES OF THE MEETING Standards Committee HELD ON Tuesday, 5th November, 2024, 7pm

PRESENT:

Councillors: Barbara Blake, Erdal Dogan, Ibrahim Ali (Chair), Scott Emery and Simmons-Safo

ALSO ATTENDING: Fiona Alderman, Assistant Director for Legal and Governance, Ayshe Simsek, Democratic Services and Scrutiny Manager.

6. FILMING AT MEETINGS

The Chair referred to the filming at meetings notice and attendees noted this information.

7. APOLOGIES FOR ABSENCE

None.

8. URGENT BUSINESS

There were no new additional items of urgent business.

9. DECLARATIONS OF INTEREST

None

10. MINUTES

The Standards Committee minutes for the meetings held on the 18th of July 2024 and 26th of September 2024 were agreed as a correct record.

The public minutes of the Standards Sub Assessment Committee held on the 26th of September 2024 were agreed as a correct record of the meeting.

11. COMMITTEE WORK PROGRAMME

The Committee work programme was noted with no further items added.

12. NO FURTHER ACTION - CODE OF CONDUCT COMPLAINTS - MONITORING OFFICER ANNUAL REPORT:

This item was deferred to the next meeting in February 2025.

13. MEMBER COMPLAINTS PROCESS

The Assistant Director for Legal and Governance introduced the report which set out changes to the Councillor Complaints Protocol.

It was noted that a review of the Protocol had been undertaken to ensure that it operated in a way which supported the swift progression of complaints by expanding the ability of the Monitoring Officer to determine whether or not an investigation should be commenced immediately or referred to the Assessment Sub-Committee for a decision or allow the Monitoring Officer to determine that there should be no further action. The Monitoring Officer had reviewed complaints processes used in other Councils as part of the report to the Constitutional Working Group.

The Committee noted that the Constitutional Working Group considered the report on 23rd February 2024 and agreed certain amendments. The Constitutional Working Group made further comments on 30th October 2024 and requested a flow chart of the process be put forward to provide the Committee with an illustration of the changes. The revised scheme was appended as Appendix 2 and flow chart at Appendix 4.

The Committee discussed the updates to the criteria for initial assessment of a Councillor complaint and noted that:

- Where there was a criminal offence or offence under Chapter 7 of Part 1 of the Localism Act 2011 reported, the Monitoring Officer could put this forward to investigation without the need to call a Standards Sub Assessment Committee. This action would be taken in consultation with the Chair and also reported up the Standards Committee as part of the Annual Councillor Complaints report.
- If there was a criminal investigation, then the complaint investigation would not start until after completion of the police investigation as set out in flow chart 2.
- It was quite difficult to deem a complainant vexatious and frivolous and there could be cases where a complainant was continually making complaints about a councillor or to a councillor about a casework matter and may become fixated on an issue even after the responses provided. There needed to be support and protection for councillors in this situation. In response it was noted that there were processes that could be followed under civil and criminal law if course of conduct and correspondence indicated harassment.
- If a complainant contact was indicating wider safeguarding issues, then contact could be made with the Adults safeguarding team to report this.
- There were also internal procedures for reporting residents that were displaying abusive and intimidating behaviour and there was a set criteria for convening a meeting with key services, in contact with the resident, and also including health and safety and legal services to determine a course of action on the rules of contact with the council and councillors.

- Councillors were also encouraged to report incidents with residents where they felt the behaviour was intimidating, abusive or could be considered as harassment on the health and safety link provided by Democratic services.
- There was a need for the Council to have a key message on zero tolerance of abusive and intimidating behaviour.
- Section 10 of the protocol, Action which may be taken where a member has failed to comply with the Code of Conduct, was considered and we noted that removing SRA's was a sanction but likely to be a political management issue as the Standards Sub Committee did not have the powers alone to take this action .

Subject to a minor typo in the tracked changes being rectified,

RESOLVED

The amendments to the Complaints Handling Protocol set out at appendix 1 be agreed to be recommended to full Council for approval.

14. CHANGES TO COUNCIL PROCEDURE RULES REGARDING SECOND SUPPLEMENTARY QUESTIONS

The Democratic Services and Scrutiny Manager introduced a report on changes to the Council Standing Orders section on submission date for public and Councillor oral and written questions to allow more time for the answers to be researched and reviewed to ensure that they are in line with the Council Standing Orders.

Given the increased number of questions and need to ensure that questions were fully researched, and responses considered in accordance with CSO section 10 on questions, officers requested an additional **2** days being added to the timescale for submission/ notice of Council questions. This would mean amending 10.4a to allow 10 working days' notice of questions rather than 8 working days.

It was noted that Constitution Working Group considered this change in submission date and there were some queries about how current and reflective this would allow questions to be in the run up to a Council meeting. However, given that the increase was only 2 days and there was an increase in the number of questions that could be asked this was not felt to be a considerable issue. It was also noted that there was provision for emergency motions for more pressing current local matters or that the Leader of the Council and Chief Executive could table reports on urgent local matters that would allow such questions to be put.

RESOLVED

1. To consider paragraphs 6.1 to 6.2 and Appendix 1 outlining track changes to the Council Procedure Rules and increasing the working days for notice of Council questions from 8 to 10 days.

2. 3.2 To recommend this change to Full Council on the 18th of November for adoption and to take effect for the 27th of March 2025 ordinary Council meeting.

15. UPDATES TO THE NON-VOTING CO-OPTED MEMBER PROTOCOL

Deferred to the meeting in February 2025.

16. NEW ITEMS OF URGENT BUSINESS

None

17. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED to exclude the press and public from the meeting as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 & 2; namely, information relating to any individual and information likely to reveal the identity of an individual.

18. EXEMPT NO FURTHER ACTION - CODE OF CONDUCT COMPLAINTS - MONITORING OFFICER ANNUAL REPORT:

Deferred to the next meeting.

19. EXEMPT MINUTES

RESOLVED

To approve the exempt Standards, Sub Assessment Committee minutes of the meeting held on the 26th of September 2024.

20. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

CHAIR: Councillor Ibrahim Ali

Signed by Chair

Date