

## **DURHAM COUNTY COUNCIL**

### **STANDARDS COMMITTEE**

At a Meeting of **Standards Committee** held in Committee Room 1B - County Hall, Durham on **Friday 5 October 2018 at 10.00 am**

#### **Present:**

**Councillor B Kellett (Chairman)**

#### **Members of the Committee:**

Councillors J Atkinson, A Bainbridge, J Clark, M Clarke, E Huntington (Vice-Chair), J Nicholson and A Savory

#### **Co-opted Members:**

Town Councillor T Batson and Parish Councillor R Harrison

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors E Bell and J Bell.

Prior to the commencement of business the Chairman announced that Governance Solicitor Laura Renaudon was leaving the Authority and that this was her last attendance at a meeting of the Standards Committee. On behalf of Members the Chairman thanked Laura for the assistance and support she had given to the Committee, and conveyed best wishes for the future.

#### **2 Declarations of Interest**

There were no declarations of interest.

#### **3 Minutes of the Meeting held on 7 June 2018**

The Minutes of the meeting held on 7 June 2018 were agreed as a correct record and were signed by the Chairman.

#### **4 Code of Conduct Update**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided Members with an update on activity since the last meeting in respect of complaints received by Durham County Council (for copy see file of Minutes).

Members were informed by the Governance Solicitor that there had been an increase in the number of complaints received compared with the last period, although it should be noted that seventeen of these were in respect of one Town Councillor, one referred to the full membership of a Parish Council and five Councillors had made individual complaints about one Town Councillor. Additionally the period under consideration was four months rather than the usual three, as the meeting date had been changed and delayed by a month. Since the report had been circulated Members were informed that a Decision Notice had been issued in respect of complaint ref: COM 179, the details of which would be included in the update for the next meeting, and three new complaints had been received, two of which were concerning one Councillor.

In response to a question from Councillor Harrison who asked if there was any particular pattern to the complaints, such as age or length of experience of the subject members, the Governance Solicitor advised that although no formal analysis of complaints had been undertaken there were no specific patterns emerging.

Councillor Clarke noted the seriousness of the allegations in respect of the complaints received in respect of one Town Councillor ref: COM 158-165, 169, 171-178 and suggested that it would be useful if additional information could be included in future reports where the outcome of assessment was no further action. The Governance Solicitor advised that the Decision Notices were available for inspection by the Committee but would explore including more detail in the report, such as whether the Code had been found to be engaged at all in the complaints resulting in no further action.

**Resolved:**

That the report be noted.

## **5 Local Assessment Procedure for Code of Conduct Complaints**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which presented a revised draft of the Council's Local Assessment Procedure for Code of Conduct complaints following consultation with the Constitution Working Group (for copy see file of Minutes).

Following a question from Councillor Clark it was clarified that the Procedure now made it clear that the subject Member was entitled to receive a full copy of the complaint against them.

**Resolved:**

That the amended Local Assessment Procedure, as presented, be adopted with immediate effect.

## **6 Social Media Guidance**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which discussed and sought approval to draft Social Media Guidance, following consultation (for copy see file of Minutes).

The report set out the responses to the consultation exercise and the changes made as a result. The consultees had also been asked if the document should be adopted as Guidance rather than Policy. On balance this was the view of the respondents and Members agreed with this.

During discussion, the Committee was informed that the Guidance would be rolled out across all Councils with member training sessions arranged. Members were concerned that training was not mandatory, given the number of complaints received regarding the use of social media and given that there may be some members who would not attend. The Committee was informed that a subject Councillor would not be able to use lack of training as a defence to a complaint against them concerning the alleged inappropriate use of social media, and a failure to have attended training might be taken into account when the complaint was assessed.

### **Resolved:**

That the amended draft Social Media Guidance be agreed and adopted, having the status of Guidance.

## **7 Standards Update**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed Members of the 'national picture' on standards issues affecting Local Government (for copy see file of Minutes).

In discussing the report Members noted the outcomes of a NALC survey and were particularly concerned that it found that almost 40% of Local Councils had stated that their Members had not received training. The Committee supported the Chairman of NALC's request to the Government for a review of the standards regime, and for investment in a national training programme.

### **Resolved:**

That the report be noted and Officers continue to monitor the progress of the matters referred to and keep the Committee updated.

## **8 Annual Report of the Standards Committee 2017/2018**

The Committee considered a report of the Head of Legal and Democratic Services regarding the Annual Report of the Standards Committee for 2017/2018 which informed of the work of the Committee during the year and set out the direction it intended to take in 2018/2019 (for copy see file of Minutes).

**Resolved:**

That the report be noted and presented to the County Council on 31 October 2018.