

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 1A , County Hall, Durham on **Thursday 7 March 2024 at 9.30 am**

Present:

Councillor J Nicholson (Chair)

Members of the Committee:

Councillors L Mavin, E Peeke, K Rooney (Vice-Chair), G Smith, T Smith, T Stubbs, F Tinsley and C Varty

Co-opted Members:

Parish Councillors A Doig and C Foote-Wood

Also Present:

Mr C Hugill – Independent Person

Prior to the commencement of the meeting, Members observed a minute's silence for Councillor Isabella Roberts, who sadly passed away recently.

1 Apologies for Absence

Apologies for absence were received from Councillors J Atkinson and A Savory.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The minutes of the meeting held on 4 December 2023 were agreed as a correct record and were signed by the Chair.

4 National Picture

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).

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

5 Code of Conduct Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on complaints received by Durham County Council under the Code of Conduct for Members since the last meeting on 4 December 2023 (for copy see file of minutes).

Councillor Stubbs asked if there was a particular issue with complaints from Officers against Members at a county level, and if there was statistics they could look at as most of the complaints were against County Councillors. He then asked if there was a trend and if this was getting worse.

The Senior Lawyer, Commercial & Corporate Governance responded that she did not think that there was a particular issue or upward trend in Officer complaints against Members. It was likely a snapshot of current circumstances which is limited to a small pocket of issues which is skewing the data. As further reports are brought to the Committee once those issues are resolved the figures would likely plateau off and you would see figures more reflective of those seen previously. If at any point, it was considered that there was an upward trend in terms of Officer complaints a report would be brought to this Committee for a discussion.

Councillor Peeke asked if each complaint could be costed as a lot of work goes into complaints and a cost should be allocated. She stated that if the public were aware of the cost, it may dissuade them from bringing a complaint.

The Senior Lawyer, Commercial & Corporate Governance responded that it was a statutory function that the Council has to comply with, and the cost of each complaint was not information that would be in the public domain. The team has worked to pull the data together and this has been presented in a previous report considered by this Committee. They do try to streamline processes as much as they can and indicated that they do reject complaints where they do not engage the code, but they are required to review and consider complaints when received.

In response to a further question from Councillor Peeke the Senior Lawyer, Commercial & Corporate Governance indicated that they could bring a further update to the Committee around the data to ascertain trends if the Committee considered it necessary.

In response to a question from Councillor Tinsley around anonymous complaints the Senior Lawyer, Commercial & Corporate Governance advised Members that they only accept anonymous complaints in exceptional circumstances and the complainant would be advised of the reasons why.

Councillor Mavin referred to the Member who had declined to complete the Code of Conduct training and asked if a record of this was kept for any future allegations and would this be taken into consideration if the member were before a Standards hearing in the future.

The Senior Lawyer, Commercial & Corporate Governance responded that it was captured in the report, and this would stand as the record and indicated that the Committee have no power of compulsion, and they could only make a recommendation, and the failure to comply with previous recommendations would be considered if the Member were in front of a further hearing panel.

Councillor Stubbs referred to habitual complainants and asked how they deal with these complainants.

The Senior Lawyer, Commercial & Corporate Governance responded that there was a habitual complainant's policy that they invoke when the criteria are met. The complainant would be written to and advised why their complaints would not be dealt with and in this case the complainant was advised that the Council would not engage any further in any correspondence.

Resolved: That the contents of the report be noted.

6 Local Government Association "Debate Not Hate" Campaign

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed the Committee of any developments in relation to the Local Government Association (LGA)'s Debate Not Hate campaign (for copy see file of minutes).

The Senior Lawyer, Commercial & Corporate Governance provided Members with an update advising that she would be attending a regional LGA and ANEC event next week with one of the Cabinet Members. The event would be around stability in public health and would be considering how to put in place the zero-tolerance approach in practice and she would report back to the Committee on the outcome of the event.

Councillor Stubbs indicated that home addresses of Members should not be publicised as they had mailboxes in County Hall.

Councillor Tinsley indicated his view that there be a consistent approach on Member addresses.

Resolved: (i) That the contents of the report be noted.

(ii) That a report be brought to the next Standards Committee meeting to consider a draft zero-tolerance of abuse policy.

(iii) That the Head of Legal and Democratic Services circulates the LGA guidance on safe canvassing practices to all Members.