

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

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

Present:

Councillor T Stubbs (Chair)

Members of the Committee:

Councillors J Atkinson, L Mavin, E Peeke, G Smith, F Tinsley and C Varty

Co-opted Member:

Parish Councillor C Foote-Wood

1 Apologies for Absence

Apologies for absence were received from Councillors K Rooney, A Savoury, T Smith and Parish Councillor A Doig.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The minutes of the meeting held on 7 March 2024 were agreed as a correct record and signed by the Chair.

4 Publication of Members Addresses

The Committee considered a report of the Director of Legal and Democratic Services which provided Members with the outcome of the consultation with all Members regarding the Council's approach to publishing Members home addresses on their Register of Interests and consider whether to change the approach (for copy of report, see file of minutes).

Councillor Tinsley referred to ballot papers that he thought had been consulted on in terms of what information would be included and asked if this was correct.

The Deputy Monitoring Officer responded that previously when the Local Government Association had consulted on this it was on both the electoral and register of interests system. He continued that the change had already been made to the electoral system so that candidates when standing for election can choose whether to disclose their home address on the ballot paper, or simply the electoral division in which they live. At that point Government did not make the equivalent changes to the register of interests system. The electoral system was referenced within the report, but this was not something that the Standards Committee needed to consider.

Councillor Tinsley indicated that he would not like to see a situation where it was possible to use whether you do or do not declare your address for political purposes. He continued that a local connection with the area was important for Members and people do use the fact that people are local as part of their political stance at election. They must create a situation where there was no way to get the upper hand by publishing an address and a blanket ban would be the best approach. He stated that there was a high response rate to the consultation and a clear preference for an opt in approach and suggested that the issue was worthy of a full debate at Council.

Councillor Atkinson referred to declarations of interests at meetings that should be made clearer and provided an example of not always having to leave the meeting and the ability to still vote in some circumstances when declaring an interest.

The Deputy Monitoring Officer responded that as part of the Members induction process they do provide training on the Code of Conduct and Members Declarations of Interest. If Members had any issues throughout their term of office, then they could contact Officers and provided details of the types of interests. He further clarified that Members were not able to declare an interest and still vote. He stated that the report today was considering register of interests and home addresses.

In response to a question from Parish Councillor Foote-Wood the Deputy Monitoring Officer stated that it was an obligation on Members to register their interests following the guidance and failing to declare a disclosable pecuniary interest was a criminal offence. It was obligatory for County Councillors in this situation to register as a disclosable pecuniary interest their home address if it falls within the boundary of the authority.

Councillor Tinsley asked if you chose to opt out what would the declaration of interest state on the website. He continued that he would like to see that the Member had declared an interest in land within County Durham and that area of land was their home address which is located in their electoral division that would maintain that they have a local connection to the area.

Councillor Tinsley then moved that the Standards Committee recommend to full Council that they move to an opt in system and that Members who opt out demonstrate a connection to the local area.

Councillor Mavin sought clarification if you had to live within a certain mileage of the area to stand as a County Councillor.

The Chair advised that it was live or work within the County boundary.

Following further discussions, Councillor Peeke seconded the recommendation by Councillor Tinsley.

Resolved: That the Standards Committee recommend to Council that the approach to the publication of Members home addresses is changed so that all home addresses will be treated as sensitive and only the electoral division in which they live will be published unless a Member opts to have their home address published.

5 Protocol on Members Use of Resources

The Committee considered a report of the Director of Legal and Democratic Services which presented Members with a draft Protocol on Members Use of Council Resources (for copy of report, see file of minutes).

Resolved: That the Standards Committee recommend to Council for adoption the Protocol on Members Use of Council Resources.

6 National Picture

The Committee considered a report of the Director of Legal and Democratic Services and Monitoring Officer which informed Members of the national picture on standards issues affecting Local Government (for copy of report, 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.

7 Code of Conduct Update

The Committee considered a report of the Director 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 7 March 2024 (for copy of report, see file of minutes).

Councillor Atkinson referred to case number 604844404 and indicated that the apology was not satisfactory.

The Deputy Monitoring Officer indicated that they would investigate the case further and report back directly to Councillor Atkinson.

The Chair referred to the complaint that was upheld and equality and diversity training issued and a further complaint for the same person was no action and asked if the second complaint predated the training. Officers advised that in this case it was the same incident that had previously been dealt with.

Resolved: That the contents of the report be noted.

8 Annual Report of the Standards Committee 2023/24

The Committee considered a report of the Director of Legal and Democratic Services and Monitoring Officer which provided an overview of the work of the Standards Committee during 2023/24 and to set out the future direction which the Committee intends to take during 2024/25 (for copy of report, see file of minutes).

Resolved: (i) That the report be noted.

(ii) That the report be presented to the Council on 26 June 2024.

9 Committee Work Programme 2024/25

The Committee considered a report of the Director of Legal and Democratic Services and Monitoring Officer which proposed the work programme of the Standards Committee for 2024/25 (for copy of report, see file of minutes).

Resolved: (i) That the progress against the work programme approved on 08 June 2023 for 2023/24 be noted.

(ii) That the work programme for 2024/25 be agreed.

10 Local Government Association "Debate Not Hate" Campaign

The Committee considered a report of the Director of Legal and Democratic Services and Monitoring Officer which provided an update on any developments of the Local Government Association's Debate Not Hate campaign, which aimed to raise public awareness of the role of Councillors in their communities, encourage healthy debate and improve the responses and support for local politicians facing abuse and intimidation.

The report also sets out a proposed Zero-Tolerance Approach to Abuse Policy following a request from the Standards Committee in September 2023 (for copy of report, see file of minutes).

Resolved: (i) That the report be noted.

(ii) That the Director of Legal and Democratic Services sends all Members the information to the Local Government Association's webinar on 20 June 2024 and the Local Government Association's Digital Citizenship tools.

11 Civility in Public Life

The Committee considered a report of the Director of Legal and Democratic Services and Monitoring Officer which provided an update to Members on suggested recommendations following the Civility in Public Life Workshop delivered by the Local Government Association's (LGA) and the Association of North East Councils (ANEC).

The report also informed Members of a recommendation following the Civility in Public Life webinar delivered by the Centre for Governance and Scrutiny (CfGS) (for copy of report, see file of minutes).

Resolved: (i) That the report be noted.

(ii) That the Director of Legal and Democratic Services reviews the data in relation to Member's use of the Potentially Violent Persons Register and considers how to raise awareness of the Register amongst Members.

(iii) That the Director of Legal and Democratic Services circulate the resources recommended by the Civility in Public Life workshop to all Members.

(iv) That the Director of Legal and Democratic Services consult the Group Leaders in relation to the proposal that they attend Standards Committee on an annual basis to discuss the steps they are taking to ensure high standards of conduct amongst their groups.

