

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 2, County Hall, Durham on **Friday 6 September 2024 at 9.30 am**

Present:

Councillor K Rooney (Chair)

Members of the Committee:

Councillors J Atkinson, L Mavin, J Nicholson, E Peeke, G Smith and T Smith

Co-opted Members:

Parish Councillor C Foote-Wood

1 Apologies for Absence

Apologies for absence were received from Councillors A Savoury, T Stubbs, F Tinsley, C Varty 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 June 2024 were agreed as a correct record and signed by the Chair.

4 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 contents of 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 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 June 2024 (for copy of report, see file of minutes).

Members were asked to note an error in the report which stated that 20 formal complaints had been received and should read 26.

Members were advised that part of the complaint for FS-Case-624080427 was rejected but they had subsequently received further information, and this part of the complaint would now be considered.

Councillor Peeke referred to the handling of complaints and that a column should be included with the costings as she felt that they should know how much the complaints were costing, and this should go back to the complainant for information.

The Director of Legal and Democratic Services and Monitoring Officer responded that there was a challenge in putting the cost against ongoing complaints, but they could look at including a cost for the completed complaints and would consider the impact of doing that against individual complaints rather than periodically in the annual report and the in-year position. They could review how they presented this information and consider how they present the costs. She noted that the Council is unable to recover the costs of complaints from Town and Parish Councils. If the Council could recover such charges, this might help reduce the number of complaints received, help improve standards of behaviour and increase accountability at the ballot box.

Councillor Atkinson commented that it was a good idea and may make people think more carefully before sending the complaint and stated that some complaints could be dealt with locally.

The Director of Legal and Democratic Services and Monitoring Officer responded that parish councils need to be cautious about taking action in relation to complaints as they have no powers to do so.

In response to a further question from Councillor Peeke the Director of Legal and Democratic Services and Monitoring Officer indicated that they could consider giving an indication of the costs on the decision notice to the parish clerk.

Following a question from Councillor Atkinson the Director of Legal and Democratic Services and Monitoring Officer stated that any recommendations for local resolution might include training, which was often provided by her team. However, there was no power to compel members to comply with the recommendation or apologise satisfactory.

Councillor Mavin asked if they could publish average costs.

The Director of Legal and Democratic Services and Monitoring Officer stated that investigations are quite lengthy, and she had included costs in the annual report and last year produced an in-year position and could continue to do this for the Committee. It would be possible to provide information to parish clerks on the costs incurred in relation to a complaint. It would then be for Parish Councils to decide whether they report on that information if and when they report on complaints. The Director of Legal and Democratic Services asked Parish Councillor Foote-Wood if he had a view on this.

Parish Councillor Foote-Wood stated that he had no objection to the parish or town council being informed of complaint costs. He stated that this would need to be reviewed by the individual parish council.

Councillor Nicholson added that parish council should know how much complaints were costing and stated that everyone had the right to make a complaint and they needed to ensure that cost was not a factor in supporting individuals to have a complaint noted. She continued that being informed of the cost of complaints could be represented as the number of complaints per parish and the associated costs.

Councillor Peeke stated that it was not just parish and town councils and the money spent investigating these complaints should be known.

The Director of Legal and Democratic Services and Monitoring Officer responded that they do publish the global figure and stated that only the serious allegations go to investigation. They could produce an annual report for parish and town councils, but her concern was that there are 104 parish and town councils that would have a resource implication for the team so would need to be proportionate to the resources available and the cost.

Councillor Peeke stated that it could have a positive effect and reduce costs.

The Director of Legal and Democratic Services and Monitoring Officer stated that they would look into this and bring proposals on how to report costs incurred to the next meeting.

Councillor Atkinson commented that a lot of issues arise from some parish Chair's not knowing their standing orders.

Councillor Nicholson added that some parish councillors were co-opted onto parish councils and were sometimes not the right person for the job and commented that you should be able to challenge someone in the chamber.

Resolved: That the contents of the report be noted.

6 Local Government Association “Debate Not Hate” Campaign

The committee considered a report of the Director of Legal and Democratic Services which outlined developments of the Local Government Association (LGA)’s Debate Not Hate campaign.

The report provided an update on developments of the LGA’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 (for copy of report, see file of minutes)

Councillor Atkinson stated that ‘Debate Not Hate’ were strong words and anything along these lines should be reasonable and dealt with in a balanced manner. The movement from debate to hate was a huge jump and takes time to escalate. It takes something serious to move to hate and they needed to keep a level head about this.

Resolved: (i) That the report be noted.

(ii) That the Director of Legal and Democratic Services circulate details of the LGA’s workbook on stress management and personal resilience to all members.

7 Zero-Tolerance to Abuse Policy

The Committee considered a report of the Director of Legal and Democratic Services and Monitoring Officer which presented the proposed Zero-Tolerance to Abuse Policy (for copy of report, see file of minutes).

The Director of Legal and Democratic Services and Monitoring Officer reported that they had consulted with the Constitution Working Group and received cross party support for the Policy.

Councillor Rooney commented that as a member who was currently experiencing ongoing abuse via social media, the advice and support being received from the team was superb.

Resolved: (i) That the report be noted.

(ii) That the Standards Committee recommend Council adopt the Zero-Tolerance Approach to Abuse Policy.