

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held remotely via Microsoft Teams on **Wednesday 9 December 2020 at 9.30 am**

Present:

Councillor B Kellett (Chair)

Members of the Committee:

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

1 Apologies for Absence

Apologies were received from John Dixon Dawson, Independent Person.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The minutes of the meeting held on 13 March 2020 were agreed as a correct record and would be signed by the Chair.

4 Code of Conduct Update

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

Councillor E Bell asked what action was being taken to reduce the number of complaints relating to social media. The Governance Solicitor acknowledged that monitoring of trends shows there continues to be a high number of social media related complaints. The Committee noted that, prior to the COVID-19 pandemic, work began on the development of a social media toolkit and this piece of work, which had been delayed due to the disruption to work patterns during the pandemic, has resumed. The intention is to present the toolkit to the Standards Committee and other relevant committees, prior to circulating

the toolkit to all members, including members of parish and town councils. In addition, a training session is being planned to be held in the new year.

Resolved:

That the contents of the report be noted.

5 National Picture - Standards Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer on the national picture on standards issues affecting local government (for copy see file of minutes).

The Monitoring Officer referred to the informal meeting of the Standards Committee held on 21st July 2020, at which members were consulted on the Local Government Association's draft model member code of conduct. The Committee was updated that the publication of the draft model code is imminent, and, upon publication, the draft model code will be presented to the Standards Committee to consider its adoption by the Council, with a view to aligning this with the annual review of the constitution in March 2021.

Councillor J Atkinson referred to social media complaints and asked if any trends had been identified, relating to specific members, which may indicate additional training requirements. The Monitoring Officer responded that she was not aware of any particular trends relating to individual members and she added that the toolkit aims to provide members with advice on how to manage their social media accounts, and, to ensure members are adequately trained and supported to make the best use social media, in a way in which it is safe to do so. Concerns are followed-up, and, where complaints involve informal resolution, or, a formal hearing, and, social media is a factor, it is likely that social media training would be delivered to the individual and this would include IT training to ensure no inadvertent misuse of social media is taking place.

Resolved:

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

6 Annual Report of the Standards Committee 2019/2020

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer on the Annual Report of the Standards Committee for 2019/2020 which informed on the work of the Committee during the year and set out the direction it intends to take during 2020/2021 (for copy see file of minutes).

The Monitoring Officer informed the Committee that the Annual Report, which was being presented slightly later than planned, showed a reduction in the number of complaints received in 2019/2020, compared to the previous year.

Members noted that Code of Conduct training will be held in the new year, which will be particularly useful if a new model code is adopted, and, the training may be held remotely.

Councillor J Clark expressed concern at the delay in presenting the Annual Report to Council. The Monitoring Officer explained that the impact of COVID-19 on the cycle of meetings had prevented the presentation of the Annual Report to Council in the autumn, as planned. However, it was important to highlight the governance work which had continued throughout the COVID-19 pandemic, therefore, a brief interim update would be provided, for the Chair to present to Council, together with the Annual Report.

Councillor J Atkinson commented on ethics in relation to decision making which had been the subject of a discussion at a recent Pension Fund Committee meeting he had attended. The Head of Legal and Democratic Services commented that the Standards Committee is concerned primarily with the conduct of members, and, ensuring appropriate mechanisms and governance frameworks are in place. She added that if Councillor Atkinson wished to discuss ethical decision making, particularly in relation to pension fund investments, she would be happy to meet with him, to do so.

Resolved:

That the Annual Report for 2019/2020 be noted and presented to the County Council in January 2021.

7 Independent Persons

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed members of the decision to extend the term of office of the two Independent Persons until 21 September 2021.

The report also invited members to consider the recruitment of Independent Persons to take place prior to the expiry of the term of office of the existing Independent Persons on 21 September 2021 and any revision to the duration of the term of office for future appointments (for copy see file of minutes).

The Committee welcomed the proposal.

Councillor E Bell referred to the proposed two-year term of office and suggested it may be useful for training for the Independent Persons to include 'mock' Standards Committee meetings. The Monitoring Officer responded this could be incorporated into the induction programme for Independent Persons. She added that in addition to the quarterly ordinary meetings of the Standards Committee, there is close liaison with the Independent Persons, and, informal meetings are held to discuss issues arising.

Resolved:

That:

- (a) the decision of the Corporate Director of Resources to extend the term of office to 21 September 2021 be noted.
- (b) that the following be recommended for approval to full Council:
 - i. that a recruitment exercise be undertaken for the appointment of two Independent Persons and that this be conducted by the Head of Legal and Democratic Services (Monitoring Officer), the Deputy Monitoring Officer and the Chair of the Standards Committee; and
 - ii. that the term of office and re-appointment of Independent Persons be brought in line with the recommendations of the Committee for Standards in Public Life to a two-year term of office which is limited to one reappointment only; and
 - iii. that a further report be presented to Council seeking to appoint two new Independent Persons.