

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held remotely via Microsoft Teams on **Wednesday 3 March 2021 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

Co-opted Members:

T Batson

1 Apologies for Absence

Apologies for absence were received from R Harrison.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The Minutes of the meeting held on 9 December 2020 were agreed as a correct record to be signed by the Chair.

4 Standards National Picture Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on 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.

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 activity in respect of complaints received by Durham County Council against Councillors (for copy see file of Minutes).

In response to an observation from the Committee that a high number of complaints relate to Parish and Town Councils, the Head of Legal and Democratic Services responded this had been the trend for a number of years. Regular training is provided, and, following the local elections in May, a detailed induction programme will be held for all elected members of the County Council. As part of this, Code of Conduct Training will also be offered to Parish and Town councillors. In addition, training on specific issues is offered to Parish and Town Councils, as and when required.

Resolved:

That the report be noted.

6 Committee Work Programme

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer on the progress of the work programme over the municipal year (for copy see file of Minutes).

The Committee noted the encouraging response to the recruitment exercise for Independent Persons.

The Head of Legal and Democratic Services and Monitoring Officer explained the work programme for 2021-22 will include the review of the social media guidance which will be prepared in time for inclusion in the member induction programme, and, feedback from that exercise will inform the review of the guidance by the Standards Committee.

Resolved:

That the report be noted.

7 Model Code of Conduct

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which introduced the new Model Code of Conduct prepared by the Local Government Association. The Committee was requested to consider whether to adopt the Code in whole or in part (for copy see file of Minutes).

Members were informed that the Government is yet to respond to the formal and best practice recommendations made by the Committee on Standards in Public Life in relation to local government ethical standards. However, some of the recommendations, including those relating to the scope of the Code and the introduction of sanctions, require legislative changes.

Comments on the draft Code were submitted to the Local Government Association and changes were made to the draft, in response to the consultation process. Members were referred to the comparison of the provisions of the new Model Code with the County Council's existing Code attached to the report at Appendix 5. The Committee noted that, when the proposed changes to the best practice recommendations are incorporated, which are due to be considered by full Council on 24 March, the existing Code is largely reflective of the Model Code.

The Head of Legal and Democratic Services and Monitoring Officer requested the Committee to consider two areas where the Model Code and the existing County Council Code differ. Firstly, the Model Code includes an express requirement that Councillors must not bring their role or local authority into disrepute. The County Council Code does not include a specific provision, however, the Committee may wish to consider making an explicit reference to it, to align with the Model Code. Secondly, the Committee was requested to consider whether to enhance the Code, through including examples of treating others with respect. These changes, together with the best practice recommendations being recommended to Council in March, would align the Code fully with the Model Code, and, reflect all the best practice recommendations made by the Committee on Standards in Public Life.

Councillor Bell raised concerns in relation to the increasing amount of social media and vexatious complaints and he noted these issues are not addressed within the Code. The Head of Legal and Democratic Services and Monitoring Officer explained that arrangements are in place to deal with vexatious complaints, within the Local Assessment Procedure, which includes a Habitual or Vexatious Complaints Policy.

Councillor Batson commented that persons wishing to stand as candidates at the local elections would do well to familiarise themselves with the Model Code. The Head of Legal and Democratic Services and Monitoring Officer confirmed that candidates receive an information pack which includes the Code of Conduct, and, they are made aware that when signing the Declaration of Office, they agree to abide by the Code.

Members agreed that the changes recommended by the Head of Legal and Democratic Services and Monitoring Officer were a proportionate response to the Model Code, and, that by adopting the changes, the Council's Code will reflect best practice. The proposed changes were moved by Councillor Clarke and seconded by Councillor Atkinson.

Resolved:

The Committee agreed to recommend to Council to amend the Code of Conduct to include an express provision for Members not to bring the authority into disrepute and also to include examples of what amounts to treating others with respect and how to deal with disrespectful behaviour from others.