

## Standards Committee

2 December 2021

### Co-Opted Members of the Standards Committee



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## Report of Helen Lynch, Head of Legal and Democratic Services and Monitoring Officer

### Electoral division(s) affected:

None

### Purpose of the Report

- 1 To update the Standards Committee on the existing nomination arrangements for the Town and Parish Council co-opted representatives and to consider a proposal to engage in a workshop to identify future arrangements.

### Executive summary

- 2 In 2012, the membership and composition of the Standards Committee was agreed as 11 County Councillors and 2 non-voting co-opted Parish Councillors.
- 3 The Standards Committee as part of the work programme have agreed to review the co-opted membership and consider proposals for formalising future appointments.
- 4 The current co-opted members, Councillor Terry Batson and Councillor Ralph Harrison have served on the Standards Committee since 2012 and 2015 respectively.

### Recommendation

- 5 The Standards Committee is recommended to:
  - i) hold a workshop with members of the Standards Committee and County Durham Association of Local Councils (CDALC) facilitated by the Monitoring Officer to consider arrangements for co-opted Members to the Standards Committee;
  - ii) request that the outcome of the workshop and revised arrangements are reported to a future meeting of the Standards Committee for approval.

## **Background**

- 6 Through the Localism Act 2011 a statutory duty exists to promote and maintain high standards of conduct for elected and co-opted members. In Durham this is discharged through the Standards Committee which has the following roles and functions:-
- (a) promoting and maintaining high standards of conduct by Members and Co-opted Members of the Council and Parish and Town Council Members;
  - (b) assisting Members and Co-opted Members of the Council and Parish and Town Council Members to observe the Members' Code of Conduct and where appropriate, the Planning Code of Practice;
  - (c) advising the Council on the adoption or revision of the Members' Code of Conduct and the Planning Code of Practice;
  - (d) monitoring the operation of the Members' Code of Conduct and the Planning Code of Practice;
  - (e) advising, training or arranging to train Members and Co-opted Members of the Council and Parish and Town Council Members on matters relating to the Members' Code of Conduct and Planning Code of Practice;
  - (f) granting dispensations to Members and Co-opted Members of the Council from requirements relating to interests set out in the Members' Code of Conduct and Planning Code of Practice in circumstances where this function has not been delegated to the Monitoring Officer;
  - (g) the assessment and/or referral for investigation of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members, if requested to undertake this function by the Monitoring Officer;
  - (h) the determination of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members;
  - (i) dealing with any alleged breach by a Member of a Council Protocol, in accordance with procedures approved by the Committee;
  - (j) overview of the Officers' Code of Conduct;
  - (k) overview of the Protocol on Member / Officer Relations;

- 7 The membership of the Standards Committee was agreed by the Council in March 2012, consisting of 11 members with 2 non-voting co-opted members of the Parish Council.
- 8 It was agreed that Parish Council's would be invited to nominate a maximum of two Parish Councillors to be co-opted to the Standards Committee. In practice, nominations are received annually from the County Durham Association of Local Councils (CDALC).
- 9 Councillor Terry Batson and Councillor Ralph Harrison are the current co-opted members of the Standards Committee, both of which have been nominated each year by the executive of County Durham Association of Local Councils (CDALC).
- 10 Councillor Bateson was co-opted in 2012 and Councillor Harrison was co-opted in 2015 and their membership is confirmed each year following the annual council meeting.
- 11 There is no qualifying criteria for eligibility save for being a current Town or Parish Councillor within County Durham. It is expected that those nominated and who serve as co-opted members promote high ethical standards. Accordingly, the Member Code of Conduct applies to co-opted Parish Council members.

## **Proposals**

- 12 As part of the work programme the Standards Committee have agreed to review the arrangements for co-opted Town and Parish Council members to the Standards Committee and their term of office.
- 13 It is proposed that members of the Standards Committee and representatives from CDALC participate in a workshop facilitated by the Monitoring Officer to explore the future arrangements for co-opted Town and Council members.
- 14 Officers will research the arrangements in place at other Councils and will bring this to the workshop to help facilitate the discussions.
- 15 The outcome of the workshop and proposals will be presented to a future Standards Committee for approval.

## **Background papers**

- None

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## **Appendix 1: Implications**

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### **Legal Implications**

As outlined in the report.

### **Finance**

There are no financial implications arising out of the report.

### **Consultation**

None.

### **Equality and Diversity / Public Sector Equality Duty**

There are no equality and diversity implications arising out of the report.

### **Climate Change**

There are no climate change implications arising out of the report.

### **Human Rights**

None

### **Crime and Disorder**

There are no crime and disorder implications arising out of the report.

### **Staffing**

There are no staffing implications.

### **Accommodation**

There are no accommodation implications.

### **Risk**

None.

### **Procurement**

There are no procurement implications.