

Standards Committee

2 June 2017



Local Government Standards – Regional Meeting of Chairs, Deputy Chairs and Independent Persons of Governance/Standards Committees

Report of Clare Pattinson, Interim Head of Legal & Democratic Services

Purpose of the Report

- 1 To inform Standards Committee of the action points arising from the regional meeting of Chairs, Deputy Chairs and Independent Persons of Governance/Standards Committees.

Background

- 2 On 3 April 2017, North Tyneside Council hosted the regional meeting of Chairs, Deputy Chairs and Independent Persons of Governance/Standards Committees. The meeting was well attended and included, the Chair and Vice Chair of the County Council's Standards Committee and the Interim Head of Legal and Democratic Services.
- 3 A number of questions were discussed in small groups before responses were fed back to the wider meeting and a summary is attached as Appendix 2.

Action Points

- 4 The following action points were developed to form the basis for a discussion by the Monitoring Officers at their regional meeting in May.
 - i. Creation of a do's and don'ts guide for social media
 - ii. Advice on when a member is a member for the purpose of the code
 - iii. Training on – social media, interaction with the press and strong chairmanship
 - iv. Development of a Standards Bulletin to include cases of interest, changes to government policy, work of the Committee on Standards in Public Life
 - v. Development and introduction of a protocol annexed to the Code of Conduct on the use of social media by members
 - vi. Programmed approach to attendance at another Authority's Standards Committee

- vii. Sharing of decisions across the region to provide benchmarking information
- viii. Arranging a presentation from an external investigator on their services.

5 Due to the report deadline for Standards Committee, a verbal update will be provided to members in relation to the action points on 2 June.

Recommendations and reasons

6 Standards Committee note the content of the report.

Appendix 1: Implications

Finance – None

Staffing - None

Risk - None

Equality and Diversity / Public Sector Equality Duty - None

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation - None

Procurement - None

Disability Issues - None

Legal Implications – None

Appendix 2: Summary of discussion at Regional Meeting

Question	Answer
<p>1</p> <p>Can you identify any themes/ regular issues raised in complaints dealt with by your Authorities? Are there any behaviours that are not covered by your Code of Conduct, which should be?</p> <p>What assistance do Members need to minimise the risk of similar complaints arising in the future?</p>	<ul style="list-style-type: none"> • Use of letterhead/"passing on" of official material/ misrepresentation of facts/ misuse of facilities or resources – sometimes accidental • Use of complaints for political purposes • Inappropriate language • Interaction with public attending meetings • "Cut and thrust" of political debate – where is the line drawn? • Overstepping the line of acceptable behaviour • Bullying/respect (in particular in parishes) • Use of social media • Political "tit for tat" (member to member) • Political group support • Increased sensitivities • Declarations of interest – public perception of interests which are registered but not declared at meetings • Which capacity – if in private capacity needs to be made clear in terms of Code of Conduct "held to account" but can be difficult to monitor as a Monitoring Officer if using in a private capacity <ul style="list-style-type: none"> • Training and actual attendance – induction, strong chairing, membership, group leaders to encourage, support in general and technology for all • Guidance on dos and don'ts • Training on press reports/enquiries • Circulating topics in a bulletin of Government changes may help members on a regional basis
<p>2</p> <p>What advice, guidance and controls does your Authority have in place in relation to the use of social media by Members? See extract from the Guardian on 28 March.</p>	<ul style="list-style-type: none"> • Social media – could make members predisposed if no specific guidance – guidance across the region could help • Political groups exert discipline/control – more difficult with independent and parish councils • Use of social media to generate press stories • Lack of awareness/understanding by members leads to mistakes • Only apologise when caught • Social media protocol is difficult to enforce • Consistent approach within Authority as to acceptable and non-acceptable behaviour • Timeliness of reporting • Maintenance of confidentiality • Awareness of speed of travel/information • Perceptions raised/appearances • Regional authorities – non-adopted regional guidance, if complaints judged on this basis could benefit under Code of Conduct and could incorporate as a set of

		<p>general principles.</p> <ul style="list-style-type: none"> • Members are social media savvy but mistakes issues – are members sufficiently aware of social media guidance • Members need to appreciate they are no Joe Brown and need to use social media appropriately • Demographic of members – older members tend not to use social media – it tends to be younger members who use it • Social media is a useful tool but can be both negative and positive • Use of social media during committee meetings – it is ok so long as it does not interfere or impact on the meeting • Perception – if acting in official capacity (noted that equipment is blocked for staff use of social media but not members)
3	<p>Would reciprocal visits to committee meeting by Chairs and Deputy/Vice Chairs of Standards/Governance and other regulatory committees be useful in developing best practice and “seeing” how it is done elsewhere? If any Member has attended another Authority’s committee meetings – what feedback can they give of that experience?</p>	<ul style="list-style-type: none"> • It was suggested all standards meetings should be open and invitees welcomed as has previously been done at Newcastle on ethical governance issues. If members make it known they wish to attend they could be invited rather than attending as an observer. If attending it would be a good idea to alert the Authority to get a more inclusive approach – on a more specific agenda item • Generally felt helpful to see how other Authorities operate providing it is relevant/comparable • Useful to see how different councils follow different processes (leader/cabinet v committee structure) • Policy of open invites and dates to be circulated – suggested extend to all standard committee members • IPs in some Authorities find that reports/meetings are too long – these are subject to committee structures in place as some have a light touch and therefore complaints are dealt with quicker • Important to address succession planning for Monitoring Officers/Members on standards matters to broaden experiences. • Reciprocity in terms of investigations e.g. external investigations – some noted it could be resource pressure/issues but the arrangements have been done previously.
4	<p>What revisions could you suggest that would improve the standards regime as it currently stands?</p>	<ul style="list-style-type: none"> • Lack of effective sanctions • Parishes – often no group structure • Sanctions used can include – apology, training (individual), training (as members) or censure • Feedback on effectiveness of training as a sanction – does it make a difference to behaviour? Members do engage. • Would help to have shared checks/balances by sharing complaints decisions regionally via Monitoring Officers

	<p>Does your Authority investigate complaints internally or does your Authority appoint an external investigator?</p> <p>How do you engage with your independent persons in dealing with complaints?</p>	<p>and pre-assessment/filtering in terms of percentage go through and why some don't so to set benchmarking</p> <ul style="list-style-type: none"> • Standardisation? Would be difficult • Sanctions are too lenient some members are not daunted by any adverse PR • Need to restore ability to suspend etc. • Parish councils needs to follow Authority's decisions • Censure could be positive/negative and need to include 'suspensions' to show credibility on sanctions. • Suspension is the fall back and as a last resort <ul style="list-style-type: none"> • Investigate both internal and external • All investigations done internally due to cost and expertise – reciprocal arrangements? • Investigations mainly done internally due to cost/resources as reciprocal is time consuming on already tight resources <ul style="list-style-type: none"> • IPs – some engaged from staff and some keep their distance • IPs are generally involved in initial screening of complaints • Investigations mainly done internally due to cost/resources as reciprocal is time consuming on already tight resources • Independent chair can feel very uncomfortable in suspending an elected member • Suggestion made to invite an external investigator to a future regional standards meeting
5	<p>How are your Standards Committees/Governance Committees constituted? Are they politically balanced? Do you have a co-opted independent chair? How well do your arrangements work and would you change them?</p>	<ul style="list-style-type: none"> • Most Authorities are nominally politically balanced • No co-opted independent chairs • Standards national framework and sanctions are frustrating • Generally working well bar sanctions and below national standard • Each Authority's arrangements are working well for that Authority • Need for robustness if you enter political arena • Reduction in complaints received • Would be helpful if parish council members and independent co-opted voted (but not chair) – however non-voting co-opted members would need to have a change in law to allow them to vote • It is a strength to have an independent chair as it goes to perception.