

## **DURHAM COUNTY COUNCIL**

### **STANDARDS COMMITTEE**

At a Meeting of **Standards Committee** held in Committee Room 1A, County Hall, Durham on **Friday 1 December 2017 at 10.00 am**

#### **Present:**

**Councillor B Kellett (Chairman)**

#### **Members of the Committee:**

Councillors J Clark, M McGaun, M McKeon and J Nicholson

#### **Co-opted Members:**

Town Councillor T Batson and Parish Councillor R Harrison

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors E Bell, J Bell, M Clarke, T Henderson, E Huntington and A Savory, and Independent Person John Dixon-Dawson.

#### **2 Declarations of Interest**

There were no declarations of interest.

#### **3 Minutes**

The Minutes of the meeting held on 1 September 2017 were agreed as a correct record and were signed by the Chairman.

#### **4 Committee Work Programme**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which proposed an annual programme of work for the Standards Committee (for copy see file of Minutes).

Councillor Clark welcomed the structured approach to the annual programme of work. Following a query about the review of the Planning Code of Practice, Members discussed the Standards Committee's role in the process which was to advise the Council on the adoption or revision of the document.

Councillor Clark referred to member training and a potential link with the Member Development Support Group. The Head of Legal and Democratic Services advised that she had had an initial meeting with the Head of People and Talent Management to discuss the member development programme and how the Group, with this Committee, could reinforce the importance of Member attendance at training sessions.

**Resolved:**

That the proposed work programme as set out in Appendix 2 of the report be agreed.

**5 Code of Conduct Update**

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

Councillor Nicholson referred to the training session held by the Monitoring Officer on 3 October 2017 for Parish and Town Councils which she felt could have been better attended. A discussion ensued on the importance of training on the Code of Conduct and how attendance by Councillors could be improved, including whether it could be made mandatory.

Some Members suggested that training in the localities should be explored, however, Councillor McGaun was of the view that, given the size of the County and the number of Parish Councils, this may be impractical. The Member considered that sessions at 1.30pm and 5.30pm in County Hall, Durham were useful to accommodate Members.

The Head of Legal and Democratic Services advised that training in the localities was already available to Parish Councils upon request, and referred to the recent session held for Cornforth Parish Council, to which neighbouring Parish Councils had also been invited. County Hall was centrally located but there may be difficulties for those Parish Councils travelling from the outlying parts of the County. The Officer advised that as Monitoring Officer, she could encourage Parish Councillors to attend Code of Conduct training but that she could not require Parish Council attendance to be mandatory.

**Resolved:**

That the content of the report be noted.

Councillor McKeon left the meeting.

## **6 Standards Update**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed Members of the 'national picture' in Standards issues affecting Local Government (for copy see file of Minutes).

The report included information on current consultations, a court case, the review of governance arrangements of Local Enterprise Partnerships and a request by Thurrock Council for legislation for a new 'Right to Recall' Councillors in the event of significant conduct or ethical breach.

### **Resolved:**

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

## **7 DCLG Consultation - Disqualification Criteria for Councillors**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which advised Members of a consultation paper on updating the disqualification criteria for local authority Members (for copy see file of Minutes).

Members discussed the consultation and supported the proposal that a person would be disqualified if he/she met the requirements set out in the Sexual Offences Act 2003, and the proposal to include criminal behaviour. However Members disagreed that a person would be disqualified if he/she was subject to a civil injunction. The Committee was concerned that an individual could be disqualified from holding public office by being the subject of a civil injunction through association, for example Members could be involved in a peaceful protest which had public support. This criteria could infringe on an individual's freedom of expression.

The Committee felt that rather than tackling bad behaviour through the proposed criteria, sanctions available within the standards regime should be strengthened. The Head of Legal and Democratic Services advised that the standards regime was to be reviewed by the Committee on Standards in Public Life and an announcement was expected in early 2018 of the launch of consultation which would be reported to the Committee for comments.

### **Resolved:**

That the comments of the Committee be included in the Council's response to the DCLG's consultation paper.

## **8 Social Media Guidance**

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which proposed the development of guidance on the use of social media for Members of the Council (for copy see file of Minutes).

The proposed guidance was for Durham County Councillors but Councillors Batson and Harrison suggested that it would be useful if the guidance could be developed to also assist Parish and Town Councillors. The Head of Legal and Democratic Services advised that following the preparation of draft guidance she would liaise with CDALC to ensure that it was also relevant for Parish and Town Councillors.

**Resolved:**

That the proposal to develop social media guidance for Councillors be agreed and a further report be submitted to the next meeting of the Committee with a draft of the proposed guidance for consideration.