

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Standards Sub-Committee held in the The Council Chamber - The Guildhall on 24 September 2018 commencing at 6.30 pm.

Present: Councillor David Cotton (Chairman)
Councillor Mrs Anne Welburn (Vice-Chairman)

Councillor Mrs Pat Mewis
Parish Councillor John Hill
Parish Councillor Chris Elkington

In Attendance:
Alan Robinson Strategic Lead Governance and People/Monitoring Officer
James O'Shaughnessy Corporate Policy Manager & Deputy Monitoring Officer
Katie Coughlan Senior Democratic & Civic Officer

Apologies: Councillor Mrs Gillian Bardsley
Councillor Roger Patterson

Membership: No substitutes were appointed.

5 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

(a) Minutes of Meeting held on 14 May 2018 (following Annual Council)

RESOLVED that the Minutes of the Meeting of the Standards Sub-Committee held on 14 May 2018 be confirmed and signed as a correct record.

6 MEMBERS DECLARATIONS OF INTEREST

All Councillors present declared a non-pecuniary interest in agenda item 4 a) (To review the number nature and outcome of complaints received during the civic years 2016/17 – 2018/2019) due to the fact that they were all subject to the Code of Conduct.

7 TO REVIEW THE NUMBER NATURE AND OUTCOME OF COMPLAINTS RECEIVED DURING THE CIVIC YEARS 2016/2017 - 2018/2019

Members gave consideration to a report which presented a data analysis of the number nature and outcome of complaints received under the Code of Conduct regime for the civic years 2016/17, 2017/2018 and 2018/2019 (to-date).

The report further asked Members to give consideration as to whether the Standards Sub-Committee should undertake proactive work in the run up to all out Elections in 2019.

Section 2 of the report included a number of graphs, including graphs which set out: -

- * The total no. of complaints received and whether these related to District or Parish Councillors;
- * The nature of complaints received and how these were split between District and Parish Councillors;
- * The Outcome of those complaints received; and
- * The Actions taken where potential breaches of the Code had been identified

Section 4 of the report summarised some of the evident trends; points which were brought to Members' attention included: -

- * There had been a significant reduction in the number of complaints following the new Code's introduction, although these had started to increase again during the current year, particularly in respect of District Councillors;
- * The main source of complaints continued to be around respect, bullying and intimidation;
- * In recent months social media had been at the centre of a number of complaints; and
- * The majority of complaints still resulted in a "no breach" determination being made at the initial assessment stage. This was primarily due to them relating to behaviour in a Councillor's private capacity, or having been deemed to not meet the threshold worthy of investigation.

Finally Section 5 of the report set out a number of suggestions regarding pro-active work the Sub-Committee may wish to consider undertaking in the run up to all out Elections in May 2019.

Debate ensued and Members sought indication as to how the content of the report was publicised, as they were of the view it contained a number of good news stories. The Monitoring Officer advised that the report had been available on the website in accordance with agenda publication rules. In response to suggestions that Social Media could be used, caution was expressed and the Monitoring Officer outlined his reasons for this. It was suggested that a simple statement could be made in both the resident's digital newsletter and the Members' Bulletin as an alternative.

In response to questions posed, Officers clarified how the total number of complaints was measured and also outlined the "threshold principle" used when considering complaints regarding allegations relating to respect, bullying and harassment.

With regard to undertaking pro-active work going forward, Members considered the following would be of assistance: -

- * Timely advice and guidance in respect of purdah for both District and Parish Councillors (to which purdah would now apply)
- * Training for all newly elected and returning District and Parish Councillors, making this as mandatory as possible;
- * Information in candidates packs setting out the requirements of the Code and the

requirement of training in order that expectations were understood from the outset.

In general, Members considered the overall picture to be a positive one, but there still remained a lot of misunderstanding around private capacity and personal life.

All acknowledged the role of the Monitoring Officer was made all the more difficult in the absence of legislation which included sanctions.

The Monitoring Officer concurred with this view and advised that lobbying on this matter was undertaken at every opportunity. Within the District Council the Monitoring Officer could make use of group discipline mechanisms to assist him, however, this was not applicable to Parish Councils. Permission was sought and received for lobbying to continue.

On that basis it was

RESOLVED that: -

- (a) the statistical data presented within the report be noted; and
- (b) having given consideration as to whether proactive work should be undertaken in the run up to all out Elections in May 2019, the following actions be undertaken: -
 - * Timely advice and guidance in respect of purdah for both District and Parish Councillors be issued;
 - * Training for all newly elected and returning District and Parish Councillors, be arranged, making this as mandatory as possible;
 - * Information be included in candidates' packs setting out the requirements of the Code and the requirement of training in order that expectations are understood from the outset.
 - * The Monitoring Officer continue to lobby for a change in legislation in respect of the sanctions that can be applied; and
 - * a simple statement be issued in both the residents' digital newsletter and the Members' Bulletin advising of the reports existence.

8 UPDATE ON THE ADOPTION OF THE CODE OF CONDUCT BY PARISH COUNCILS

The District Council, having adopted its new Code of Conduct in May 2017, tasked the Monitoring Officer to work with Parish Councils across the District with a view to them also adopting its Code or alternatively adopting the National Association of Local Councils' (NALC) Code by May 2018.

To-date 47 parish council's had adopted the WLDC Code, 18 the NALC Code and 6 had adopted their own Code. Only 1 Parish Council was yet to respond.

RESOLVED that the information be noted.

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The meeting concluded at 7.15 pm.

Chairman