

Standards Committee

Monday 9 April, 2019 at 6.00 p.m.

at the Council House, Walsall

Present

Councillor S. Samra (Chair)
Councillor A. Underhill (Vice Chair)
Councillor P. Bott
Councillor S. Craddock
Councillor J. Murray
Councillor M. Statham
Councillor A. Young

Mr. A. Green – Independent Member

Mr. Tony Cox – Head of Legal and Democratic Services
Mrs Bev Mycock, Democratic Services Officer

1/19 Apologies

An apology for non-attendance was submitted on behalf of Councillor R. Burley

2/19 Substitutions

There were no substitutions.

3/19 Minutes

The Committee considered the minutes as circulated.

Resolved

That the minutes of the meeting held on 22 October, 2018 copies having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

4/19 Declarations of interest

There were no declarations of interest.

5/19 Local Government (Access to Information) Act, 1985 (as amended)

There were no items for consideration in private session.

6/19 **Committee Standards in Public Life – Key Recommendations and Key Changes**

The Head of Legal and Democratic Services introduced the report, which provided Members of the Committee with details and an excerpt from a report produced by the Committee of Standards in Public Life (CSPL) in respect of Local Government Ethical Standards. The report contained a number of recommendations to Government and local authorities with regard to proposed changes to the Local Government Standards regime and recommendations for best practice for local authorities to implement

The Head of Legal and Democratic Services drew Members attention to the list of recommendations contained within Appendix 1 of the report, and at the request of the Committee, expanded upon a number of recommendations which included:-

- Recommendation 2 – disclosure of home addresses
'Government should ensure that candidates standing for or accepting public offices are not required publicly to disclose their home address. The relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 to be amended to clarify that a Councillor does not need to register their home address on an authority's register of interests'

Walsall Council will maintain two registers of Members' interests:-

- 1 x external/public register with no addresses disclosed – some Members are already using the Council House address;
 - 1 x private register to include Councillor's addresses
- Recommendation 3 – public conduct including social media
'Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publically accessible social media'
The Head of Legal and Democratic Services advised the Committee that Walsall was considering re-imposing suspensions on Members who breached the Council's Member Code of Conduct as contained within the Constitution.

Members queried the type/level of suspension which could potentially be enforced. The Head of Legal and Democratic Services confirmed that a Member could be suspended from acting in their capacity of an elected Councillor and their entitlement to attend meetings would be removed.

- Recommendation 6 – gifts and hospitality
'Local Authorities must establish a register of gifts and hospitality with Councillors required to record any gifts and hospitality received over a value of £50, or a total of £100 over twelve months from a single source'

The Chair enquired whether Walsall Council had participated in, and therefore included as, one of the 319 written submissions to the most recent Committee Standards in Public Life consultation. In response, the Head of Legal and Democratic Services confirmed that although Walsall Council had not submitted a written consultation to the CSPL, conversations had taken place, which had subsequently contributed to the consultation.

The Head of Legal and Democratic Services advised Committee that the Council was still in the process of recruiting a second Independent Member but delays had been encountered due to the complexity of the role for an appropriate person and Walsall was looking at the potential of sharing a pool of independent persons with Sandwell Council.

Resolved

- i. That the Monitoring Officer write to all Elected Members informing them of the recommendations of the Committee on Standards in Public Life.

7/19 Members Code of Conduct

The Head of Legal and Democratic Services/Monitoring Officer introduced the report entitled 'Proposed Changes to the Arrangements for Dealing with Standards – Complaints under the Localism Act 2011' (annexed).

The Committee on Standards in Public Life (CSPL) advise Government on ethical standards across the whole of public life in England, it monitors and reports on issues relating to the standards of conduct of all public office holders, and is responsible for promoting the Seven Principles of Public Life, namely selflessness, integrity, objectivity, accountability, openness, honesty and leadership, commonly known as the Nolan Principles.

The Head of Legal and Democratic Services advised that if Members were happy with the report, he would consult with Group Leaders and other Members and following the consultation the report would be submitted to Council.

He advised that the local authority reviewed the arrangements for dealing with Standards Complaints under the Localism Act 2011 as and when required, and that that it makes recommendations to Committee in respect of proposed amendments. If agreed, the amendments are then approved at Annual Council as part of proposed constitutional changes.

Resolved (unanimous)

That Standards Committee:-

- i) Noted the content of the report and proposed amendments to the Arrangements for dealing with Standards Complaints under the Localism Act 2011;
- ii) Recommend that the proposed changes be put to Council after Group Leaders have been consulted about the same.

8/19 Elected Member Attendance at Council Meetings and Training

The Head of Legal and Democratic Services introduced the report, which provided Elected Members with information regarding attendance at meetings, and he highlighted the salient points therein.

Members considered the report further and a number of comments and suggestions were raised which included:-

- concerns pertaining to the poor attendance figures for most of the learning events, and what sanctions could be taken;
- better induction training required for all Members, particularly with regard to Notices of Motion and Rules of Debate;
- differing opinions regarding making all training mandatory – have to be mindful of and put into prospective elected Members other ‘outside of the Council’ activities, cannot attend all training and should be down to the respective Member to determine which training is most beneficial and pertinent to their roles;
- some Committee training should be provided on a regular basis as policies change, for example Planning Committee, as opposed to only one session at the start of a municipal year;
- consideration be given to potentially provide a half hour refresher session ahead of meetings, particularly Planning and Audit.

The Head of Legal and Democratic Services gave an overview of the level of attendance at training and in response to comments regarding the low turnout for most of the training sessions, he advised that there although there was an expectation for Councillors to have to attend training sessions, non-attendance could not be sanctioned, other than mandatory training, and not considered a breach of the code of conduct. The Head of Legal and Democratic further added included:-

- Officers complete a mandatory, on-line Data Protection Awareness Course every financial year;
- Walsall is currently refreshing its course booklet and may include accredited training and on-line training. It is also considering the use of national trainers, particularly with regard to Standards, and investigating the potential for trainers from LGIU to visit Walsall as opposed to Members having to travel to venues in London or elsewhere;
- ‘Rules at Meetings’ and ‘Data Protection Awareness’ training were both well attended with 30 and 40 Members attendance respectively;
- Numbers of attendees had been included within the report as opposed to names as permission had not been gained from Members beforehand;
- The expectation for Members to attend a minimum of 12 hours training each municipal year had been considered as achievable but currently few Members had actually attended training up to and above 12 hours.

Resolved

- i. That the Monitoring Officer write to all elected Members reminding them of the requirement to attend their respective Committee meetings and Sub Committee meetings and to also remind them of the requirement to attend Learning and Development Training;

9/19 Date of Next Meeting

The date of the next meeting to be confirmed at Annual Council.

10/19 Termination of Meeting

There being no further business, the meeting terminated at 7.05 p.m.

Chair:

Date:.....