

Standards Committee

Monday 18 July 2016 at 6.00 p.m.

at the Council House, Walsall

Present

Councillor Underhill (Chair)
Councillor Martin (Vice-Chair)
Councillor Burley
Councillor A. Ditta
Councillor E. Hazell
Councillor Murray
Councillor Young

113/16 Apologies

Apologies for non-attendance were submitted on behalf of Mr A. Green and Dr. A. Sen.

114/16 Appointment of Vice-Chair for the 2016/17 Municipal Year

Resolved:

That Councillor Martin be appointed Vice-Chair for the Municipal Year 2016/17

115/16 Substitutions

There were no substitutions.

116/16 Minutes

Resolved

That the minutes of the meeting held on 26 April 2016, copies having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

117/16 Declarations of interest

There were no declarations of interest.

118/16 Local Government (Access to Information) Act, 1985 (as amended)

There were no items for consideration in private session.

119/16 Review of Elected Member Complaints 2015/16

The Committee were provided with information in respect of complaints received by the Monitoring Officer concerning allegations made about breaches of the Council Code of Conduct by Members during 2015/16.

The Head of Legal and Democratic Services reported that during 2015/16 he had investigated 13 allegations against Councillors for breaches of the Code of Conduct. He explained that he had not found it necessary to recommend the establishment of a Standards Hearing Committee for any of the complaints. The Independent Members on the Committee had provided helpful challenge and objectivity to his investigations.

One complaint had been received about the content of election leaflets for a serving Member. It was explained to the Committee that this complaint was rejected as Members are viewed to be acting in a personal capacity when seeking election. This view was supported by case law and there was a logic to it as the monitoring officer was unable to investigate complaints against candidates who were not already Members. Group Leaders would be advised of this for their information. Following questions the Head of Legal and Democratic Services explained that the Electoral Commission had a *laissez-faire* attitude towards regulating campaigning materials and would only really act in extreme cases.

Resolved:

That the Head of Legal and Democratic Services write to Group Leaders advising them of the legal position of the Monitoring Officer in respect of investigating complaints about election campaign materials.

120/16 Elected Members – School Admission Appeals

The Committee were briefed in relation to school admission appeals.

The Head of Legal and Democratic Services provided an overview of the school admission appeal process as it was becoming a more frequent occurrence to find elected Members attending to advocate on behalf of parents. The Democratic Services Officer reported on good practice for Members to consider if they were advocating for parents and highlighted a number of real-life examples of behaviour to avoid.

The Committee discussed the topic and the various approaches individuals took when contacted by constituents. The Head of Legal and Democratic Services offered to provide training on school admission appeals which was welcomed by the Committee.

Resolved:

That the Head of Legal and Democratic Services provide training on school admission appeals for Members.

121/16 Date of Next Meeting

It was noted that the next meeting would take place at 6pm on 3 October 2016.

Termination of Meeting

There being no further business, the meeting terminated at 6.46 p.m.

Chair:

Date: