

Monday 11 July, 2022 at 6.00pm.

In a Conference Room at the Council House, Walsall

Members Present

Councillor Kaur (Chair)
Councillor Burley (Vice-Chair)
Councillor Allen
Councillor Andrew
Councillor Elson
Councillor Lee
Councillor Nazir
Councillor Young

Officers Present

Mr A. Cox	-	Director of Governance
Mr N. Picken	-	Principal Democratic Services Officer

18/22 Apologies

Apologies for absence were received on behalf of Councillor James, Councillor Lee, Mr A. Green and Mr C. Magness.

19/22 Substitutions

There were no substitutions.

20/22 Minutes

Resolved

That the minutes of the meeting held on 5th April, 2022 be approved and signed by the Chairman as a correct record.

21/22 Declarations of Interest

There were no Declarations of Interest.

22/22 Local Government (Access to Information) Act, 1985 (as amended)

There were no items for consideration in private session.

23/22 Role of Standards Committee

The Director of Governance referred to the remit of the Committee, which had been circulated at the meeting.

He explained that Walsall had made the decision to maintain a separate Standards Committee to promote and uphold good standards in public life when the new standards regime was introduced by the Localism Act 2011. He highlighted that some Councils had amalgamated Standards within Audit Committees but, on balance, it was important to have a separate meeting to focus on standards. In closing, he welcomed feedback from members of the committee on the remit to ensure that it remained fit for purpose and committed to bring a further report to the October meeting.

In response to a question relating to approach to Standards adopted by other authorities, the Director of Governance advised that when reviewing the remit of Standards in Walsall, he had looked at a number of other Councils. Of the 13 authorities reviewed only one had merged standards with audit. In addition, with regards to frequency of meetings, the majority met on a quarterly basis.

Resolved

That:-

1. A further report on the role and remit of Standards Committee be added to the work programme for the October 2022 meeting; and
2. Future reports include comparison and examples of best practice.

24/22 Member Complaints

A report was submitted in respect of complaints received by the Monitoring Officer concerning allegations made about breaches of the Council Code of Conduct by Elected Members 2021/22

(See annexed)

The Director of Governance confirmed that the information was provided on an annual basis and advised that, at the request of an independent member, the time each complaint took to assess a complaint would be included in future reports as it was important to be transparent. He clarified that there was no further right of appeal against an assessment of complaints as it was designed to be an efficient process. However, the decision by the Director of Governance could be challenged by way of Judicial Review or complain to the Local Government Ombudsman. He explained that the Council had Independent Persons, a statutory requirement under the Localism Act 2011 that were consulted before a decision is reached in relation to an assessment.

It was highlighted that Mr Green had suggested that the annual report include a breakdown of decisions that independent persons agreed or disagreed with an assessment and that this would be included in future.

The Committee were informed that there had been 9 complaints over the preceding 12 months, some of which had been one issue with multiple complaints. Having investigated, there had been no breaches of the Code of Conduct. It was also mentioned that member to member complaints do occur, but these were not a common occurrence at Walsall. In terms of the use of external persons to assess reviews, this had been used for 2 of the complaints submitted as this provided an additional tier of independence.

In response to a question regarding the appointment and allowances for Independent Persons, the Director of Governance confirmed that the term of office was 4 years, via an interview process and approved by Council. Many authorities struggled to appoint Independent Persons and so Walsall agreed to pay a small allowance which had enabled the Council to recruit further individuals.

A discussion ensued about the level of detail provided in terms of each complaint. The Director of Governance agreed to provide further detail in future reports.

Resolved

That a report detailing the source of complaints and broad nature of them be submitted to the October meeting.

25/22 Maternity Provisions for Elected Members

A report was submitted in respect of a proposed policy is to ensure that insofar as possible Elected Members are able to take appropriate leave at the time of birth or adoption; that both parents are able to take leave; and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

(See annexed)

Members supported the Policy and agreed, at the suggestion of the Director of Governance, that a working group be established to help develop the Policy prior to its submission to Council for approval. The Director of Governance welcomed this and confirmed that Mr Green had advised that he wished to form part of the working group and had made several suggestions to aid its development.

A member asked about the impact of such a Policy should there be a hung Council. The Director of Governance advised that it would be a matter for each member to determine as to whether to attend a meeting but this would

be considered further during Policy development. In relation to further questions regarding whether the Policy would be compulsory or a matter of choice and whether fostering and adoption would also be considered, the Director of Governance confirmed that it would be a matter for each individual to decide and that adoption and fostering would be considered during the policy development stage.

Resolved

That a working group be established to develop a Maternity Policy consisting of the following:-

- Cllr Young
- Cllr Andrew
- Cllr Burley
- Cllr Kaur
- Andy Green

26/22 Work Programme

The Chair confirmed that she would develop a work programme with the Director of Governance and circulate it to the Committee. In doing so, it was requested that members attendance at meetings be included.

The Director of Governance agreed to circulate the previous years work programme together with the draft work programme for the 2022/23 municipal year.

Resolved

That:-

1. The attendance of members at meetings be included within the work programme 2022/23: and
2. The Director of Governance circulate the draft work programme for 2022/23 together with the work programme for 2021/22.

There being no further business, the meeting ended at 18.26

Signed.....

Date.....