

**Constitution and Standards
Committee
Friday 21 June 2019
10.00 am**



SUPPLEMENT TO THE AGENDA

To: The Members of the Constitution and Standards Committee

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 3	Minutes from the previous meeting (Pages 3 - 6) The Committee is asked to confirm the minutes are accurate.
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Community Governance, County Hall, Taunton

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CONSTITUTION & STANDARDS COMMITTEE

Minutes of a meeting of the Constitution and Standards Committee held in the meeting room, Taunton Library, Taunton on Friday 10 May at 10.00am.

Present: Cllr W Wallace (Chair), Cllr T Munt, Cllr D Loveridge, Cllr M Dimery and Cllr H Davies

Co-opted Members: Mr R Horton and Mr W Wooding.

Other members present: Cllr L Redman

57 APOLOGIES FOR ABSENCE - agenda item 1

Mr T Ward and Mrs J Middleton.

58 DECLARATIONS OF INTEREST – agenda items 2

Members of the Constitution and Standards Committee declared the following personal interests in their capacity as a Member of a District, City/Town or Parish Council:

Cllr D Loveridge

Bridgwater Town Council

Cllr H Davies

Somerset West and Taunton Council

Cllr W Wallace

South Somerset District Council

59 MINUTES FROM THE PREVIOUS MEETING – agenda item 3

The minutes of the meeting of the Committee held on 8th February 2019 were approved as correct record and the Chair signed them.

60 PUBLIC QUESTION TIME - agenda item 4

There were none.

61 ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION AND DEMOCRATIC ARRANGEMENTS – agenda item 5

61.1 The Chair invited the Monitoring Officer Scott Wooldridge to introduce the report and outline the main points. He explained the report was part of an annual review of the constitution which was required by the Council. The Committee has responsibility for recommending an amended constitution to the Council for approval and this was due to be considered at its meeting on 15 May.

61.2 Proposed changes included revisions to the access to information rules regarding uploading and deleting audio recordings on the website and retaining the recordings, presenting public representations at meetings, and technical amendments to the constitution following changes to postholder titles and responsibilities.

61.3 Members were also informed there were two reviews that were currently being undertaken regarding scrutiny arrangements and Pensions Boards for which specific recommendations may come forward to full council during the 2019/20 period.

61.4 There was discussion around the following points:

- Uploading audio meeting recordings on the website
- The storing of meeting recordings and whether CDs were used for transferring audio recordings
- The process adopted by other local authorities
- Live webstreaming which was the method used by some parish and town councils.
- There was wide support for keeping all audio recordings of meetings and it was felt this helped to provide context of the debate.
- Members also raised the importance of transparency and accessibility with publishing and retaining audio recordings.
- The 3 clear working day period for the public question deadline and difficulty for people to be able to look at the reports and submit questions before the deadline.
- Making the public question deadline clearer to the public by displaying this better
- Providing better guidance to the public about the length of public questions or statements
- Difficulty for officers reading public questions or statements which are political or emotive.
- Whether the scrutiny review would cover the issue of co-opted members

61.5 The following amendments, proposed by Cllr T Munt and seconded by Cllr M Dimery, were agreed by the Committee for recommendation to Council.

- **Following agreement to the minutes of a meeting, audio recording to remain on the council's website for two years, then after that period the recording to be deleted from the website and council's records**
- **The retention of the current arrangements for an officer to read out a question or statement that has been submitted by the deadline for a meeting but where a member of the public or their substitute cannot attend**
- **For the deadline for submission of public questions, statements or petitions to be changed from 3 clear days before a meeting to 2 clear days before a meeting**

62 ANNUAL COUNTY COUNCILLOR COMPLAINTS REPORT – Item 6

62.1 The Monitoring Officer introduced the annual report which focused on member complaints for 2018/19. The functions of the Constitution and Standards Committee include promoting high standards of conduct by members, co-opted members and officers; monitoring the operation of the members' code of conduct and council's whistleblowing policy.

- 62.2 Since May 2018, the Monitoring Officer has received three complaints relating to alleged breaches of the Code of Conduct by County Councillors. Two of the complaints related to the same elected member and their register of interests. The two complaints were subsequently withdrawn following preliminary investigation and clarification by the Monitoring Officer.
- 62.3 The third complaint was investigated at Level 1 and Level 2 and the complaint was not upheld. The Council's Independent Person and Chair of the Constitution and Standards Committee were consulted and supported the proposed recommendation prior to the Monitoring Officer's determination.
- 62.4 During 2018/19, the Council was notified that the Parliamentary Committee on Standards in Public Life was undertaking a review of local government ethical standards and had commenced a consultation on this subject. The consultation was based upon a number of questions around ethical standards and associated issues. The review was considered to be long overdue following the wholesale change to local authority standards arrangements made by the Government in 2011.
- 62.5 Comments received during the consultation included:
- Being strongly lobbied in their local councillor role, especially on regulatory matters such as planning applications.
 - Comments on social media about elected members and the anxiety that this can bring
 - Some examples of members mindful of their personal safety when meeting constituents and meeting them in public places and not in their homes, whenever possible.
- 62.6 In January 2019, the Parliamentary Committee on Standards in Public Life published their report and this was reported to the Constitution and Standards Committee meeting in February 2019. The Committee welcomed the report and recommendations and the Government's response to the report is awaited.
- 62.7 There was some discussion around the low level of complaints and the amount of whistleblowing that took place.
- 62.8 **The Committee endorsed the report and confirmed its commitment to promoting high standards of conduct by members, co-opted members and officers and for the policies and processes which support this aim.**
- 63 ANNUAL REPORT OF THE CONSTITUTION AND STANDARDS COMMITTEE – Item 7**
- 63.1 The Monitoring Officer explained that the committee is required by the constitution to make an annual report to the county council regarding its work since May 2018.

- 63.2 The Constitution and Standards Committee was formed following the May 2017 elections and its functions include responsibility to maintain an effective, up to date and legally compliant Constitution; considering proposals from Council committees for changes to the constitutional arrangements of the Council; take all required decisions in respect of the County Council elections; promoting high standards of conduct by Members, Co-opted Members and Officers; monitoring the operation of the Members' Code of Conduct and the Council's Whistleblowing Policy.
- 63.3 The committee has met a total of 4 times since May 2018. The committee's work programme over the last year has been varied and has included:
- Disclosure and Barring Service checks for elected members
 - Meeting procedure rules, Scrutiny call-in procedure and Public Question Time rules
 - Access to Information – Audio Recordings of council meetings
 - Changing the names of Electoral Divisions
 - Review of the Whistleblowing Policy
 - Review of the council's scrutiny arrangements
 - Annual review of the constitution
- 63.4 There was discussion about Pensions Board and it was noted that a review about it was covered in item 5 regarding the report on democratic arrangements. The Monitoring Officer was thanked for his hard work.
- 63.5 **The Committee considered and noted the report and delegated authority to the Monitoring Officer to finalise it following consultation with the Chair of the Committee.**

64 FORWARD WORK PROGRAMME – Item 8

The Monitoring Officer reported on the proposed future work programme. This was agreed.

65 ANY OTHER BUSINESS OF URGENCY – agenda item 9

The Chair advised there were no other urgent items of business, he thanked all those present for attending the meeting and reminded everyone that the next meeting would be on 21 June 2019.

The meeting ended at 11.25am.

**Cllr William Wallace
Chair of Constitution and Standards Committee**