

CONSTITUTION & STANDARDS COMMITTEE

Minutes of a meeting of the Constitution and Standards Committee held in the meeting room, Taunton Library, Taunton on Friday 21 June 2019 at 10.00am.

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

Co-opted Members: Mr R Horton, Mrs J Middleton and Mr W Wooding.

Other members present: Cllr L Redman

66 APOLOGIES FOR ABSENCE - agenda item 1

Mr T Ward and Cllr T Munt

67 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

68 MINUTES FROM THE PREVIOUS MEETING – agenda item 3

The minutes of the meeting of the Committee held on 10th May 2019 were approved as correct record and the Chair signed them. Reference was made to the concerns that some members had about Full Council's not supporting the Committee's recommendations regarding the Audio Recording Protocol.

69 PUBLIC QUESTION TIME - agenda item 4

There were none.

70 OFFICER CONDUCT UPDATE – agenda item 5

70.1 The Chair invited the Monitoring Officer Scott Wooldridge and Julian Gale Strategic Manager-Partnership Governance to provide a verbal update with the aid of a powerpoint on the work being undertaken with colleagues in Human Resources and Legal Services regarding the review of the Council's Whistleblowing Policy and developing an Officer Code of Conduct for potential inclusion in the Council's Constitution. Work being supported by Chris Squire as the SLT lead for this. This work is being done in conjunction with the engagement undertaken with Whistleblowing UK.

- 70.2 Reference made about how conduct and behaviour expectations link to the Council's People Strategy and the Somerset People Attributes.
- 70.3 Council's Intranet already has a lot of information about standards of conduct and gifts & hospitality requirements for officers. Intention is for the proposed Officer Code of Conduct to be considered by the Committee ahead of adoption by the Council in late 2019, following consultation with trade unions. This is in line with other councils even though this is not a legislative requirement.
- 70.4 Reference to the proposed content and structure of the Code of Conduct was made. Undertaking a staff survey to understand existing awareness of the Whistleblowing Policy. There was discussion around the following points:
- Potential conflicts of interest when working for other employers or political bodies
 - Restrictions of sharing data / information when officers leave the council and the challenges of enforcing that
 - Use of process charts and visual aids in the revised policy to assist with understanding and compliance
 - Need for training and buy-in from managers and staff to embed the approach
 - Whether the council can influence partners and service providers to have similar whistleblowing policies
 - Working on practical examples to help improve understanding
 - Need for specialist training for key contacts named in the policy

70.5 **The Committee welcomed the update and thanked Julian Gale for his long service to the Council.**

71 **COUNTY COUNCILLOR DBS CHECKS UPDATE** – agenda item 6

71.1 The Monitoring Officer provided an update with reference to the report and highlighted that all members have now completed the required enhanced and basic DBS checks.

71.2 Clarification given that ahead of the next elections then potential candidates would be made aware of the requirements for enhanced and basic DBS checks.

71.3 **The Committee welcomed the update and progress made.**

72 **ETHICAL STANDARDS IN LOCAL GOVERNMENT**– agenda Item 7

72.1 The Monitoring Officer explained the background to this item and that during 2018/19 the Council, along with other councils in England, was consulted by the Committee for Standards in Public Life regarding 'ethical standards in local government'. The Committee for Standards in Public Life published their findings and recommendations in January 2019 and this was reported to the Constitution & Standards Committee in February 2019.

72.2 The Committee had welcomed the report in January and its recommendations. It was highlighted that the Government's response to the report is still awaited and that some of the proposed recommendations required legislative changes.

72.3 The main changes considered by the Committee on Standards in Public Life relate to:

- (a) Creation of a Model Code of Conduct;
- (b) Reintroduction of sanctions;
- (c) Creation of Standards Committees;
- (d) Widening the requirement to register pecuniary interests;
- (e) Training of Members;
- (f) Strengthening the protection for the Monitoring Officer.

72.4 During discussion the following points were made:

- Welcome the proposed improvements to Members Code of Conduct and the proposed greater sanctions for breaches
- Support for more training for councillors across local government
- The increase in social media related complaints across councils
- Recognition that training is also provided to parish and town councillors and that there have been challenges in recruiting and retaining parish council clerks. Remuneration of clerks and the ability to achieve the proposed qualifications can be a challenge.
- Support for further work to be done with district councils on developing a Somerset wide approach across the county and district councils

72.5 **The Committee :**

- 1) **welcomed the report**
- 2) **asked that the Monitoring Officer work with district council colleagues across Somerset to consider the recommendations and identify any actions that Somerset authorities could take and identify any preparations that could usefully be made now in advance of any statutory changes.**
- 3) **Requested a further report back in due course**

73 SCRUTINY TASK & FINISH GROUP PROTOCOL – agenda Item 8

73.1 The Monitoring Officer presented the report and its recommendations to the Committee. This report presented the Draft Scrutiny Task & Finish Group Protocol which set out the method for establishing and completing T&F Groups. It defined the key roles that Members and officers have and offers guidance on key aspects of the process. It was highlighted that these proposals form part of the council's work to improve the effectiveness of its scrutiny functions.

73.2 Reference was made to the consultation that had taken place with:

- Chairs and Vice-Chairs of all the three Scrutiny Committees
- Senior officers with lead roles in recent task & finish groups
- Scrutiny for Policies and Place Committee in April 2019

The proposals before the committee had support of Scrutiny Place Committee and had been adapted following suggestions received.

- 73.3 **The Committee agreed to adopt the Scrutiny Task & Finish Protocol and authorised the Monitoring Officer to incorporate it within the Council's Constitution.**

74 FORWARD WORK PROGRAMME – agenda item 9

The Monitoring Officer reported on the proposed future work programme and this was noted by the Committee.

75 ANY OTHER BUSINESS OF URGENCY – agenda item 10

The Chair advised there were no other urgent items of business, he thanked all those present for attending the meeting.

The meeting ended at 11.25am.

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