

Public Document Pack

(Standards Committee - 8 December 2022)

STANDARDS COMMITTEE

Minutes of a Meeting of the Standards Committee held in the Luttrell Room - County Hall, Taunton, on Thursday 8 December 2022 at 10.00 am

Present: Cllr J Bailey (Chair), Cllr N Cavill attended virtually), Cllr H Davies, Cllr M Dimery, Alan Hemsley, Robin Horton (attended virtually), Cllr B Smedley and David Stripp

Other Members present virtually: Cllr A Dingwall, Cllr T Munt, Cllr E Hobbs and Cllr L Redman

Apologies for absence: Paul Hooper

ROLE AND FUNCTION OF STANDARDS & CONSTITUTION AND GOVERNANCE COMMITTEES AND LGR

At the request of the Chair, the Council's Monitoring officer provided a broad overview of the role and functions of the Standards & Constitution and Governance Committees and LGR.

The Chair noted the extremely busy programme of work across the Councils and felt that it would be useful to look at the LGR Implementation Plan, which is being considered at the Executive meeting on 14 December 2022 ([link to Executive papers see item 10](#)).

18 Apologies for Absence - Agenda Item 1

An apology was received from Paul Hooper. Councillor Norman Cavill and Robin Horton joined the meeting via MS Teams.

19 Minutes of the Previous Meeting of the Standards Committee - Agenda Item 2

The Minutes of the meeting held on 10 November 2022 were approved and signed as a correct record.

20 Declarations of Interest - Agenda Item 3

Councillor Norman Cavill declared a personal interest in respect of agenda item 6, as he sits on the Shadow Council for the new Taunton Town Council.

21 Public Question Time - Agenda Item 4

No members of the public had registered to speak.

22 Feedback from P1 Group - Code of Conduct - Agenda Item 5

The Chair provided feedback from P1 Group – Code of Conduct: -

- The Group met on 21 November and looked at the [complaints process](#)
- The Group produced a useful schematic

- Feedback from Tom Woodhams, (the Council's Deputy County Solicitor) and Melanie Wellman, (Head of legal and Monitoring Officer, Sedgemoor District Council) on our comments and what will happen to comments made by the P1 Group.

Members noted that the version made available was the complaints procedure which applies to SCC – there is a new version which the new unitary authority will be adopting on vesting day has now been circulated. Members noted that the complaints procedure is 'owned' by the Monitoring Officer who has the responsibility for investigating complaints on behalf of the Council.

It was noted that the comments made will be reviewed / incorporated into the new document.

The Committee then discussed the following: -

- complaints generally, access and processes. Members were advised that *as part of the LGR programme customer engagement and how the Council as a whole engages with its customers was being considered. Members noted that the Code of Conduct complaints are a specific statutory process whereas, for example, a complaint about a Council service would potentially end up with the Ombudsman but is a different process.*
- How customers will know who to contact about service delivery issues after vesting day - procedures needs to be visible, accessible, transparent. Also need some sort of user testing and high-quality staff in customer services.
Members noted that the comments raised would be passed on to the relevant workstream.
- Concern about capacity of Parish and Town Councils
It was confirmed that each Parish has its own Code of Conduct and if a complaint is made, the Monitoring Officer of Somerset Council has the responsibility to investigate. Members were advised that following the misconduct investigation it will be for the Parish Council to consider how they will deal with the parish Councillor.

Resolved: -

1. That officers are requested to respond to Standards Committee members on the comments on the earlier complaints process document.
2. That the P1 Group will meet to look through and discuss the new complaints process document, consider vexatious complaints and the suggestion made about 'test driving' the new complaints process.
3. The Committee will need to approve the future procedure at its meeting in early February 2023 and recommend that the Full Council adopts it at the meeting in late February 2023.

23 **Feedback from P2 Group - Town & Parishes Code of Conduct - Agenda Item 6**

Alan Hemsley provided feedback from P2 Group – Town and Parishes Code of Conduct, with members noting: -

- Spreadsheet circulated with details of the 286 Town, Parish or City Councils in Somerset who had adopted the SCC / LGA Code of Conduct, the NALC Code and those that had not.
- The survey by the Somerset Association for Local Councils (SALC) had been undertaken in a very short timescales, meaning that many Council's did not respond, hence some of the gaps on the spreadsheet. As information had been collected in September there was a need to work to update the information held.
- Advised that the Code of Conduct did not relate to parish meetings.
- Thanked officers and Sam Winter from SALC for help in providing the information contained in the spreadsheet.
- Asked for views on how best to chase the outstanding information.

In response to questions, the Monitoring Officer, Mr Wooldridge welcomed the work undertaken and it was around how the Council can support parish and town councils, who are sovereign bodies. Members noted that the principal authority cannot impose or require town, parish or city councils to adopt a particular code of conduct. Need to work with them to encourage them and to promote the benefits of adopting the SCC / LGA code. There are practical things which can be done and Ms Wellman referred to the training she has provided to parishes' on the LGA model code for example.

Resolved: -

1. That officers are requested to prepare a briefing note on the SALC Code, the 2012 version and the LGA model code (and SCC version), including the main differences between the Codes for consideration by the P2 Group before 31 January 2023.
2. That the town, parish or city councils who responded with a 'no' will be contacted initially.
3. That Cllr N Cavill to Chair the P2 Group.

24 **Feedback from P3 Group - Officer Code (to include HR Committee report for info) - Agenda Item 7**

The P3 Group is Chaired by Cllr Dimery. The Committee considered and discussed the 'Standards of Conduct' document for the new Somerset Council.

The following questions and comments were made by the Committee: -

- Query as to why the document had been titled 'Standards of Conduct' and there needs to be consistency.
Members were advised that this would be reviewed by the relevant LGR Workstream Group.
- Query as to why the document has not been formatted.
Members noted that the document was an early copy and would be formatted and updated to reflect job titles for the new Council. Members requested that a section on intellectual property was included in the document.

Resolved: -

1. That the P3 Group meet to discuss the document and feedback comments to officers by 31 January 2023.
2. That the SDC Monitoring Officer is requested to circulate the most up to date version of the Code of Conduct document.

25 **Work Programme - Agenda Item 8**

The Committee considered the work programme.

Resolved: -

That the future work programme items are as follows:

- Gifts and Hospitality – February 2023
- Standards Committee Annual Report - February 2023
- Appointment of Chair for the February 2023 meeting – to be appointed from the members present at the meeting
- Annual Report on Standards of Conduct 2022/2023 – September 2023

(The meeting ended at 11.52 am)

CHAIR