



Notice of Meeting of

STANDARDS COMMITTEE

Wednesday, 30 August 2023 at 2.00 pm

Luttrell Room - County Hall, Taunton TA1 4DY

To: The members of the Standards Committee

Chair: Councillor John Bailey
Vice-chair: Councillor Brian Smedley

Councillor Hugh Davies	Councillor Martin Dimery
Councillor Frances Nicholson	
Alan Hemsley	Paul Hooper
Robin Horton	David Stripp

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticserviceteam@somerset.gov.uk.

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticserviceteam@somerset.gov.uk by **5pm on Wednesday, 23 August 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and a recording made.

Issued by (the Proper Officer) on Monday, 21 August 2023

AGENDA

Standards Committee - 2.00 pm Wednesday, 30 August 2023

Public Guidance Notes contained in Agenda Annexe (Pages 5 - 6)

Click here to join the online meeting (Pages 7 - 8)

1 Apologies for Absence

To receive any apologies for absence.

2 Minutes from the Previous Meeting (Pages 9 - 14)

To approve the minutes from the previous meeting.

3 Declarations of Interest

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#))

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

5 Register of Gifts and Hospitality (Pages 15 - 20)

To receive details of the gifts and hospitality received during the period December 2022 to July 2023 and to consider a request from the Constitution and Governance Committee to review the level for which Gifts and Hospitality are recorded.

6 Work Programme and Action Plan (Pages 21 - 26)

To consider and review the Committee's Work Programme and Action Plan.

Guidance notes for the meeting

Council Public Meetings

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at

democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

They can also be accessed via the council's website on [Committee structure - Modern Council \(somerset.gov.uk\)](#)

Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email

democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

Meeting Etiquette for participants

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

Exclusion of Press & Public

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

Recording of meetings

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 316 988 058 676

Passcode: bHamgN

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+44 1823 772277,,594973440#](#) United Kingdom, Taunton

Phone Conference ID: 594 973 440#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#)

This page is intentionally left blank



Minutes of a Meeting of the Standards Committee held in the Luttrell Room - County Hall, Taunton TA1 4DY, on Wednesday, 28 June 2023 at 2.00 pm

Present:

Cllr John Bailey (Chair)

Cllr Hugh Davies
Alan Hemsley
David Stripp

Cllr Steven Pugsley (substitute)
Robin Horton (virtually)

1 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr B Smedley, Cllr M Dimery and Cllr F Nicholson who was substituted by Cllr S Pugsley.

2 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Standards Committee held on 19 April 2023 were confirmed as a correct record.

As matters arising from the minutes the following actions were identified:

1. That the Code of Conduct Comparison Document (from Mrs Wellman) to be circulated (action: A Hemsley)
2. The job specification for co-opted member vacancy to be circulated (action: Monitoring Officer [MO])
3. Update on progress filling the co-opted member vacancy to be given (action: MO).

3 Declarations of Interest - Agenda Item 3

There were no declarations of interest.

4 Public Question Time - Agenda Item 4

No members of the public had registered to speak.

5 Priority Group 1 - Code of Conduct Complaints Process and Media Plan - Agenda Item 5

Members considered the report and having noted the officer responses shown in the tracked changes agreed that both the Hearing Procedure and the Guidance on making a complaint should be recommended for adoption. They then considered the two process flow charts, and whilst they agreed that the one produced by officers was more technically accurate, they all believed that the one produced by the Priority Group would be more easily understood by a layman, and should be the one used.

In respect of the Media Protocol the Committee felt that it would be helpful to have the costs of the complaints recorded, not only in case a Freedom of Information request was made, but for their own information and to help them gauge whether the process was adequately resourced or not. They were advised that whilst the Monitoring Officer's time and the individual investigation costs could be recorded, this was not routinely done and that there were also many other ancillary costs to be considered. After a discussion it was agreed that the Protocol should be adopted and that the Monitoring Officer (MO) would report back to the Committee on the feasibility of recording costs (action MO). After which Priority Group 1 would review the need to amend the Protocol in respect of providing costs.

Resolved

To request that the Monitoring Officer report back on what costing options could be provided.

To recommend that Full Council adopt the:

1. Investigations and Hearing Procedure
2. Somerset Council Guidance on making a Code of Conduct Complaint (including process flow chart)
3. Somerset Council Code of Conduct Complaints Media Protocol

6 Priority Group 1 - Committee & Sub-Committee Composition - Agenda Item 6

The Monitoring Officer presented his report and sought recommendations from the

Priority Group and Committee upon what amendments to the composition of the Committee and Sub-Committee they would like implemented and the following points were made:

- Co-opted members did not need to be voting members because the decisions the Committee made were usually consensual.
- Whilst there already was an 'independent person' on sub-committees, it was felt that Co-opted members ought to be included. Although some reservations were raised about the resultant size of the sub-committee.
- The analysis of peer councils that was undertaken provided no evidence to support the inclusion of co-opted members on hearing sub-committees.
- In order to increase the pool of voting members, from which the sub-committee could be selected, it would require a minimum of 5 additional Somerset Council members to maintain its current political balance.
- Any changes to the Committee's structure would, with the requirement for it to be agreed by Full Council, take time to be implemented

After a discussion it was agreed not to change the current composition of the Committee and Sub-Committees (action P2).

Noting that it would take some months for complaints to get to stage 3, and impact upon hearings, they felt that the situation should be monitored, to ensure that should any future changes be needed, they could be implemented in a timely manner (action P1).

7 Priority Groups 2 & 3 - Model Code of Conduct Adoption by City, Town & Parish Councils and Review of Officer Code of Conduct - Agenda Item 7

The Committee first considered the adoption of the Model Code of Conduct by city, town and parish council's and the Chair wished to thank Mr Hemsley for his research.

The Monitoring Officer explained the work done over the past year with all the five higher tier authorities having adopted the Somerset Model Code of Conduct prior to vesting day. After which it had been adapted for city, towns and parish use and promoted to them jointly with the Somerset Association of Local Councils (SALC). He stressed that the role of Somerset Council was encouragement and not enforcement and that, whilst each council had a requirement to adopt a code of conduct, there was no obligation for them to adopt the Somerset one. He was now proposing to follow up this work with a short online survey asking each council to confirm what code of conduct they were using and asking them to provide a link to

the document.

Members supported the Monitoring Officer's proposals and requested an update at their next meeting (action MO).

The Committee then considered the Officer Code of Conduct and noted that the observations of Priority Group 3 had been passed to the Workforce Director who would be consulting with the Trade Unions on any proposed changes. Mr Hemsley volunteered to attend any of those meetings, if required, and the Monitoring Officer agreed to pass this on to the Workforce Director. They requested an update to be given at the next meeting (action MO).

Resolved

1. To note the number of City, Town & Parish Councils that had adopted the model code and agree that on behalf of the Committee the Monitoring Officer continued to promote its adoption by means of an online survey.
2. To note that their observations on the Officer Code of Conduct had been presented to the Service Director of Workforce who intended to share it with the Trade unions and any observations and feedback would be presented to the Committee in due course.

8 Future Business - Agenda Item 8

The following points were raised:

- The annual report on Gifts and Hospitality would be coming to the Committee's next meeting in August.
- The Committee would find it useful to have an organisation chart for Democratic Services (action MO/AM).
- Members would like to be advised of complaint hearings rather than reading about it in the local press (action ST).

9 Code of Conduct Complaints Update - Agenda Item 9

The Committee received an update on the number of Code of Conduct complaints received since vesting day and noted that over 30 complaints had been received of which 25% were in respect of Somerset councillors and 7 out of the 10 related to 2 specific incidents. They were also advised that there were 11 complaints from the legacy councils that still had to be concluded.

In response to questions the Monitoring Officer confirmed that the nature of complaints e.g. the code broken and the source of the complaints was being recorded and that together with SALC and clerks they were looking at what training they could offer. Additionally, the Local Government Association had done some work around social media which may be helpful.

Members agreed that it would be helpful to have monthly updates on the number of complaints received and dealt with (action MO).

A question was raised about whistleblowing and it was agreed that confirmation of whether or not this fell under the remit of the Committee would be provided (action MO).

Resolved

To note the report.

(The meeting ended at 4.13 pm)

.....
CHAIR

This page is intentionally left blank

Standards Committee
28 August 2023

Register of Gifts and Hospitality

Lead Officer: David Clark, Monitoring Officer

Author: Andrew Melhuish (Service Manager Member Development & Support)

Contact Details: andrew.melhuish@somerset.gov.uk

1. Summary

- 1.1.** Members requested that they receive a six monthly report on the gifts and hospitality received by members.
- 1.2.** This report sets out details of the gifts and hospitality received during the period December 2022 to July 2023 (see Appendix A).
- 1.3.** To consider a request from the Constitution and Governance Committee to review the Gifts and Hospitality value of £50, as set out in the Code of Conduct, and reduce the value to £0.

2. Recommendations

- 2.1.** To note the gifts and hospitality received set out in Appendix A.
- 2.2.** To consider the request from the Constitution and Governance Committee to reduce the value of gifts and hospitality declared to a value of £0, and whether the Standards Committee wish to add this to their work programme for a more detailed report setting out the implications for this change.

3. Background

- 3.1.** This report sets out details of gifts and hospitality registered by Somerset Councillors during the period from December 2022 to July 2023.
- 3.2.** As set out in the Code of Conduct any gifts or hospitality either accepted or rejected by a member over the value of £50 must be declared within 28 days of receipt.
- 3.3.** Somerset Council adopted the LGA Model Code of Conduct following a decision of Full Council in February 2023 in readiness for the new Council from April 2023.

- 3.4.** The Model Code of Conduct has set the value of gifts and hospitality either accepted or declined by councillors at £50.

4. Options Considered and Consultations undertaken

- 4.1.** To note the register of gifts and hospitality received over £50.
- 4.2.** To accept or reject the request from the Constitution and Governance Committee to carry out a review of the value of gifts and hospitality to be declared by councillors.

5. Implications

- 5.1.** It is important that the Council has a formal mechanism for reviewing the gifts and hospitality register and the authority risks not discovering failings in the maintenance of the register. This could lead to not only reputational damage to the authority but personal action against individual members.
- 5.2.** The authority minimises the risks by regularly reviewing the Register and by providing regular advice and guidance to members on the proper upkeep and entry on the Register.
- 5.3.** The committee can review the Code of Conduct and request that a report is included in its work programme in respect of reducing the value of gifts and hospitality to a value of £50.

6. Background papers

- 6.1.** Somerset Council Constitution and Code of Conduct.

Note For sight of individual background papers please contact the report author

MEMBERS' GIFTS AND HOSPITALITY REGISTER SUMMARY 2022-2027

Extract from the Members Code of Conduct within the Council's Constitution:

“3. **Receipts of gifts and hospitality**

3.1 (1) *You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted or rejected as a member from any person or body other than the Council.*

(2) *The Monitoring Officer will place your notification on a public register of gifts and hospitality.”*

Date of gift /hospitality	Members name	Detail of declaration
20 th April 2023	Cllr Lucy Trimnell	Gift: Wassailing Event at Newt Value: £50.00
20 th April 2023	Cllr Tom Power	Gift: Wassailing Event at Newt Value: £50.00
21 - 25 June 2023	Cllr Bill Revans	Gift: Glastonbury Festival tickets Leader of Council – Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr Liz Leyshon	Gift: Glastonbury Festival tickets Deputy Leader of the Council- Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr Mike Rigby	Gift: Glastonbury Festival tickets Lead Member for Transport and Digital-Site visit, monitoring, being (local member) contact for local residents (if required) £340

Register maintained by the Monitoring Officer, Democratic Service Team, Somerset County Council. Tel: 01823 357628

Email: democraticserviceteam@somerset.gov.uk

21 - 25 June 2023	Cllr Theo Butt Philip	Gift: Glastonbury Festival tickets Lead Member for Transformation and Human Resources - Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr David Fothergill	Gift: Glastonbury Festival tickets Opposition Lead - Site visit, monitoring, being contact for local residents (if required) £340
21 - 25 June 2023	Cllr Tessa Munt	Gift: Glastonbury Festival tickets Lead Member for Children, Families and Education Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr Federica Smith-Roberts	Gift: Glastonbury Festival tickets Lead Member for Communities, Housing and Culture Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr Adam Dance	Gift: Glastonbury Festival tickets Lead Member for Public Health, Equalities & Diversity- Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr Sarah Dyke	Gift: Glastonbury Festival tickets Lead Member for Environment & Climate Change- Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr Ros Wyke	Gift: Glastonbury Festival tickets Lead Member for Economy, Planning and Assets Site visit, monitoring, being (local member) contact for local residents (if required) £340.00
21 - 25 June 2023	Cllr Dean Ruddle	Gift: Glastonbury Festival tickets Not attending the event £340

21 - 25 June 2023	Cllr Claire Sully	Gift: Glastonbury Festival tickets Division Member Croscombe, Pilton, Pennards and Ditchat Reason and nature of gift/ hospitality: Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June 2023	Cllr Alex Wiltshire	Gift: Glastonbury Festival tickets Division Member for Mendip South- Site visit, monitoring, being (local member) contact for local residents (if required) £340.00
21 - 25 June 2023	Cllr Simon Carswell	Gift: Glastonbury Festival tickets Chair of the Licensing Board- Site visit, monitoring, being (local member) contact for local residents (if required) value £340
21 - 25 June 2023	Cllr Marcus Kravis	Gift: Glastonbury Festival tickets Deputy Chair of Licensing Board- Site visit, monitoring, being (local member) contact for local residents (if required) £340
21 - 25 June	Cllr Mike Best	Gift: Glastonbury Festival tickets Chair of the Council- Site visit, monitoring, being (local member) contact for local residents (if required) £340 Chair of the Council- Site visit, monitoring, being (local member) contact for local residents (if required) £340
18 July 2023	Cllr Val Keitch	Gift: Hospitality at Somerset County Cricket Ground (SCC Chairman and Chief Executive) Value: £50.00
24 July	Cllr Ros Wyke	Gift: Castle Hotel invitation and local developers Lead Member for Economy, Planning and Assets. £25
24 July	Cllr Ros Wyke	Gift: Central Housing meeting, Chard (LivWest) Lead Member for Economy, Planning and Assets £15

This page is intentionally left blank

Standards Committee
28 August 2023

Work Programme and Action Plan

Lead Officer: David Clark, Monitoring Officer

Author: Andrew Melhuish (Service Manager Member Development & Support)

Contact Details: andrew.melhuish@somerset.gov.uk

1. Summary

- 1.1.** To consider and review the Standards Committee Work Programme set out in Appendix A.
- 1.2.** To consider and review the Standards Committee Action Plan set out in Appendix B.

2. Recommendations

- 2.1.** To note the Committee Work Programme and to identify any further items for future meetings.
- 2.2.** To note the Committee Action Plan and any updates given verbally at the meeting.

3. Background

- 3.1.** This report sets out the Work Programme for the Standards Committee and is an opportunity for further items to be identified for future meetings.
- 3.2.** The Work Programme will be reviewed at future Standards Committee meetings.

The Council has established a Standards Committee. The role of the standards committee is to supervise all of the council's arrangements for maintaining and enforcing standards of Member conduct, including setting a work programme to monitor this work.

- 3.3.** At each Standards Committee an Action Plan is completed and circulated to the committee members to monitor the committees work.

4. Options Considered and Consultations undertaken

- 4.1.** To note the work programme and identify any further items for inclusion and consideration at future committee meetings.
- 4.2.** To note the action plan and to monitor any actions to ensure the work of the Standards Committee is effectively maintained.

5. Implications

- 5.1.** The Standards Committee keeps an up to date work programme and monitors the action plan to ensure future meetings and the work of the committee reflect the requirements of the terms of reference of the committee.

6. Background papers

- 6.1.** Somerset Council Constitution and Code of Conduct.

Note For sight of individual background papers please contact the report author

Standards Committee – Work Programme 2023 – 2024

Work Item	Committee Meeting
Gifts & Hospitality Register and request from Constitution & Governance Committee on value of gifts/hospitality to be declared	30 August 2023
Action Plan	30 August 2023
Review Work Programme	30 August 2023
Model Code of Conduct Adoption by City, Town & Parish Councils – Results of on-line survey with all City, Town and Parish Councils to ascertain current Code of Conduct	25 October 2023
Code of Conduct complaints (speed of responding to complaints)	25 October 2023
Standards Committee Annual Report to Full Council (28 February 2024)	24 January 2024
Gifts and Hospitality Register and to review the Monitoring Officer's maintenance of the Members' and officers' registers of interests and gifts and hospitality	27 March 2024
Media Plan review	TBC
Review the operation and effectiveness of the Members' Code of Conduct and recommend any changes considered necessary to the Council for approval	TBC
Keep under review the operation and effectiveness of the Standards Hearing Sub Committee arrangements and to recommend any changes considered necessary to the Council for approval	TBC
Review the Monitoring Officer's arrangements for the investigation of allegations of breaches of the Council's Code of Conduct by Members and co-opted Members and to make recommendations for appropriate changes to the Monitoring Officer	TBC
Review the operation and effectiveness of the Council's Officer Code of Conduct and make recommendations on proposed changes to the Council	TBC
Committee & Sub-Committee process review	TBC

This page is intentionally left blank

Somerset Council
Standards Committee
Action Sheet



Actions	By Whom	When
1-Matters Arising – 19 April 2023		
1.1 Comparison Document (from Melanie Wellman) to be circulated	AH	Comparison document circulated 28/6/2023
1.2 Co-opted member vacancy – Job Specification to be circulated Update on progress	MO MO	In progress – Draft Job Specification & Timetable circulated 9/8/2023
2 - Agenda item 5 – Media Plan (a) Media Plan – Report back on Costings Options - (P1)	MO	30 August 23
3-Agenda Item 6 – Committee & Sub-Committee Process (a) Agreed no changes to current Sub-Committee Hearings but to be kept under review		Add to Work Programme – date to be agreed
(b) P2 to look at committee/sub-committee membership - (P2)	FN/RH/AH	
(c) Speed of responding to be monitored. Info to (P1)	MO	Monthly
4-Agenda Item 7 - Model Code of Conduct Adoption by City, Town & Parish Councils (a) Officers to undertake on-line survey with all C/T/P Councils to ascertain current CoC and link (or copy) -(P2)	MO / AM	Draft survey circulated. Survey underway 14/8/2023. Results to be submitted to committee 25 October 2023
Agenda Item 7 - Officer Code of Conduct (b) Service Director to share with Union reps and update committee. AH offered to support	MO	30 August 23
5- Agenda Item 8 - Future Business (a) Gifts & Hospitality	AM	30 August 23
(b) Organisational Chart (Democratic Services) requested	MO/AM	30 August 23
(c) Cttee Members to be advised of Complaints rather than hear in local press – all Standards Committee members should be advised of Sub-Committee Hearing agenda	ST	System now amended so Co-optees will receive the agenda notifications.
6 - Agenda Item 9 – Code of Conduct complaints update Monthly figures of Complaints rec'd and if dealt with to be made available to SC Members (see 3a above)	MO	Monthly

Appendix B

7 -Whistleblowing – Standards Committee to be advised if this matter is within its remit	MO	Constitution & Governance Committee responsibility
---	----	--

Note - Brackets show proposed responsibility in the future eg (P1)