

Public Agenda Pack



Notice of Meeting of

STANDARDS COMMITTEE

Wednesday, 27 March 2024 at 2.00 pm

John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE

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
Robin Horton	Paul Hooper
David Stripp	

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesteam@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: democraticservicesteam@somerset.gov.uk by **5pm on Thursday, 21 March 2024**.

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 an audio recording made.

Issued by (the Proper Officer) on Tuesday, 19 March 2024

AGENDA

Standards Committee - 2.00 pm Wednesday, 27 March 2024

Public Guidance Notes contained in Agenda Annexe (Pages 7 - 8)

Click here to join the online meeting (Pages 9 - 12)

1 Apologies for Absence

To receive any apologies for absence.

2 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](#))

3 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'.

4 Minutes from the Previous Meeting and Action Sheet (Pages 13 - 18)

To approve the minutes from the previous meeting held on 24 January 2024 and to consider the action sheet.

5 Annual Report of the Standards Committee (Pages 19 - 24)

To consider the draft annual report for submission to the Council's Annual General Meeting in May 2024.

6 Register of Gifts and Hospitality (Pages 25 - 28)

To receive details of the declarations of gifts and hospitality received during the period August 2023 to February 2024.

7 Code of Conduct Complaints - Quarterly Update (Pages 29 - 38)

To receive an update on the number of Code of Conduct complaints received since April 2023.

8 Working Group Updates (Pages 39 - 46)

9 Standards Committee Co-Opted Member recruitment update (Pages 47 - 54)

To receive the update on the recruitment to the co-opted member vacancy.

10 Work Programme and Actions (Pages 55 - 56)

To consider the Committee's Work Programme and to identify any actions arising from the meeting.

Exclusion of Press and Public

PLEASE NOTE: Although the main report for this item not confidential, supporting appendices available to Members contain exempt information and are therefore marked confidential – not for publication. At any point if Members wish to discuss information within this appendix then the Council will be asked to agree the following resolution to exclude the press and public:

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public 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, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

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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.

Standards Committee Annual Report - 2023 to 2024

Foreword by the Chair of the Standards Committee – Councillor John Bailey

I am pleased to present the Annual Report of the Standards Committee for 2023/2024. The Annual Report provides information to the Council about the work carried out by the committee since April 2023 and identifies the focus of priorities for the committee.

The Standards Committee has been working to promote the Council's Code of Conduct for Members both internally and externally for adoption by Somerset's 279 city, town and parish councils. The committee has held seven meetings during 2023/24 and in addition convened three task and finish groups.

Membership

At the Annual General Meeting of Full Council in May 2023, the Council approved the membership of the Standards Committee. The Council agreed to waive the political proportionality requirements for appointments to the Standards Committee to enable all of the political groups on the Council. The Committee comprises 5 elected members of Somerset Council and 5 co-opted representatives.

Purpose

The Standards Committee operates on an 'apolitical' basis in carrying out its functions and its responsibilities.

The Committee:-

- a) Has responsibility for promoting high standards of conduct by Members, Co-opted Members and Officers and for the policies and processes which support this aim.
- b) Advises on the induction and training of Members and Co-opted Members on standards of conduct;
- c) Monitors the operation of the Members' Code of Conduct and recommends any changes considered necessary to the Code to the Council for approval.
- d) Has responsibility for overseeing the Code of Conduct for officers and recommending any changes considered necessary to the Council for approval
- e) Manages the members' and officers' registers of interests and gifts / hospitality;
- f) Monitors the Council's Whistleblowing Policy and make recommendations to the Council in respect of any proposed changes. The Committee has no role in

considering or determining member complaints as this role falls to the Monitoring Officer.

The Committees work in 2023/2024

During 2023/24 the Committee has :

- Held seven committee meetings;
- Maintained oversight of the Monitoring Officer's processing and administration of code of conduct complaints for Somerset Council councillors and councillors of the 279 city, town and parish councils;
- Reviewed the annual report on Members' Code of Conduct complaints and quarterly updates from the Monitoring Officer providing assurance that there is sufficient capacity is in place for processing these
- Reviewed the Register of Gifts and Hospitality along with ways to improve awareness and the guidance to elected members and officers
- Reviewed progress on the adoption of the Somerset Code of Conduct by the 279 city, town and parish councils across Somerset;
- Focused on reviewing and identifying potential improvements to the process and level at which Members declare any offers of gifts or hospitality, resulting in recommendations for Council to consider;
- Held a Hearing Panel sub-committee to consider a complaint about the conduct of a town councillor with the complaint being upheld and sanctions recommended;
- Recommended to Council that a Vice-Chair is appointed for the Standards Committee; and
- Worked with the Monitoring Officer on the recruitment to a co-opted member vacancy on the Committee.

In addition to the above the committee has convened three task and finish groups to support three priority areas of work:

Priority 1- Complaints Procedure: Review and assurance on existing complaints procedures including any Local Government Association recommendations for amendments ready for the new Council

Priority 2 – Code of Conduct: Adoption of model Code of Conduct across the County to come before the committee. Working closely with the Somerset Association of Local Council's to deliver this.

Priority 3 – Officer Code of Conduct: Reviewing updates on Officer CoC

Appendix 1

The three priority groups are supported by the following members prior to making any recommendations to the committee:

Priority One: Councillor John Bailey, Councillor Brian Smedley, Councillor Norman Cavill, David Stripp and Paul Hooper.

Priority Two: Councillor Norman Cavill, Robin Horton and Alan Hemsley.

Priority Three: Councillor Hugh Davies, Councillor Martin Dimery and Alan Hemsley.

Looking ahead 2024

In addition to delivering the outcomes of the three priority groups the committee will continue to promote good standards of conduct for members, officers and parish & town councillors.

The committee will continue to monitor the LGA recommendations and national lobbying to change the national framework for code of conduct and in particular sanctions available to individual local authorities

The committee will continue to support the Council in its role in dealing with councillor conduct complaints relating to Somerset Council members and also councillors from the city, town and parish councils across Somerset.

The committee will continue to encourage all Somerset city, town and parish councils to adopt one single Code of Conduct for their elected representatives.

Finally, I would like to thank the Standards Committee members and the co-opted members for their hard work in providing constructive challenge and support to delivering the committee's priorities. I would also like to thank the Council's officers for their support in the work of the committee.

Cllr John Bailey

Chair of Standards Committee

March 2024

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Minutes of a Meeting of the Standards Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Wednesday, 24 January 2024 at 2.00 pm

Present:

Cllr John Bailey (Chair)
Cllr Brian Smedley (Vice-Chair)

Cllr Hugh Davies

Cllr Frances Nicholson

Paul Hooper

David Stripp

Cllr Martin Dimery

Alan Hemsley

Robin Horton

33 Apologies for Absence - Agenda Item 1

The Chair held a moment of reflection for former councillor and Standards Committee member Alan Gloak MBE.

There were no apologies for absence.

34 Declarations of Interest - Agenda Item 2

There were no declarations of interest.

35 Public Question Time - Agenda Item 3

No members of the public had registered to speak.

36 Minutes from the Previous Meeting and Action Sheet - Agenda Item 4

The Committee considered the action plan and noted the following:

Action 1.2 (Update on the recruitment of an additional Co-opted member)

It was explained that recruitment had been delayed, because of the need to concentrate on the current financial crisis, but was programmed for Spring 2024

Agreed: revised due date of 27 March 2024

Action 2.1 – Completed

Action 2.2 (P2 – Look at improving response levels to survey and uptake of Code of Conduct)

The Chair of P2 stated that nothing had been done as she felt it inappropriate to try and persuade city, town and parish councils to adopt a code the Committee could not agree upon, particularly as they could only recommend its adoption. **Agreed** P2 to discuss the issue and report back their thoughts at the next meeting.

Action 3 –(Officer Code of Conduct - Service Director to share with Union reps and update Committee)

This too had been delayed with the financial crisis. **Agreed** revised due date of 27 March 2024.

Action 4 (Code of Conduct complaints)

4.3 - Completed

4.4 – Two individual experiences of the complaint process to be used as test of complaints efficiency. P1 by 29 February 2024.

Resolved

That the minutes of the Standards Committee held on 25 October 2023 be confirmed as a correct record.

37 Code of Conduct Complaints - Quarterly Update - Agenda Item 5

The Committee considered the quarterly update on Code of Conduct complaints and were advised that, after a peak of complaints in May, the numbers had now dropped down to a relatively stable average of 5 or 6 complaints a month. Around 75% of the complaints related to disrespect, bringing the council into disrepute and failure to disclose an interest.

80% of complaints were currently being acknowledged within the target of 5 working days. For Quarter 3 50% of complaints were responded to within the 20 days. The main reason for this was when further information or details were requested from either the complainant or the councillor and the subsequent delays in them responding, was out of the Council's control.

In response to questions the Monitoring Officer highlighted:

- The complaints process and who was notified of a complaint
- That whilst parish meetings, which did not have elected members and did not have to adopt a code of conduct, did not fall within his remit the Council would happily provide them with support and assistance in terms of governance matters.
- Political Leaders could be engaged with when dealing with complaints.
- Their hopes for rolling out code of conduct training for city, town and parish councils, in conjunction with both the Society for Local Council Clerks and the Somerset Association of Local Councils had not progressed as quickly as they'd wanted. They were now looking to provide support and training as part of their wider engagement with city, towns and parish councils over the devolution agenda.

The Committee noted the report and felt that it would be useful to:

- Have an indication, on the Code of Conduct complaints summary, where there is a particular delay, of the reasons for that delay or an indication that we are waiting for other people to respond.
- After a full year of complaints to look at the trends and causes of complaints to see what could be done to reduce them.
- The pie chart of the code cited in complaints to include the number of complaints in each segment.
- To receive a quarter 4 report at the March meeting and the full year's overview at the first meeting of the new municipal year.

38 Register of Gifts and Hospitality - Agenda Item 6

Members considered the Council's response to the Committee's recommendations on gifts and hospitality. Although having a range of views on the level at which declarations ought to be made, they accepted that anything other than the current £50, used in the LGA model code of conduct, would likely receive an unfavourable response.

Whilst they acknowledged some of the points raised during the Council debate they also felt that some comments highlighted the need for member training on the code and how to declare gifts and hospitality. They agreed that this, and whether any amendments to the forms were needed, should be considered at their first meeting in the new municipal year.

Resolved

To acknowledge the referral back from Full Council and focus on further work that could be done through the Monitoring Officer to promote the current requirements and consider any further work that could be done to embed these i.e. guidance and training.

39 Work Programme and Actions - Agenda Item 7

(The meeting ended at 3.38 pm)

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CHAIR

Somerset Council
Standards Committee
Action Sheet – From 24/1/24



Actions	By Whom	By When
<p>1. Matters Arising</p> <p>1.1. Review committee/sub-committee membership.</p> <p>1.2. Update on the recruitment of an additional Co-opted member.</p> <p>1.3. Qualitative response to Survey Q5.</p> <p>1.4. To discuss and feedback the Groups' thoughts on improving response levels to survey and uptake of Code of Conduct.</p> <p>1.5. Confirmation of whether point 9.6 of Somerset Council's code of conduct was included in the model code of conduct provided for city, town and parish councils to be given to members.</p> <p>1.6. Service Director to share with Union reps and update Committee.</p> <p>1.7. Individual experiences to be used to Test Drive.</p>	<p>P2</p> <p>MO</p> <p>P2</p> <p>P2</p> <p>MO</p> <p>MO</p> <p>P1</p>	<p>27 March 2024</p> <p>27 March 2024</p> <p>27 March 2024</p> <p>27 March 2024</p> <p>27 March 2024</p> <p>27 March 2024</p> <p>29 Feb 2024 (2-3pm)</p>
<p>2. Agenda</p> <p>2.1. Code of Conduct Complaints</p> <ul style="list-style-type: none"> • Monthly reports to members. • Reporting to be reviewed after 6 months. <p>2.2. Standards Committee Annual Report – SW to discuss with JB and agree.</p>	<p>MO</p> <p>P1</p> <p>SW</p>	<p>Monthly</p> <p>29 Feb 2024</p> <p>27 March 2024</p>

Key

MO – Monitoring Officer

P1 – Priority Group 1 (Cllr Bailey (Chair), Cllr Smedley, Cllr Nicholson, D Stripp & P Hooper

P2 – Priority Group 2 (Cllr Nicholson (Chair), R Horton & A Hemsley
P3 – Priority Group 3 (Cllr Dimery (Chair), Cllr H Davies & A Hemsley
SC – Standards Committee
SW – Scott Wooldridge

Standards Committee

27 March 2024

Annual Report of the Standards Committee

Lead Officer: David Clark, Monitoring Officer

Authors: Scott Wooldridge Head of Governance & Democratic Services

Contact Details: scott.wooldridge@somerset.gov.uk

1. Summary

- 1.1.** The Standards Committee is required by the Constitution to make an annual report to the County Council. This report covers the period between April 2023 and March 2024. The Annual Report is attached as Appendix 1.
- 1.2.** The Standards Committee was formed following the May 2022 elections. Its role includes promoting high standards of conduct by for Members of the Council and Co-opted Members of the Council's committees.

2. Recommendations

- 2.1.** That the Committee comment on the draft annual report set out in Appendix 1 for submission to the Council's Annual General Meeting in May 2024.

3. Background

- 3.1.** The Standards Committee is one of several committees of the Council. Its functions and responsibilities are set out in the Council's Constitution.
- 3.2.** At the Council's Annual General Meeting in May 2023, the Council agreed to waive the political proportionality rules in relation to the elected membership of the committee with instead the membership being based upon one member from each of the political groups being appointed. Five co-opted members also form part of the membership of the committee. In line with other committees, the Council appoints the Chair and Vice-Chair of the Committee.
- 3.3.** The committee has met seven times since April 2023. The committee has established three task and finish working groups which are focused on reviewing the Members Code of Conduct (including gifts and hospitality), improving adoption of the Council's Code of Conduct by Somerset's 279 city, town and parish councils and reviewing the Officer Code of Conduct.

4. Implications

- 4.1.** Legal: The Constitution requests that the Standards Committee submit an Annual Report to Council each year.
- 4.2.** Risk: There are no risks arising from the submission of this report.
- 4.3.** Equalities: There are no direct equalities implications arising from the Annual Report. The work of the committee is intended to promote positive outcomes in relation to equalities and diversity.

5. Background papers

- 5.1.** Somerset Council Constitution

Standards Committee Annual Report - 2023 to 2024

Foreword by the Chair of the Standards Committee – Councillor John Bailey

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The Standards Committee has been working to promote the Council's Code of Conduct for Members both internally and externally for adoption by Somerset's 279 city, town and parish councils. The committee has held seven meetings during 2023/24 and in addition convened three task and finish groups.

Membership

At the Annual General Meeting of Full Council in May 2023, the Council approved the membership of the Standards Committee. The Council agreed to waive the political proportionality requirements for appointments to the Standards Committee to enable all of the political groups on the Council. The Committee comprises 5 elected members of Somerset Council and 5 co-opted representatives.

Purpose

The Standards Committee operates on an 'apolitical' basis in carrying out its functions and its responsibilities.

The Committee:-

- a) Has responsibility for promoting high standards of conduct by Members, Co-opted Members and Officers and for the policies and processes which support this aim.
- b) Advises on the induction and training of Members and Co-opted Members on standards of conduct;
- c) Monitors the operation of the Members' Code of Conduct and recommends any changes considered necessary to the Code to the Council for approval.
- d) Has responsibility for overseeing the Code of Conduct for officers and recommending any changes considered necessary to the Council for approval
- e) Manages the members' and officers' registers of interests and gifts / hospitality;
- f) Monitors the Council's Whistleblowing Policy and make recommendations to the Council in respect of any proposed changes. The Committee has no role in

considering or determining member complaints as this role falls to the Monitoring Officer.

The Committees work in 2023/2024

During 2023/24 the Committee has :

- Held seven committee meetings;
- Maintained oversight of the Monitoring Officer's processing and administration of code of conduct complaints for Somerset Council councillors and councillors of the 279 city, town and parish councils;
- Reviewed the annual report on Members' Code of Conduct complaints and quarterly updates from the Monitoring Officer providing assurance that there is sufficient capacity is in place for processing these
- Reviewed the Register of Gifts and Hospitality along with ways to improve awareness and the guidance to elected members and officers
- Reviewed progress on the adoption of the Somerset Code of Conduct by the 279 city, town and parish councils across Somerset;
- Focused on reviewing and identifying potential improvements to the process and level at which Members declare any offers of gifts or hospitality, resulting in recommendations for Council to consider;
- Held a Hearing Panel sub-committee to consider a complaint about the conduct of a town councillor with the complaint being upheld and sanctions recommended;
- Recommended to Council that a Vice-Chair is appointed for the Standards Committee; and
- Worked with the Monitoring Officer on the recruitment to a co-opted member vacancy on the Committee.

In addition to the above the committee has convened three task and finish groups to support three priority areas of work:

Priority 1- Complaints Procedure: Review and assurance on existing complaints procedures including any Local Government Association recommendations for amendments ready for the new Council

Priority 2 – Code of Conduct: Adoption of model Code of Conduct across the County to come before the committee. Working closely with the Somerset Association of Local Council's to deliver this.

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Appendix 1

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Priority Three: Councillor Hugh Davies, Councillor Martin Dimery and Alan Hemsley.

Looking ahead 2024

In addition to delivering the outcomes of the three priority groups the committee will continue to promote good standards of conduct for members, officers and parish & town councillors.

The committee will continue to monitor the LGA recommendations and national lobbying to change the national framework for code of conduct and in particular sanctions available to individual local authorities

The committee will continue to support the Council in its role in dealing with councillor conduct complaints relating to Somerset Council members and also councillors from the city, town and parish councils across Somerset.

The committee will continue to encourage all Somerset city, town and parish councils to adopt one single Code of Conduct for their elected representatives.

Finally, I would like to thank the Standards Committee members and the co-opted members for their hard work in providing constructive challenge and support to delivering the committee's priorities. I would also like to thank the Council's officers for their support in the work of the committee.

Cllr John Bailey

Chair of Standards Committee

March 2024

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Standards Committee
27 March 2024

Register of Gifts and Hospitality

Lead Officer: David Clark, Monitoring Officer

Author: Scott Wooldridge, Head of Governance & Democratic Services and Steve Taylor, Committee Manager, Democratic Services

Contact Details: steve.taylor@somerset.gov.uk

1. Summary

- 1.1.** The Standards Committee requested that it receives 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 August 2023 to February 2024 (see Appendix A).

2. Recommendations

- 2.1.** To note the gifts and hospitality received set out in Appendix A and provide any comments to the Monitoring Officer.

3. Background

- 3.1.** This report sets out details of gifts and hospitality registered by Somerset Councillors during the period from August 2023 to February 2024.
- 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.

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.

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 – AUGUST 2023 TO FEBRUARY 2024

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
25 September 2023	Cllr Dawn Johnson	Date of receipt of gift-Thursday 21 September 2023 Name of Donor- My Local Indian The reason and nature of the Gift/hospitality-Opening Event (£25)
25 October 2023	Cllr Mike Hewitson	Date of Receipt of Gift- 29 September 2023 Name of Donor: Communications International Group, Linen Hall 162-168 Regent Street London W1B 5TB. Reason: Return rail travel to and from the Independent Community Pharmacist Awards held at the Houses of Parliament, and lunch in the Members Dining Room. Receipt of award “Independent Prescriber of the Year 2023”.

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

Email: democraticserviceteam@somerset.gov.uk

Appendix A

17 November 2023	Cllr Hazel Prior-Sankey	Date of Receipt of Gift: 17 November 2023 Name of Donor: The Brewhouse Theatre Details: Two tickets to press night performance of A Christmas Carol
20 December 2023	Cllr Lucy Trimnell	Name of Donor: The Bruton Choral Society Details: Two tickets to Christmas service Value: £30
13 December 2023	Cllr Mike Hewitson	Name of Donor: National Pharmacy Association Details: Retirement dinner for outgoing CEO Value: Approximately £100

Standards Committee
27 March 2024

Code of Conduct Complaints – Quarterly Update – Q4

Lead Officer: David Clark, Monitoring Officer

Authors: David Clark, Monitoring Officer

Contact Details: David.clark@somerset.gov.uk

1. Summary

- 1.1.** Following the creation and provision to the Committee of the monthly Code of Conduct complaint summaries (see Appendix 1) this report provides an update to the Committee regarding the number of complaints received, any themes emerging and the performance in respect of acknowledgment and substantive responses against our published timescales. A full year 1 review of the complaint numbers and themes will be presented to the Committee in Q1 2024/2025.

2. Recommendations

- 2.1.** That Committee note the update report at the end of quarter four in respect of Code of Conduct complaints and provide any associated comments, observations and direction.

3. Background

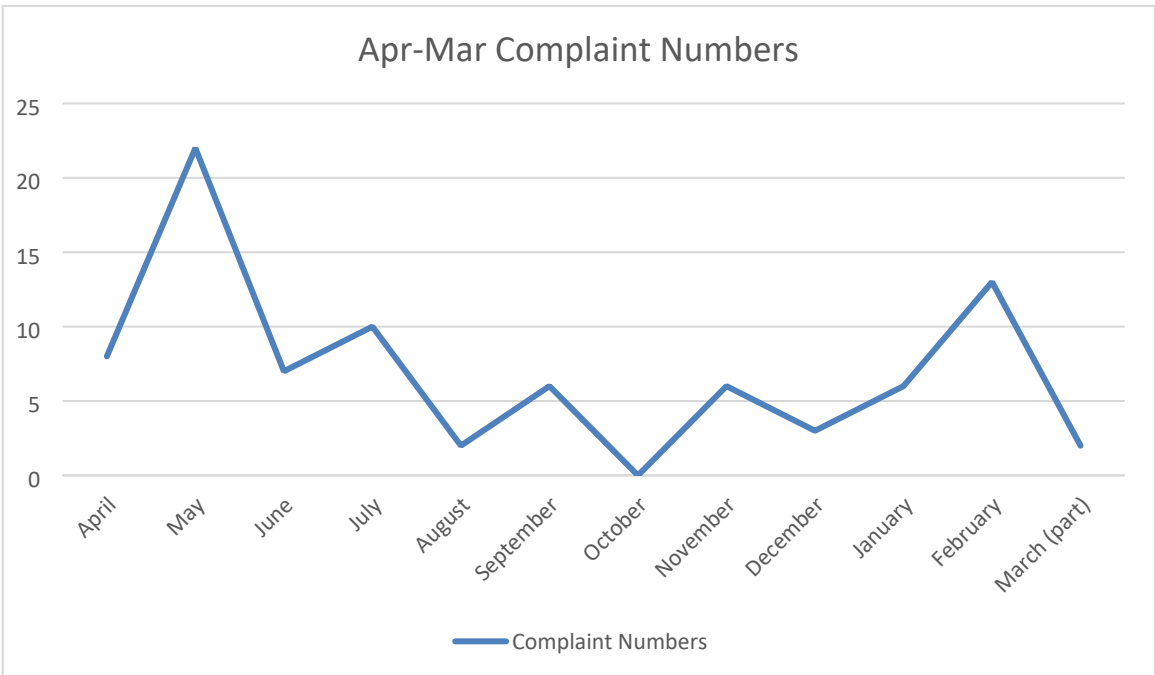
- 3.1.** Somerset Council adopted the LGA Model Code of Conduct following a decision of Full Council in February 2022 ahead of the elections in May 2022. That Code has transitioned to the new Somerset Council from April 2023.
- 3.2.** All Code of conduct complaints have been administered centrally from that point and virtually a full four quarters have been completed. This report, therefore, provides an update to Members in respect of volumes, performance and any identifiable trends. The purposes of the report is not to review any individual or groups of complaints but to consider the overall numbers, trends and performance.

4. Analysis

4.1. Number of Complaints

Of the 86 complaints received some related to the same incident i.e. multiple complaints regarding the same subject members and the same alleged breach of the code of conduct. Taking this into account there were 58 separate 'incidents' complained about. The monthly totals of complaints received are set out in the following table. The number of complaints received in May has been identified as an exception, otherwise the numbers remain much lower and closer to the volumes predicted prior to vesting day based on historical trends from the legacy councils.

Month	Number of Complaints
April	8
May	22
June	7
July	10
August	2
September	6
October	0
November	6
December	3
January	6
February	13 (7 incidents)
March (up to 15.3.24)	2



4.2. Acknowledgment

The Council's target to provide an acknowledgement of received complaints is 5 working days. After quarter four the Council achieved this target 85% of the time i.e. on 73 out of 86 occasions. The principal reason for failing to acknowledge within 5 working days remains annual leave and sickness earlier in the year. The Q4 performance is 100%.

4.3. Substantive Response

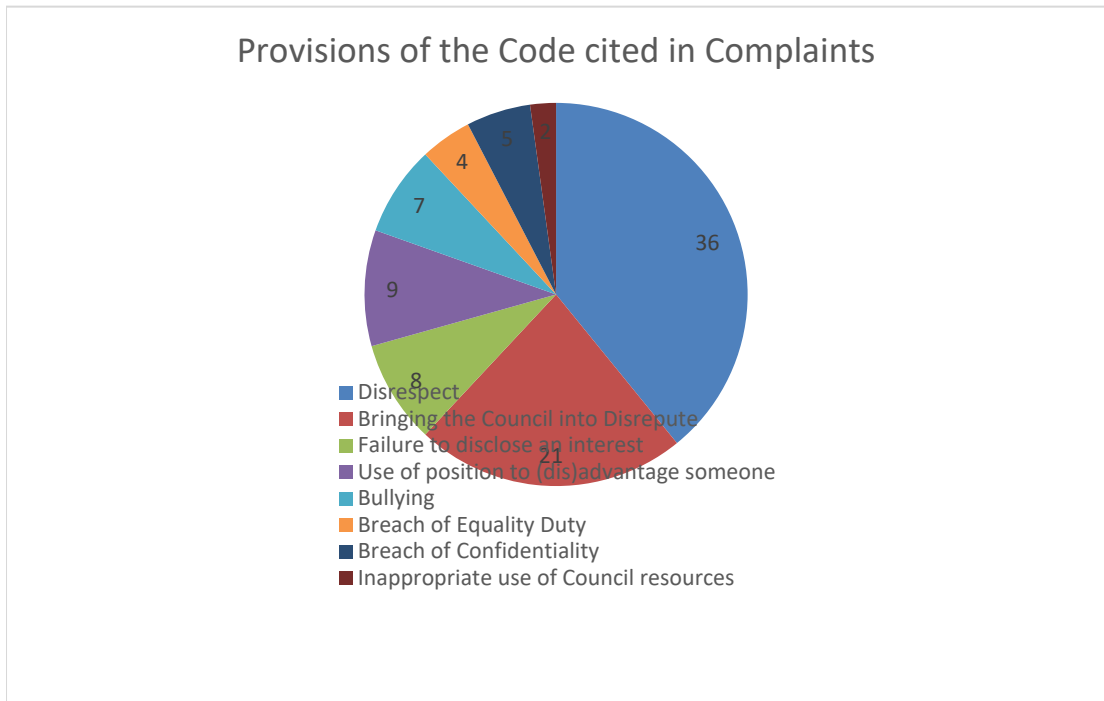
The Council's target to provide a substantive response to a Code of Conduct complaint is 20 working days from the receipt of the complaint. After quarter 4 the Council achieved this target 44% of the time i.e. on 33 out of 75 occasions (11 complaints remain under consideration and within time at the time of report production). The reasons for regularly failing to meet this target are more complex as the timings are not wholly within the Council's control. The initial assessment period could require further information to be submitted by the complainant or a detailed response to be provided by the subject member and every proposed response has to be shared with the Independent Person. Looking a quarter 4 in isolation this target was met 100% of the time in respect of the assessments that have been concluded at the time of writing.

Moving forward the monthly summaries distributed to Committee Members will provide the reason for any delay which results in a failure to meet response time targets.

4.4. Trends and Themes

Of the 86 complaints assessed 69 (76%) concluded No Further Action was required, 6 (7%) resulted in Further Action with 11 (13%) still in the assessment phase. No complaints have been deemed worthy of a formal investigation and/or a hearing.

The following table lists the areas of the code that were alleged to have been breached in the complaints, in many cases more than one potential breach was cited.



5. Implications

5.1. This is the third code of conduct complaints report that has been brought before the Committee since vesting day. The committee may wish to indicate what additional or alternative data they would consider valuable.

6. Background papers

6.1. Somerset Council Code of Conduct.
Somerset Council Code of Conduct Complaints form and guidance

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

Appendix 1

April to March (Part) Code of Conduct Complaints Summary

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Member Code of Conduct Complaints										
Reference	Date Received	Complainant	Council	Acknowledged on	Deadline to Respond (20 working days)	Decision notice sent on	Decision (Upheld/Dismissed)	Nature of Complaint	Notes	Time Spent on complaint
April 2023										
MO/23-24/1	18/04/23	Member of the Public	Martock Parish Council	25/04/23	21/04/23	23/05/23	Dismissed	Failure to treat with respect. Allegations of improperly, conferring an advantage/disadvantage and breach of social media policy.	Pre-vesting reference: 2023/MO/001. The code did not apply as not acting in their official capacity.	
MO/23-24/3	24/04/23	Member of the Public	Chard Town Councillors	02/05/23	25/04/23	24/05/23	case closed no response from complainant	Serial bullying and harrasment of council employees and members of the public.	Complaint form sent to complainant for further details	
MO/23-24/4	24/04/23	Member of the Public	Martock Parish Council	05/05/23	28/04/23	30/05/23	Dismissed	Prejudice under the protected characteristic of marriage. Disrespectful and bullying behaviour		
MO/23-24/2(a)	24/04/23	Member of the Public	Somerset Council	02/05/23	25/04/23	24/05/23	Dismissed	Verbal attack on another councillor, accusing a councillor of wanting her to resign. Failure to treat with respect and unprofessional behaviour	Written apology offered and given.	
MO/23-24/2©	25/04/23	Member of Staff	Somerset Council	03/05/23	27/04/23	25/05/23	Dismissed	Verbal attack on another councillor, accusing a councillor of wanting her to resign. Failure to treat with respect and unprofessional behaviour	Written apology offered and given.	
MO/23-24/2(b)	26/04/23	Member of the Public	Somerset Council	04/05/23	27/04/23	26/05/23	Dismissed	Verbal attack on another councillor, accusing a councillor of wanting her to resign. Failure to treat with respect and unprofessional behaviour	Written apology offered and given.	
MO/23-24/2(d)	28/04/23	Member of the Public	Somerset Council	05/05/23	28/04/23	30/05/23	Dismissed	Disrespectful and unprofessional behaviour	Written apology offered and given.	
MO/23-24/5	28/04/23	Member of the Public	Somerset Council & Chard TC	09/05/23	03/05/23	02/06/23	Dismissed	Failure to treat with respect and threatening and bullying behaviour	Not acting in his official capacity	
May 2023										
MO/23-24/2(e)	04/05/23	Member of the public	Somerset Council	12/05/23	09/05/23	06/06/23	Dismissed	Disrespectful and unprofessional behaviour	written apology offered and given.	
MO/23-24/6 (a)	07/05/23	Clr	Chard Town Councillors	15/05/23	10/05/23	08/06/23	upheld	Failure to treat with respect and unprofessional behaviour	Found that he did fail to treat with respect but warned on future conduct	
MO/23-24/9	08/05/23	Member of the public	Somerset Council	15/05/23	10/05/23	08/06/23	case closed no response from complainant	Failure to treat with respect	No information returned from complainant in order to proceed with complaint.	
MO/23-24/7(c)	10/05/23	Member of the public	Chard Town Councillor	19/05/23	15/05/23	12/06/23	upheld	Bringing council into disrepute	Found that she failed to comply with Media policy but policy not clear therefore guidance given to the Clerk to review.	
MO/23-24/7 (d)	10/05/23	Member of the public	Chard Town Councillor	19/05/23	11/05/23	12/06/23	upheld	Bringing council into disrepute	Found that she failed to comply with Media policy but policy not clear therefore guidance given to the Clerk to review.	
MO/23-24/6 (b)	10/05/23	Member of the public	Chard Town Councillors	17/05/23	11/05/23	09/06/23	upheld	Failure to treat with respect and unprofessional behaviour	Found that he failed to treat with respect but not in the public interest to investigate.	
MO/23-24/6(c)	10/05/23	Member of the public	Chard Town Councillors Somerset Council	17/05/23	10/05/23	09/06/23	upheld	Unprofessional conduct, bullying behaviour and bring the council into disrepute	Found that he failed to treat with respect but not in the public interest to investigate.	
MO/23-24/4 (a)	10/05/23	Member of the public	Martock Parish Council	17/05/23	17/05/23	15/06/23	Dismissed	Failure to treat with respect		
MO/23-24/8	10/05/23	Member of the public	Somerset Council	19/05/23	15/05/23	12/06/23	Dismissed	Bringing council into disrepute	No breach of the code	
MO/23-24/7(a)	12/05/23	Clr	Chard Town Councillor	19/05/23	15/05/23	12/06/23	upheld	Bringing council into disrepute	Found that she failed to comply with Media policy but policy not clear therefore guidance given to the Clerk to review.	
MO/23-24/7(b)	12/05/23	Clr	Chard Town Councillor	19/05/23	15/05/23	12/06/23	upheld	Bringing council into disrepute	Found that she failed to comply with Media policy but policy not clear therefore guidance given to the Clerk to review.	
MO/23-24/6(d)	14/05/23	Member of the public	Chard Town Councillor	19/05/23	15/05/23	12/06/23	upheld	Unprofessional conduct, bullying behaviour and bring the council into disrepute	Found that he failed to treat with respect but not in the public interest to investigate.	

Appendix 1

Reference	Date Received	Complainant	Council	Acknowledged on	Deadline to Respond (20 working days)	Decision notice sent on	Decision (Upheld/Dismissed)	Nature of Complaint	Notes	Time Spent on complaint
MO/23-24/6 (e)	16/05/23	Member of the public	Chard Town Councillor	23/05/23	16/05/23	14/06/23	upheld	Failure to treat with respect	Found that he failed to treat with respect but not in the public interest to investigate.	
MO/23-24/7(e)	16/05/23	Member of the public	Chard Town Councillor	23/05/23	16/05/23	14/06/23	upheld	Bringing council into disrepute	Found that she failed to comply with Media policy but policy not clear therefore guidance given to the Clerk to review.	
MO/23-24/8(a)	16/05/23	Member of the public	Somerset Council	23/05/23	16/05/23	14/06/23	Dismissed	Bringing council into disrepute	No breach of the code	
MO/23-24/10	16/05/23	Clr	Street Parish Council	23/05/23	18/05/23	15/06/23	Dismissed	Failure to treat with respect	No breach but warning given	
MO/23-24/10(a)	16/05/23	Clr	Street Parish Council	23/05/23	18/05/23	15/06/23	Dismissed	Failure to treat with respect	No breach but warning given	
MO/23-24/10(b)	19/05/23	Clr	Street Parish Council	26/05/23	19/05/23	19/06/23	Dismissed	Failure to treat with respect	No breach but warning given	
MO/23-24/10(c)	19/05/23	Clr	Street Parish Council	26/05/23	19/05/23	19/06/23	Dismissed	Failure to treat with respect	No breach but warning given	
MO/23-24/12	22/05/23	Member of the Public	Minehead Parish Council	30/05/23	12/06/23	10/07/23	Dismissed	Using position, breach of confidentiality and bringing council into disrepute		
Mo/23-24/13	22/05/23	Member of the Public	Minehead Parish Council	30/05/23	12/06/23	10/07/23	Dismissed	Breach of confidentiality and bringing the council into disrepute		
MO/23-24/14	24/05/23	Clr	Horton Parish Council	01/06/23	25/05/23	22/06/23	Dismissed	Failure to treat with respect	Written apology sent from Member to Complainant. Complainant satisfied.	
June 2024										
MO/23-24/6(f)	06/06/23	Member of the public	Chard Town Council	08/06/23	05/07/23	15/06/23	upheld	Failure to treat with respect	Found that he failed to treat with respect but not in the public interest to investigate.	40 mins
MO/23-24/11	02/06/23	Member of the public	Martock Parish Council	06/06/23	04/07/23	23/06/23	Dismissed	Failure to treat with respect and breach of confidential information	No breach but warned of future conduct on social media	2 hrs 45 mins
MO/23-24/12	22/05/23	Member of the public	Minehead Parish Council	12/06/23	10/07/23	10/07/23	Dismissed	Using position, breach of confidentiality and bringing council into disrepute		3 hrs 40 mins
Mo/23-24/13	22/05/23	Member of the public	Minehead Parish Council	12/06/23	10/07/23	10/07/23	Dismissed	Breach of confidentiality and bringing the council into disrepute		3 hrs 40 mins
MO/23-24/15	13/06/23	Member of the public	Mudford Parish Council	13/06/23	11/07/23	17/07/23	upheld	Failure to treat with respect discussing a member of the public's private information	Written apology and training recommended.	4 hrs 55 mins
MO/23-24/16	19/06/23	Member of the public	Crewkerne Town Council	11/07/23	09/08/23	22/09/23	dismissed but training will be given	Breach of equality duty	Anonymity granted due to her employment situation.	4 hrs 30 mins
MO/23-24/16 (a)	20/06/23	Member of the public	Crewkerne Town Council	11/07/23	09/08/23	22/09/23	dismissed but training will be given	Breach of equality duty		4 hrs 30 mins
MO/23-24-16(b)	20/07/23	Member of the public	Crewkerne Town Council	24/07/23	21/08/23	22/09/23	dismissed but training will be given	Using position to advantage others		4 hrs 30 mins
MO/23-24/17	20/06/23	Member of the public	Crewkerne Town Council	11/07/23	09/08/23	22/09/23	dismissed but training will be given	Failure to declare interest		6 hrs 10 mins
MO/23-24/18	22/06/23	Clr	Bridgwater Town Council		20/07/23	07/08/23	dismissed	failure to declare interest	Complainant has asked for anonymity, request rejected. Evidence shows interest declared.	
July 2024										
MO/23-24-16(b)	20/07/23	Member of the public	Crewkerne Town Council	24/07/23	21/08/23	22/09/23	dismissed but training will be given	Using position to advantage others		4 hrs 30 mins
MO/23-24-17(a)	20/07/23	Member of the public	Crewkerne Town Council	24/07/23	21/08/23	22/09/23	dismissed but training will be given	Using position to advantage others and failure to declare interest		6 hrs 10 mins
MO/23-24/19	13/07/23	Clr	Chard Town Council	20/07/23	17/08/23	30/08/23	partially upheld	Bringing the Council into disrepute and using posn to adv/disadvantage others		4 hrs
Mo/23-24/20	13/07/23	Clr	Chard Town Council	20/07/23	17/08/23	30/08/23	dismissed	Bringing the Council into disrepute and using posn to adv/disadvantage others		4 hrs
MO/23-24/21	16/07/23	Member of the public	Ilton Parish Council	20/07/23	17/08/23	03/08/23	dismissed	Failure to treat with respect		2hrs
MO/23-24/22	17/07/23	Member of the public	Ilton Parish Council	20/07/23	17/08/23	03/08/23	dismissed	Failure to treat with respect		2 hrs
MO/23-24/23	16/07/23	Member of the public	Chard Town Council	21/07/23	18/08/23			Failure to treat with respect		
MO/23-24/24	20/07/23	Member of the public	Crewkerne Town Council	24/07/23	21/08/23	22/09/23	dismissed but training will be given	Using position to advantage others		4 hrs
MO/23-24/25	24/07/23	Member of the public	Bishops Lydeard & Cothelstone Parish Council	02/08/23	31/08/23	25/08/23	dismissed	Bringing the council into disrepute, failure to treat with respect and failure to declare an interest		6 hrs
MO/23-24/26	26/07/23	Member of the public	Bridgwater Town Council	04/08/23		04/09/23	dismissed	Failure to declare interest	Further information requested from complainant as he has asked for anonymity. Failed to give sufficient information to consider anonymity.	4 hrs 10 mins

Appendix 1

Reference	Date Received	Complainant	Council	Acknowledged on	Deadline to Respond (20 working days)	Decision notice sent on	Decision (Upheld/Dismissed)	Nature of Complaint	Notes	Time Spent on complaint
August 2024										
MO/23-24/27	02/08/23	Member of the public	Porlock Parish Council	04/08/23	18/08/23	22/08/23	Dismissed	Failure to treat with respect and bullying behaviour		3 hrs 15 mins
MO/23-24/34	22/08/23	Member of the Public	Somerset Council	22/08/23	19/09/23			Bringing Council into disrepute		
September 2024										
MO/23-24/28	06/09/23	Member of the public	Shepton Mallet Town Council	15/09/23		15/09/23	Dismissed	No breach identified by complainant. Unfair	Failed jurisdictional test. Not acting in official capacity	
MO/23-24/29	07/09/23	Clr	Chard Town Council	15/09/23	05/10/23	26/09/23	Failed juris test	Failed to treat with respect and defamed Clr	Failed jurisdictional test. Not acting in official capacity	45 mins
MO/23-24/30	08/09/23	Member of the public	Leigh on Mendip Parish Council	15/09/23	06/10/23	27/09/23	Failed juris test	Participated in a meeting with an interest	Failed jurisdictional test. Dispensation granted by the clerk	20 mins
MO/23-24/31	04/09/23	Member of the public	Creech St Michael Parish Council	15/09/23	03/10/23			Failure to treat with respect		
MO/23-24/32	27/09/23	Member of staff	Shepton Mallet Town Council	27/09/23	25/10/23			Bringing the authority into disrepute, Using her position for unfair advantage, inappropriate use of council resources		
MO/23-24/33	28/09/23	member of the public	Yeovil Town Council	29/08/23	27/10/23			Failure to declare interest		
October 2023										
N/A										
November 2023										
MO/23-24/35	08/11/23	Member of the public	Wincanton Town Council	16/11/23					Complainant didn't wish to proceed but wanted the complaint left on file as Clr has resigned	5 mins
MO/23-24/36	13/11/23	Member of the public	Old Cleeve Parish Council				Dismissed	dissatisfied with decision of the parish	Some of the complaint was too old and the rest was a dissatisfaction with a council decision no evidence provided of complaint against individual clrs	3 hrs 30 mins
MO/23-24/37	15/11/23	Member of another public body	Somerset	16/11/23	14/12/23	21/11/23	dismissed	Inappropriate racist comments	outside of jurisdiction	40 mins
MO/23-24/38	15/11/23	Employee	Ilminster Town Council	16/11/23	14/12/23		Dismissed	Failure to treat with respect and inappropriate comments on Facebook		3 hrs 30 mins
MO/23-24/39	24/11/23	Employee	Meare Parish Council	28/11/23	28/12/23		Dismissed	Failure to treat with respect and bring the council into disrepute		3 hrs 10 mins
MO/23-24/40	29/11/23	CPRE	Charlton Horethorne PC	30/11/23	02/01/24					
December 2023										
MO-23-24/41	12/12/23	Clr	Somerset Council	19/12/23	12/01/23			Breach of Confidentiality	Self-report	
MO/23-24/42	16/12/23	Clr	Mudford Parish Council	02/01/24	29/01/24			Failure to declare an interest	Complainant agreed complaint would be progressed in January 2024	
Mo/23-24/43	31/12/23	Clr	Chard Town Council	08/01/24	02/02/24			Failure to treat with respect and bullying behaviour		
January 2024										
MO/23-24/44	04/01/24	Clr	Somerset Council	11/01/24	07/02/24	23/01/24	Upheld	Disrepute	Self report. Technical breach identified - local resolution applied	2hrs
MO/23-24/45	11/01/24	Clr	Somerset Council	16/01/24	13/02/24	25/01/24	Upheld	Breach of Confidentiality	Self Report. Technical breach identified - local resolution applied	2hrs
MO/23-24/46	11/01/24	Member of the Public	Old Cleeve Parish Council	15/01/24		17/01/24	dismissed failed jurisdiction test	Clr not acting as parish clr		
MO/23-24/47	17/01/24	Clr	Street Parish Council	18/01/24	15/02/24	18/01/24	dismissed failed jurisdiction test	Clr not acting as parish clr		
MO/23-24/48	25/01/24	Clr	Meare Parish Council	29/01/24	26/02/24	21/02/24	dismissed	Failure to treat with respect, bullying, improperly seeking to confer adv, not to intimidate		3hrs 5 mins
MO/23-24/49	27/01/24	Member of the Public	Yeovil Town Council	30/01/24	27/02/24	23/02/24	dismissed	Failure to treat with respect		4 hrs 15 mins
February 2024										
MO/23-24/50(a)	02/02/24	Member of the Public	Chard Town Council	02/02/24	01/03/24			Providing false statements to the police	Awaiting info from ASP	
MO/23-24/50(b)	05/02/24	Member of the Public	Chard Town Council	05/02/24	01/03/24			Providing false statements to the police	Awaiting info from ASP	
MO/23-24/50(C)	05/02/24	Member of the Public	Chard Town Council	05/02/24	01/03/24			Misuse of position as a councillor	Awaiting info from ASP	
MO/23-24/51	07/02/24	Clr	Somerton Town Council	08/02/24	07/03/24	28/02/204	dismissed	Failure to treat with respect		2 hrs 20 mins
MO/23-24/52	09/02/24	Clr	Chard Town Council	12/02/24	11/03/24		dismissed	Failure to treat with respect and harrasment and bullying		5 hours

Appendix 1

Reference	Date Received	Complainant	Council	Acknowledged on	Deadline to Respond (20 working days)	Decision notice sent on	Decision (Upheld/Dismissed)	Nature of Complaint	Notes	Time Spent on complaint
MO/23-24/53	15/02/24	Member of the Public	Mudford Parish Council	16/02/24	15/03/24		dismissed	Poor leadership and failing to adhere to process	outside of juris	
MO/23-24/54	12/02/24	Member of the Public	Somerset Council	12/02/24	11/03/24			Failure to treat with respect	Meeting arranged with IP	
MO/23-24/54 (a)	19/02/24	Member of the Public	Somerset Council	20/02/24	19/03/24			failure to treat with respect	Meeting arranged with IP	
MO/23-24/54 (b)	19/02/24	Member of the Public	Somerset Council	20/02/24	19/03/24			Failure to treat with respect	Meeting arranged with IP	
MO/23-24/54(c)	19/02/24	Member of the Public	Somerset Council	20/02/24	19/03/24			Failure to treat with respect	Meeting arranged with IP	
MO/23-24/55	14/02/24	Clr	Street Parish Council	16/02/24	15/03/24			Failure to treat with respect and bring the role into disrepute	Meeting arranged with IP	
MO/23-24/55(a)	19/02/24	Clr	Street Parish Council	20/02/24	19/03/24			Failure to treat with respect and bringing role into disrepute	Meeting arranged with IP	
MO/23-24/56	28/02/24	Member of the Public	Wincanton Town Council	29/02/24	28/03/24	29/02/24	dismissed	Clr was abusive and threatening	outside of juris	
March 2024										
MO/23-24/57	04/03/24	Member of the public	Sprackford Parish Council	05/03/24	05/04/24			Use of position, use of resources and disrepute	Complainant has referred to a number of different matters therefore complainant asked to refer to CoC issues only	
MO/23-24/58	12/03/24	Member of the public	Somerset Council	13/03/24	12/04/24			Failure to treat with respect	Member Notification Sent	

Working Group Updates

Lead Officer: Scott Wooldridge

Report Author: Steve Taylor

Contact Details: steve.taylor@somerset.gov.uk 01278 435418

1. Summary

- 1.1. The Standards Committee has set up 3 working groups to help support the work of the Committee: Priority Group 1, Priority Group 2 and Priority Group 3
- 1.2. Since the Standards Committee's last meeting on 24 January 2024 Priority Groups 1 & 2 have met and their reports to the Committee are attached as appendices.
- 1.3. Priority Group 1 looked at the Code of Conduct and their findings and recommendations are attached as **Appendix 1**.
- 1.4. Priority Group 2 looked at the cities, town and parish council Code of Conducts and their findings and recommendations are attached as **Appendix 2**.

2. Recommendations

- 2.1.
 1. To consider the findings and recommendations of Priority Group 1 set in Appendix 1 and to take any appropriate action.
 2. To consider the findings and recommendations of Priority Group 2 set in Appendix 2 and to take any appropriate action.

3. Background

- 3.1. The Standards Committee has set up 3 working groups, as follows:

Priority Group 1

Cllr John Bailey (Chair),

Cllr Brian Smedley

Cllr Frances Nicholson,

David Stripp

Paul Hooper

Priority Group 2

Cllr Frances Nicholson (Chair)

Robin Horton

Alan Hemsley

Priority Group 3

Cllr Martin Dimery (Chair)

Cllr Hugh Davies

Alan Hemsley

3.2. The working groups have the following actions allocated to them:

Priority Group 1

- 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.
- Media Plan/Protocol review & costings

Priority Group 2

- Review committee/sub-committee membership.
- Qualitative response to Survey Q5.
- To discuss and feedback the Groups' thoughts on improving response levels to survey and uptake of Code of Conduct.

4. Options Considered and any consultation undertaken

4.1. It is for the Committee to consider the findings of the priority groups and to take what action they consider appropriate after advice from the Monitoring Officer.

5. Legal, Equalities, Financial and Other Implications

5.1. The Council has a legal obligation to maintain high standards of conduct of its Members. The effective administration of the code of conduct for members will also reduce the risk of reputational harm to the Council and promote good governance within the Council.

5.2. Following local government reorganisation in Somerset the Council now also administers the Code of Conduct complaints process for all City, Town and Parish Councils within their area.

5.3. Because the investigation and determination of complaints about breaches of the code of conduct is quasi-judicial in nature it is important for that processes adopted should be fair and transparent.

6. Background papers

6.1. Previous Standard Committee agendas and minutes.

7. Appendices

7.1. Appendix 1 - Report to the Standards Committee from Priority Group 1

Appendix 2 – Report to the Standards Committee from Priority Group 2

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

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Report to the Standards Committee from Priority Group1

The Priority Group considered the following points in relation to the Code of Conduct:

- 1. Review of the Monitoring Officer's arrangements for the investigation of allegations of breaches of the code of conduct by members and Coopted members. Make recommendations for appropriate changes.**

Findings

- We recommend that a feedback form (paper/online) should be sent to all parties when each complaint is concluded, focussing on the process.
- We have drafted a feedback form (see next page) and have asked the Monitoring Officer if such a document already exists.

- 2. Test driving of the process using individual experience**

Findings

- David Stripp would test drive the process by completing a feedback form using his own experience of the process.

- 3. Media Protocol Review**

Findings

- We were awaiting the Monitoring Officer comments when we met and we did not consider the item.
- His comments, that he felt that the process was still new and that the documents were still fit for purpose, have now been received.

- 4. Capturing learning points and feedback from the complaint process to date.**

Findings

- See findings for point 1 above.

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Report to the Standards Committee from Priority Group 2

City, parish and town council (ctp) codes of conduct

The group considered the work that had been done to encourage ctp councils to adopt the new Somerset Council code of conduct, and the feedback from ctp councils as to why they had adopted this code of conduct or something different. Most ctp councils had adopted Somerset Council code, and it had become clear that those councils which had adopted something else had made a positive decision to do so, and it was felt that it would be unlikely that any further encouragement would lead to a change of mind.

The group also considered the level of complaints about ctp council members to assess the workload for the monitoring officer and team. After an initial flurry of complaints following vesting day complaints had reduced to a low level. Feedback from the monitoring officer and team has reassured Standards Committee members that the current situation is not leading to an unmanageable overload on officers.

Recommendations

1. The group recommends that no further action should be taken to persuade the few councils using a different code to adopt the Somerset Council one.
2. Instead the committee recommends that when resources allow consideration should be given to a potential training offer for ctp council members possibly in conjunction with SALC, to be developed in response to the sorts of complaints that are received.
3. The group also recommends that the attention of ctp councils should be drawn to a recent case which David Clark has mentioned ('the case last week involving the deputy leader of Ashfield District Council. He failed to disclose a beneficial interest on his register of interests form, not deliberately but without reasonable excuse. Even although there was no personal gain as a result of this interest the local police still pursued a prosecution and he was fined £2,400 in the magistrates court.')

Hearing Sub-Committee composition

The group considered the report and decision of the Standards Committee last June, the current arrangements in neighbouring authorities, the number of hearings which have been needed since the new authority's vesting day (one only), the difficulty or otherwise of setting a hearing date (quite difficult in the one instance – learning from that experience suggests that it is helpful to discover the availability of potential members of a Hearing Sub-Committee before setting the date) and the recently expressed view of the Chairman of the Standards Committee that the pool of those from whom a Hearing Sub-Committee can be drawn should be widened in order to make arranging hearings easier.

Recommendations:

After discussion the group recommends:

1. That the pool from which the members of a Hearing Sub-Committee can be drawn should be widened to include all members of the Standards Committee.
2. That the monitoring officer in consultation with the Chairman of the Standards Committee should decide which particular people will be asked to sit on the Hearing Sub-Committee for a particular hearing
3. That the Standards Committee should consider and accept one of the following alternatives for determining the membership of a particular Hearing Sub-Committee:
 - a. in addition to elected members there may be one or more co-opted members,
 - b. in addition to elected members there must be at least one co-opted member.

Standards Committee

27 March 2024

Standards Committee Co-Opted Member recruitment update

Lead Officer: David Clark, Monitoring Officer

Author: Scott Wooldridge, Head of Governance & Democratic Services

Contact Details: scott.wooldridge@somerset.gov.uk

1. Summary

- 1.1.** The membership of the Standards Committee comprises 1 elected member from each of the Council's political groups (currently 5 elected Members) with voting rights. The membership of the committee excludes any members of the Executive. In addition to the five elected members from the Council there are 5 co-opted members without voting rights.
- 1.2.** Currently there is one co-opted member vacancy. This report provides an update on the proposed recruitment to that co-opted member vacancy.

2. Recommendations

- 2.1.** To receive the update on the recruitment to the co-opted member vacancy and provide any comments to the Monitoring Officer.

3. Background

- 3.1.** The terms of reference for the Standards Committee states that its membership includes five co-opted members without voting rights. At least three of the co-opted members should be members of a city, town or parish council to provide representation from local councils and Somerset's local communities. There is currently one vacancy for a co-opted member.
- 3.2.** A recruitment pack has been prepared (see Appendix 1) which will be used by the Council's recruitment services and volunteer services to advertise this opportunity to serve on the Standards Committee.
- 3.3.** The Monitoring Officer will manage the recruitment process and convene an interview panel to interview potential candidates. The successful candidate will then be appointed by the Monitoring Officer and reported to the Annual General Meeting.
- 3.4.** The Committee is invited to comment on the proposed recruitment process.

4. Options Considered and Consultations undertaken

- 4.1.** The only other option would be not to recruit but that is not in accordance with the Committee's terms of reference and is therefore not recommended.

5. Implications

- 5.1.** Financial – in accordance with the Members' Scheme of Allowances 2024/25 a co-opted member of a council committee receives an annual allowance of £1,000 and can submit claims for travel expenses associated with their role.

6. Background papers

- 6.1.** Somerset Council Constitution – Standards Committee Terms of Reference and Members' Scheme of Allowances

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



Co-opted Member of the Standards Committee

Background Information

The Standards Committee is responsible for promoting and enforcing high standards of conduct by Members and co-opted Members and assisting Members and co-opted Members to observe the Council's code of conduct.

The Committee comprises 10 Members as follows:

- (i) 5 Members Somerset Council; and
- (ii) up to 5 co-opted community representatives appointed by Somerset Council as non-voting members of which at least 3 should be members of city, town or parish councils in Somerset.

The committee will have the roles and responsibilities set out in the Terms of Reference here: [Part D9 - Standards Committee Terms of Reference \(somerset.gov.uk\)](#)

Essential Criteria for a Co-opted Member of the Standards Committee

Essential

- Be a Somerset resident
- Not be an elected member of Somerset Council
- Have no personal or business relationships with any elected members of the Council

What You Will Be Good At

Experience, Knowledge and Skills

Essential

- An understanding of local government.
- Excellent communication skills, including influencing, negotiating and diplomacy.
- Accurate records keeping.
- Consistency of standards.
- Able to extract the important information from a situation.
- Insight into human behaviour.
- Ability to speak fluent English.
- Able to attend regular meetings of the Standards Committee, usually held in Taunton

Desirable

- Experience of using Microsoft Office 365 applications.
- An appropriate education/qualification standard equivalent to NVQ Level 3.

Personal Attributes

Essential

- Positive, committed, adaptable, thorough and confident.
- Ability to manage own workload and respond well to deadlines / conflicting demands.
- Customer and communities focused.
- Personal integrity
- Ability to use diplomacy and tact in sensitive / confidential situations

Desirable

- Ability to prepare and present complex information in a clear and convincing manner.

All disabled applicants meeting the essential criteria will be interviewed.



What We Will Offer You in Return

Allowance:	An annual allowance of £1,000
Job Satisfaction:	An opportunity to use your skills for the benefit of others.



Somerset
Council

Agenda Item 10

Standards Committee – Work Programme 2023 – 2024 (Updated 24 January 24)

	Work Item	By Whom	Committee Meeting
1.	Minutes and Action Plan (standing item)	DS	27 March 2024
2.	Work Programme (standing item)	DS	27 March 2024
3.	Standards Committee Annual Report to Full Council (22 May 2024)	SW	27 March 2024
4.	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	P1	27 March 2024
5.	Media Plan/Protocol review & costings	P1	27 March 2024
6.	Model Code of Conduct Adoption by City, Town & Parish Councils – <ul style="list-style-type: none"> • Report back on whether anything could be done to improve response levels and uptake of the Code of Conduct. • Qualitative response to Q5 of the survey 	P2 P2	27 March 2024 27 March 2024
7.	Review the operation and effectiveness of the Members' Code of Conduct and recommend any changes considered necessary to the Council for approval	P2	27 March 2024
8.	Keep under review the operation and effectiveness of the Standards Committee and Standards Hearing Sub-Committee arrangements and to recommend any changes considered necessary to the Council for approval.	P2	27 March 2024
9.	Code of Conduct Complaints <ul style="list-style-type: none"> ➤ Quarterly Review ➤ Review learning points ➤ 2024-2025 municipal year summary 	MO MO & P2 MO	27 March 2024 June 2024 June 2024
10.	Gifts and Hospitality Register	DS	27 March 2024

	<p>To review the Monitoring Officer's maintenance of the Members' and officers' registers of interests and gifts and hospitality</p> <p>To consider if any changes are needed to the Gifts and Hospitality forms or process i.e. guidance and training.</p>	<p>P3 & DS</p>	<p>June 2024 Meeting</p>
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Key

DS – Democratic Services

MO – Monitoring Officer

P1 – Priority Group 1 (Cllr Bailey (Chair), Cllr Smedley, Cllr Nicholson, D Stripp & P Hooper

P2 – Priority Group 2 (Cllr Nicholson (Chair), R Horton & A Hemsley

P3 – Priority Group 3 (Cllr Dimery (Chair), Cllr H Davies & A Hemsley

SC – Standards Committee

SW – Scott Wooldridge