

Standards Committee – 24 March 2021

Minutes of the meeting of the **Standards Committee** held on **24 March 2021** when there were present:-

Chairman: Cllr Mrs J E McPherson
Vice-Chairman: Cllr Mrs J R Lumley

Cllr Mrs T L Carter
Cllr Mrs J R Gooding
Cllr M Hoy

Cllr M J Lucas-Gill
Cllr C M Stanley

INDEPENDENT PERSONS (INVITEES NON-VOTING)

Mr P Scott
Mr S Shadbolt
Mrs L Walker

PARISH MEMBERS (CO-OPTED NON-VOTING)

Cllr Mrs M Cohen
Cllr Miss A Marriott

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M J Steptoe

SUBSTITUTES

Cllr D J Merrick - for Cllr M J Steptoe

OFFICERS PRESENT

A Law - Assistant Director, Legal & Democratic
S Worthington - Principal Democratic & Corporate Services Officer
L Morris - Democratic Services Officer
K Smith - Democratic Services Officer

49 MINUTES

The Minutes of the meeting held on 17 September 2020 were agreed as a correct record and would be signed by the Chairman in due course.

50 LOCAL INVESTIGATIONS AND DETERMINATIONS – OCTOBER 2020 TO MARCH 2021

The Committee received the report of the Monitoring Officer with a summary of complaints and queries received in relation to Members' behaviour under the Code of Conduct.

In response to a Member question regarding Councillors acting in official capacity, officers advised that arrangements for dealing with complains were

contained within the constitution and determining if a Councillor was acting in official capacity is taken on a case-by-case basis.

In response to a Member question querying what 'to be determined' meant when in relation to a case, officers advised that the cases were still in an initial summary stage and had not been moved any further. The Monitoring Officer was reviewing these complaints to decide if they should be taken further.

Referring to complaint 3 (SC0082) in the appendix to the report, a Member queried if the decision to take no further action on the basis that the subject was not acting in the capacity of councillor at the time was made alone by the Monitoring Officer, or if an independent person had contributed to this decision. The Monitoring Officer advised that this was a decision that had been made by herself. The Member queried if it was a decision that was so clear cut that the Monitoring Officer was able to decide by herself, and further asked if a case was not so clear cut, would this decision be made further down the line with the involvement of other people. The Monitoring Officer advised that she had been able to make a straightforward decision based on information provided that evidenced the Councillor in question was not acting in an official capacity and confirmed that, if the case had been more complicated, an independent person would have been consulted.

In response to a member question regarding how long the decision-making process usually took, officers advised that although they usually respond within a month, it was completely dependent upon evidence, witnesses etc. and would differ on a case-by-case basis.

A Councillor queried if training on social media conduct would take place after May and was advised by officers that annual training on social media was provided and that there was also a Rochford District Council social media policy. A Member further queried if this was available to Parish Councillors as well as District Councillors and was advised by officers that Parish Councillors were invited to undertake the training.

In response to a Councillor querying if there were any outstanding complaints from the previous report, officers advised that there were no reports outstanding, and clarified that if there were any outstanding report, they would be included.

An independent person queried if the Monitoring Officer had found that there had been an increase in complaints over the pandemic and was advised that while the cases had not increased, the type of complaints made were more around conduct on social media, which was to be expected as people used social media more due to the pandemic.

A Member queried if once a complaint had been made, the claimant was approached further down the line to ask if any further evidence or new complaints had come to light. Officers advised that the claimant was welcome to approach the Monitoring Officer at any point with further evidence to advise of any new evidence and confirmed that this was conveyed to the claimant.

A Member queried if there was an appeals process that could be used following a decision made by the Monitoring Officer and was advised that there was no legal requirement for an appeals process to be put into place and that this was detailed within the constitution. The Monitoring Officer further advised that if a Member was unhappy with the outcome, they were entitled to approach the Local Government Ombudsman with any grievances.

A Member asked if she was able to raise a question regarding the urgent decisions document and was advised that this was not an agenda item at this meeting, therefore this was not appropriate.

Resolved

That the summary of complaints and determinations for the period October 2020 to March 2021 be received. (ADLD)

The meeting closed at 7.52 pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 318111.