

Public Document Pack



Councillor Conduct Committee

Tuesday, 24 March 2015 at 6.30 pm
Room 4, Civic Centre, Silver Street, Enfield,
EN1 3XA

Contact: Penelope Williams
Secretary
Direct : 020-8379- 4098
Tel: 020-8379-1000
Ext: 4098
Fax: 020-8379-3177 (DST)
Textphone: 020 8379 4419
E-mail: Penelope.Williams@enfield.gov.uk
Council website: www.enfield.gov.uk

Councillors: Claire Stewart (Chair), Yasemin Brett, Elaine Hayward (Vice-Chair) and Joanne Laban

Independent Persons: Christine Chamberlain and Sarah Jewell

AGENDA – PART 1

1. WELCOME AND APOLOGIES

2. DECLARATION OF INTERESTS

Members are asked to declare any disclosable pecuniary, other pecuniary or non pecuniary interests relating to items on the agenda.

3. SUBSTITUTE MEMBERS

Any member who wishes to appoint a substitute for this meeting must notify the Monitoring Officer in writing, before the beginning of the meeting, of the intended substitution.

Any notifications received will be reported at the meeting.

4. INDEPENDENT PERSON - EXTENSION OF TERM OF OFFICE (Pages 1 - 4)

To receive a report, from the Monitoring Officer, on options for extending the term of office of one of our Independent Persons.

5. MEMBER TRAINING PROGRAMME (Pages 5 - 10)

To receive a report updating the committee on the member training programme.

6. CHANGES TO CODE OF CONDUCT ON DECLARATION OF INTERESTS (Pages 11 - 16)

To receive a report, from the Monitoring Officer, setting out a possible change to the code of conduct, on the disclosure of member interests.

7. COMPLAINTS UPDATE

To receive a verbal update from Asmat Hussain, Monitoring Officer, on any councillor complaints under consideration.

8. ANNUAL REPORT 2014/15 (To Follow)

To receive and agree the Councillor Conduct Committee Annual Report for 2014/15.

9. WORK PROGRAMME 2014-15 (Pages 17 - 20)

To note the work programme for 2014-15.

To consider items for inclusion in the work programme for 2015/16. Suggestions attached in draft grid.

10. MINUTES OF THE MEETING HELD ON 20 JANUARY 2015 (Pages 21 - 24)

To receive and agree the minutes of the meeting held on 20 January 2015.

11. DATES OF FUTURE MEETINGS

To note that the dates for future meetings will be agreed at full Council on 13 May 2015.

12. EXCLUSION OF PRESS AND PUBLIC

To pass a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

There is no part 2 agenda.

MUNICIPAL YEAR 2014/2015 - REPORT NO. **201**

Councillor Conduct Committee (CCC) – 24 March 2015

REPORT OF:

Director of Finance Resources &
Customer Services

Contact officer and telephone number:

Asmat Hussain, 0208 379 6438
Keiley Ann Broadhead, 0208 379 8419

E mail:

asmat.hussain@enfield.gov.uk
keiley.broadhead@enfield.gov.uk

| | |
|-------------------------|----------------|
| Agenda - Part: 1 | Item: 4 |
|-------------------------|----------------|

Subject: Extension of appointment of
an Independent Person

Wards: All

1. EXECUTIVE SUMMARY

- 1.1 The Localism Act 2011 (the Act) requires a relevant authority to appoint at least one Independent Person(s) (IP). At Enfield it was agreed that two IP should be appointed.
- 1.2 The role of the IP The role of the independent person is set out in Section 28 of the Act and their views must be sought, and taken into account, by the Monitoring Officer when considering an allegation in respect of a breach of the Code of Conduct.
- 1.3 On 8 August 2012 the Councillor Conduct Committee (CCC) agreed the term of office for the IP(s) being 2 years.
- 1.4 This report outlines a proposal to extend the term of office for Christine Chamberlain; IP, for two years until 30 June 2017.

2. RECOMMENDATIONS

That CCC recommends to Full Council:

- 2.1 To extend the term of appointment of Christine Chamberlain (IP), whose current term of office comes to an end on 30 June 2015 by 2 years to 30 June 2017.

3. BACKGROUND

- 3.1 The Act changed the way in which local authorities promote and maintain high standards of conduct among its councillors and co-opted members. These changes included the introduction of IP(s) to advise and support the Council in relation to the conduct of its members.
- 3.2 Section 28(7) & (8)(c) of the Act provides that a relevant authority must appoint at least one IP. The recruitment of Christine Chamberlain as IP complies with the legislation and was approved by Full Council on 30 January 2013 for a period of 2 years
- 3.3 On 8 August 2012 the CCC agreed that IP(s) should be recruited for a two year appointment. It is noted at the time Members felt it would be helpful for the term of office to overlap the term of the Council's administration.
- 3.4 There is no statutory limit on the length of appointment this time period can be extended by a majority agreement of members.
- 3.5 The role of the IP includes:
- Assisting in the promoting of high standards of conduct by elected and co-opted members of the Council.
 - Being consulted before decisions are taken on councillor complaints and investigations.
 - Being involved in the resolutions of disputes where appropriate.
 - Attending meetings of the CCC to provide an independent view.
 - Being available for consultation by any member who is subject to a complaint.
 - Participation in training events
 - Acting as an advocate and ambassador in promoting ethical behaviour.
- 3.7 The IP post remains a relatively new post; we have recently recruited a new second IP. The retention of Christine Chamberlain will provide excellent support to the new recruit whilst also aiding in the development of the role.
- 3.6 Christine Chamberlain has confirmed that she would be happy to continue in post and would welcome the extension of the post.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Undertake a recruitment exercise prior to the expiry of the term in June 2015 resulting in additional expenditure and use of officer time.

5. REASONS FOR RECOMMENDATIONS

- 5.1 It is recommended that Christine Chamberlain's appointment be extended to ensure continuity, expertise and the experience is retained by the Council.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

The annual cost of post is £500. This will be found from existing departmental budgets.

6.2 Legal Implications

Section 28(7) of the Act requires a relevant authority to appoint at least one IP whose views must be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate.

6.3 Property Implications

None.

7. KEY RISKS

- 7.1 Our Code goes beyond the requirement of the Act to appoint a minimum of one independent person. Appendix A, Procedure for Handling Complaints against Councillors and Co-opted Members, paragraph 1.2 states that:

“The Council has agreed to appoint two Independent Persons who will be recruited through public advertisement and a competitive interview process.”

- 7.2 If the recommended extension of post, or the alternative recruitment exercise does not take place this will result in a breach of the Code. The requirements of the Code, being that 2 IPs should be recruited goes beyond that of the Act.

- 7.3 The Act does not limit what may be included in the Code, but nothing in the Code prejudices the operation of the Act. The Code must at a minimum reflect the requirements of the Act.

- 7.4 The recruitment exercise may not provide a successful candidate with the level of experience and expertise as Christine Chamberlain.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All/Growth and Sustainability/Strong Communities

A strong ethical approach by the Council and the promotion of good conduct on the part of members will have a positive effect on their representational role and a consequential impact on communities.

The arrangements, which require a local authority to seek the views of an IP before taking a decision on , assists in providing reassurance that complaints are being properly processed and dealt with.

9. EQUALITIES IMPACT IMPLICATIONS

The proposals within this report will help to ensure fair, equal and consistent treatment of complaints against councillors for all parties concerned.

An equality impact assessment is not required for this report.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Not applicable.

11. HEALTH AND SAFETY IMPLICATIONS

Not applicable.

12. HUMAN RESOURCES IMPLICATIONS

Not applicable.

13. PUBLIC HEALTH IMPLICATIONS

Not applicable.

Background Papers

None.

MUNICIPAL YEAR 2014/2015 - REPORT NO. **203**

COUNCILLOR CONDUCT COMMITTEE

Tuesday 24 March 2015

REPORT OF:

Director of Finance, Resources and
Customer Services

Contact officer and telephone number:

Peter Stanyon, Head of Electoral,
Registration and Governance Services
(020 8379 8580)

Email: peter.stanyon@enfield.gov.uk

Clare Johnson
(020 8379 4239)

Email: clare.johnson@enfield.gov.uk

| | |
|--|----------------|
| Agenda - Part: 1 | Item: 5 |
| Subject: Member Training and Development | |
| Wards: All | |
| Key Decision No: Not applicable | |
| Cabinet Member consulted: Not applicable | |

1. EXECUTIVE SUMMARY

- 1.1. At its meeting on 3 December 2014, the Committee considered an update on training offered to Members and requested that details of the general development opportunities already provided and those planned be brought to this meeting.
- 1.2. This report provides a general review of the programme delivered to date since the May 2014 elections, and outlines the planned programme going forwards into the new municipal year.
- 1.3. The Group is invited to consider how it wishes the future training and development needs of Members to be taken forward.

2. RECOMMENDATIONS

- 2.1. That the Councillor Conduct Committee notes the development programme offered since the May 2014 elections and considers how and in what areas the future training and development needs of Members should be taken forward.

3. BACKGROUND

- 3.1. At its meeting on 3 December 2014, the Committee received a training update, specifically related to feedback on hearings procedures and independent persons training. The Committee also considered other training offered to Members and requested that a further report be brought to this meeting.
- 3.2. The Committee may wish to note that the outline training programme was originally considered and approved by the Member and Democratic Services Group at its meeting on 16 September 2014.
- 3.3. In summary, the training offered to Members to date has been as follows:
 - 3.3.1. Introduction to the Council (3 June 2014)
 - 3.3.2. Code of Conduct training (5 June and 14 July 2014)
 - 3.3.3. Tour of the Borough (7 June 2014)
 - 3.3.4. Personal Safety training (10 June)
 - 3.3.5. Licensing Committee training (18 June)
 - 3.3.6. Planning Committee training (19 June)
 - 3.3.7. Appointment Panel training (various one to one sessions from HR)
 - 3.3.8. Individual IT introductory sessions (various one to one sessions from Corporate IT)
 - 3.3.9. Members' Casework seminar (13 November 2014)
 - 3.3.10. Audit Committee training (3 July 2014, 8 January and 2 March 2015)
 - 3.3.11. CFPS Scrutiny training (14 January 2015)
 - 3.3.12. Introduction to Individual Electoral Registration briefing (12 February 2015)
- 3.4. In addition to the above planned events, a number of Members have attended individual tailored seminars and briefing sessions offered by third parties, such as the Local Government Association, on specific subject matters.
- 3.5. In the initial induction programme, Members were offered the opportunity of a one to one meeting to develop a Personal Development Plan (PDP) if they wished, initially but not exclusively linked to the skills identified in the Role Profiles endorsed by the Council.
- 3.6. It has been recognised since the elections in May 2014 that the time constraints on many Members are increasing, making attendance at ad-hoc sessions more difficult to facilitate. For that reason, and since the turn of

the year at the point that the line management of Member Services was transferred to the Scrutiny Manager, monthly dates have been scheduled within the municipal meetings' calendar in order that corporate training can be better planned. This will give both Members and Officers greater certainty and enable improved provision of development opportunities.

- 3.7. Dates will be identified throughout the whole of the 2015/2016 municipal year and a relevant, rolling training programme developed.
- 3.8. The first of these sessions is on 30 March 2015, when Data Protection, Freedom of Information and Members' Enquiries training is being offered. At present, 16 Members have confirmed their attendance.
- 3.9. Further dates of 15 April and 12 May 2015 have been scheduled, with the subject matters to be confirmed in light of feedback from this meeting.
- 3.10. The subject matters that have been provisionally identified by officers following initial feedback from Members are as follows:
 - 3.10.1. Members' Casework seminar (re-run of the session run on 13 November 2014)
 - 3.10.2. Safeguarding and personal safety
 - 3.10.3. Effective use of social media
 - 3.10.4. Planning pre-determination
 - 3.10.5. Equalities
 - 3.10.6. Councillor conduct hearings
 - 3.10.7. Constitution / Code of Conduct (annual refresher)
 - 3.10.8. Chairing skills
 - 3.10.9. Presentations and public speaking
- 3.11. The Committee's views on the approach being taken and as to how and where to roll out future training and development opportunities is welcomed.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. The option of delivering training and development on an ad-hoc basis exists, but this approach is not recommended as it leads to potential inconsistencies in approach and difficulties in identifying trends.

5. REASONS FOR RECOMMENDATION

- 5.1. To provide some feedback with respect to the development opportunities already offered to Members.

- 5.2. To seek the Committee's views on how and where training and development opportunities should continue to be rolled out to Members to ensure that their needs are adequately met.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1. Financial Implications

Any additional costs arising from the implementation of the recommendations in this report will need to be met from within existing resources.

6.2. Legal Implications

The proposals set out in this report will generally ensure that Members are afforded every opportunity to comply with the requirements of their role and with the law and thus protect the interests of the Council.

6.3. Property Implications

None identified.

7. KEY RISKS

- 7.1. Failure to have in place a robust and flexible Member Development Framework may lead to inconsistency of approach in access to training and development, a failure to identify key trends that may adversely affect Member development and decision-making and higher and abortive costs through lack of planning.

8. IMPACT ON COUNCIL PRIORITIES

8.1. Fairness for All

Robust and flexible Member development will assist in delivering fairness for all by ensuring that Councillors are well trained and aware of latest trends and developments.

8.2. Growth and Sustainability

Robust and flexible Member development will assist in delivering growth and sustainability by ensuring that Councillors are well trained and aware of latest trends and developments.

8.3. Strong Communities

Robust and flexible Member development will in building strong communities by ensuring that Councillors are well trained and aware of latest trends and procedural developments.

9. EQUALITIES IMPACT IMPLICATIONS

9.1. No equalities impact assessment has been undertaken on the basis that the development requirements of individual Members are different and need considering on a case by case basis. However, a robust and flexible Member Development Framework will ensure that access to developmental opportunities can be fairly and properly delivered.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1. A robust and flexible Member Development Framework will assist in ensuring that Members are able to undertake their roles in a manner that ensures a high level of performance at all times, better serving the people of Enfield.

11. HEALTH AND SAFETY IMPLICATIONS

11.1. None identified.

12. HUMAN RESOURCES IMPLICATIONS

12.1. None identified.

13. PUBLIC HEALTH IMPLICATIONS

13.1. None identified.

Background Papers

None.

This page is intentionally left blank

MUNICIPAL YEAR 2014/2015 - REPORT NO. **202**

Councillor Conduct Committee (CCC) – 24 March 2015

REPORT OF:

Director of Finance Resources &
Customer Services

Contact officer and telephone number:
Asmat Hussain, 0208 379 6438
Keiley Ann Broadhead, 0208 379 8419
E mail:
asmat.hussain@enfield.gov.uk
keiley.broadhead@enfield.gov.uk

| | |
|--|----------------|
| Agenda - Part: 1 | Item: 6 |
| Subject: Code of Conduct for Members – declaration and registration of disclosable pecuniary, other pecuniary and non-pecuniary interests | |
| Wards: All | |
| Cabinet Member consulted: N/A | |

1. EXECUTIVE SUMMARY

- 1.1 This report outlines the Council's current position regarding the declaration and registration of member's disclosable pecuniary, other pecuniary and non-pecuniary interests as per the Localism Act 2011 (the Act) and the Code of Conduct for Members (the Code).
- 1.2 The report details options available if members chose to recommend an amendment to the Code regarding the declaration and registration of disclosable pecuniary, other pecuniary and non-pecuniary interests.

2. RECOMMENDATIONS

- 2.1 That Councillor Conduct Committee (CCC) considers/provides views and recommends to Members and Democratic Services Group (MDSG) and Full Council one of two options, either:
- 2.2 The requirements of the Code be amended to only reflect those disclosable pecuniary and/or other pecuniary and non-pecuniary interests to be declared and registered as per the Act.
- OR**
- 2.3 The Code remain in its current format requiring an enhanced disclosure of interests as to those required by the Act.

3. BACKGROUND

3.1 The Act introduced fundamental changes to the regulation of standards of conduct for elected and co-opted members. It introduced:

- A requirement to register pecuniary and other interests.
- The creation of a new criminal offence of failing to register relevant interests.

3.2 Section 28(2) of the Act provides that a local authority in England must ensure that its Code of Conduct includes appropriate provisions for registering, and disclosing:

- (a) *pecuniary interests, and*
- (b) *interests other than pecuniary interests*

3.3 Section 29(2) of the Act provides:

(2) Subject to the provisions of this Chapter, it is for a relevant authority to determine what is to be entered in the authority's register

Subsequently in relation to other pecuniary and non-pecuniary interests Members are required as per the Code to register any interest that would qualify as grounds for bias in application to quash a decision of the Authority.

3.4 Section 30(1) and (3) of the Act provides:

(1) A member or co-opted member of a relevant authority must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member ("M") of the authority, notify the authority's monitoring officer of any disclosable pecuniary interests which the person has at the time when the notification is given.

And

(3) For the purposes of this Chapter, a pecuniary interest is a "disclosable pecuniary interest" in relation to a person ("M") if it is of a description specified in regulations made by the Secretary of State and either—

- (a) it is an interest of M's, or .*
- (b) it is an interest of— .*

- (i) M's spouse or civil partner,*
- (ii) a person with whom M is living as husband and wife, or .*
- (iii) a person with whom M is living as if they were civil partners,*

3.5 The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012/1464) (the Regulations) and our Constitution specifies which disclosable pecuniary interests members must declare and register.

3.6 Further to recommendation by the Standards Committee (5 March 2012) and MDSG(6 March 2012), Full Council agreed on 28 March 2012 that Chapter 5.1 of our Constitution, Codes of Conduct for Members at paragraph 22 should read:

*“You must comply with the requirements of the law and the Council in registering your interests in the Register of Members’ Interests. These are explained on the following pages. These interests extend to those of **your spouse, partner, civil partner, family members or persons with whom you have a close association or personal relationship.**”*

3.7 This was agreed in the spirit of the general principles of conduct underpinning the Code being:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership
- Respect for Others
- Duty to Uphold the Law
- Stewardship

3.8 It is noted that these principles include the seven principles of public life, and particular weight should be afforded to the principle of integrity which government guidance describes as:

‘Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.’

3.9 In relation to DPI only, the requirements of the Code go beyond those of the Act; as the Code states that interests that should be declared and registered by members **extend to those of family members and persons with whom you have a close association or personal relationship.** With regards to other pecuniary and non-pecuniary interests the Act allows for the Authority to decide what interests should be registered.

3.10 Our Code requires that members register all disclosable pecuniary, other pecuniary and non-pecuniary interests of your spouse, partner, civil partner, family members or persons with whom you have a close association or personal relationship. This requirement was reviewed and agreed by CCC on 2 May 2013.

3.11 At CCC on 3 December 2014 it was reported that an issue had been raised by a member that there could be some confusion in practice with regards to the disclosure of interests. It is noted that neither, "close association" or "personal relationship" are defined terms, however examples such as, a close friend, business partner/associate or ex-spouse have previously been provided to CCC by the Monitoring Officer on 2 May 2013. Members are encouraged to use their judgement with respect to this and ask themselves:

'Would a member of the public, with the knowledge of the relevant facts, reasonably regard your interest as so significant that it is likely to prejudice your judgement of the public interest?'

If the answer to this question is "yes", then you should declare that interest"

3.12 Members can also seek advice from the Monitoring Officer if further guidance is required.

3.13 It is a criminal offence if you fail to declare and/or register disclosable pecuniary interests as per the Act.

4. ALTERNATIVE OPTIONS CONSIDERED

There are no other options.

5. REASONS FOR RECOMMENDATIONS

To make a recommendation to MDSG and Full Council to amend the Code as to meet the minimum requirements of the Act; this will align the Code with the Act however, will result in a lower level of disclosure to that already agreed by Full Council. (This recommendation can either extend to disclosable pecuniary interest only, or all interests).

OR

To keep the Code in its current format providing continuity of Members disclosures and, to provide an enhanced level of transparency.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

There is no obvious financial implication of the review of members' code of conduct as contained in this report.

6.2 Legal Implications

Under the Act the Council is required to ensure that its Code of Conduct includes appropriate provisions for registering, and disclosing of pecuniary interests, and interests other than pecuniary interests.

The Act does not limit what may be included in a relevant authority's Code of Conduct, but nothing in a relevant authority's Code of Conduct prejudices the operation of the Act.

The Code must at a minimum reflect the requirements of the Act.

6.3 Property Implications

None.

7. KEY RISKS

Amending the Code could cause a reputational risk to the Council as it could be construed that Members do not want to disclose interests that would have previously been subject to disclosure.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All/Growth and Sustainability/Strong Communities

A strong ethical approach by the Council and the promotion of good conduct on the part of members will have a positive effect on their representational role and a consequential impact on communities.

9. EQUALITIES IMPACT IMPLICATIONS

The proposals within this report will help to ensure fair, equal and consistent treatment of complaints against councillors for all parties concerned.

An equality impact assessment is not required for this report.

PERFORMANCE MANAGEMENT IMPLICATIONS

Not applicable.

10. HEALTH AND SAFETY IMPLICATIONS

Not applicable.

11. HUMAN RESOURCES IMPLICATIONS

Not applicable.

12. PUBLIC HEALTH IMPLICATIONS

Not applicable.

Background Papers

None.

Councillor Conduct Committee: Work Programme 2014/15

| ITEM | Lead/ Support Officer | 1 July 2014 | 16 September 2014 | 3 December 2014 | 20 January 2015 | 24 March 2015 |
|--|----------------------------------|---|---------------------------|-----------------------------|-----------------|--------------------------------|
| Annual Report | Asmat Hussain/Penelope Williams | | | | | To agree Annual Report 2014/15 |
| Work Programme 2014/15 | Asmat Hussain/ Penelope Williams | To Agree the Outline Work Programme for 2014/15 | Work Programme Monitoring | Work Programme Monitoring | | Work Programme Monitoring |
| Briefing for New Committee Members | John Austin | Briefing | | | | |
| Review of Complaints Process | Asmat Hussain | | | | | |
| Review of Terms of Reference | John Austin | Review | Review | | | |
| Update on Complaints Received | John Austin/Asmat Hussain | Update | Update | Update | Update | Update |
| Post Election Code of Conduct Training | John Austin | Update | | | | |
| Independent Person Recruitment | Penelope Williams | Update | Update | | | |
| Training | Asmat Hussain | | | Update | | Report on Member Training |
| Bribery Act | Asmat Hussain | | Report | | | |
| Independent Persons Training | Independent Persons | | | Report on training Received | | |
| Review of Interest Disclosure in Code of Conduct | | | | | | Review |
| Extension of Independent Person's Term of Office | | | | | | Report |

This page is intentionally left blank

Councillor Conduct Committee: Work Programme 2015/16

| ITEM | Lead/ Support Officer | July 2015 | September 2015 | December 2015 | March 2016 |
|--|----------------------------------|---|---------------------------|-----------------------------|--------------------------------|
| Annual Report | Asmat Hussain/Penelope Williams | | | | To agree Annual Report 2015/16 |
| Work Programme 2015/16 | Asmat Hussain/ Penelope Williams | To Agree the Outline Work Programme for 2015/16 | Work Programme Monitoring | Work Programme Monitoring | Work Programme Monitoring |
| Review of Code of Conduct and Complaints Processes | Asmat Hussain | | | | Review |
| Update on Complaints Received | Asmat Hussain | Update | Update | Update | Update |
| Independent Persons Training | Independent Persons | | | Report on training Received | |
| Complaints – Review of complaints received in 2015/16 | Asmat Hussain | Review | | | |
| Member Training | | | | | |
| Media Relations for Councillors | | | | | |
| Gifts and Hospitality | | | | | |
| Local Ombudsman Complaints Update | | | | | |
| Review of Internet and Email Usage Policy for Councillors | | | | | |
| Review of Planning and Licensing Committees Code of Practice | | | | | |
| Treating | | | | | |
| Regular update on Standards Matters – bringing members attention to recent standards news items for information. | | | | | |
| Review of Protocol for Member Officer Relations | | | | | |
| Review of Member's Expenses | | | | | |
| | | | | | |

This page is intentionally left blank

COUNCILLOR CONDUCT COMMITTEE - 20.1.2015**MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE
HELD ON TUESDAY, 20 JANUARY 2015****COUNCILLORS**

PRESENT Claire Stewart, Yasemin Brett, Elaine Hayward and Joanne Laban

OFFICERS: John Austin (Assistant Director - Governance Projects) and Asmat Hussain (Assistant Director Legal and Governance)
Penelope Williams (Secretary)

351**WELCOME AND APOLOGIES**

The Chair welcomed everyone to the meeting. There were no apologies for absence.

352**SUBSTITUTE MEMBERS**

There were no substitute members.

353**DECLARATION OF INTERESTS**

There were no declarations of interest.

354**COMPLAINT AGAINST A COUNCILLOR**

This item was considered in the part 2 section of the meeting. Minute 358 refers.

355**MINUTES OF MEETING HELD ON 3 DECEMBER 2014**

The minutes of the meeting held on 3 December 2014 were agreed as a correct record with the following amendment.

Minute 268

A change was agreed to the second paragraph so that the final sentence of the paragraph read as below:

Councillor Brett suggested that the Council Communications Team should write an article for publication in the local press explaining the councillor's role, to give the public a better understanding of "what goes on at the Councillor

COUNCILLOR CONDUCT COMMITTEE - 20.1.2015

Conduct Committee” rather than “what they could expect from their ward councillors”.

356

DATES OF FUTURE MEETINGS

Members noted the date agreed for the next meeting of the Councillor Conduct Committee:

- Tuesday 24 March 2015 at 6.30pm.

357

EXCLUSION OF PRESS AND PUBLIC

AGREED to pass a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 (information relating to an individual) and Paragraph 2 (information likely to reveal the identity of an individual) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

358

COMPLAINT AGAINST A COUNCILLOR

1. Complaint against a councillor

The Committee received a part 2 report from Asmat Hussain, Monitoring Officer, regarding a complaint against a councillor in relation to comments made at a Council meeting in January 2014.

1.1 Asmat Hussain presented the report to members:

She highlighted the following:

- The committee had initially considered this complaint at their meeting on 16 September 2014. At this meeting the two party whips had agreed to talk to the councillors, and the complainant involved, and to find out if the issue could be resolved informally.
- The whips reported back to the 3 December 2014 meeting that this had not been possible.
- It was therefore agreed that the committee would seek the view of Christine Chamberlain, Independent Person, before deciding the matter. This extra meeting had been arranged for this purpose.

COUNCILLOR CONDUCT COMMITTEE - 20.1.2015

- Members were asked to take account of the following key principles for dealing with complaints as set out in the Council's Councillor Complaint's Procedure:

2.4 Be speedy and fair to all parties"

2.7 Be proportionate and comply with the principles of natural justice.

- Finally they were asked to decide whether or not the complaint warranted further action. The only option for further action remaining was to refer the complaint to the monitoring officer for full investigation: the other options had been exhausted.

1.2 The Independent Person's presented her view as follows:

- All informal measures of resolution had been tried and failed.
- A considerable length of time had passed since the complaint was first made.
- Article 10 of the European Convention on Human Rights, relating to freedom of expression applied.
- She felt that the complaint was based upon political comments made in a political context.
- She therefore advised that in her view no breach of the code had occurred and no further action was necessary.

The committee considered and discussed the information and advice in the reports provided by Asmat Hussain and John Austin and the advice of the Independent Member given above.

AGREED that no further action should take place in this matter.

Two members abstained on the decision.

There was no right of appeal to the committee decision, but if the complainant felt that the Council had failed to deal with the matter properly, they could take a case to the Local Government Ombudsman.

It was also recommended that in future members should be reminded, wherever possible, about appropriate behaviour in the council chamber and that the whips should encourage members to reconcile similar issues, informally, immediately after council meetings.

2. Update on other complaints under review

COUNCILLOR CONDUCT COMMITTEE - 20.1.2015

Asmat Hussain advised the committee that she had three other complaints under consideration and would provide a preliminary report on these to the 24 March 2015 meeting.