

**MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE
HELD ON TUESDAY, 24 MARCH 2015**

COUNCILLORS

PRESENT Claire Stewart (Chair), Yasemin Brett, Elaine Hayward (Vice Chair) and Joanne Laban, Christine Chamberlain (Independent Person) and Sarah Jewell (Independent Person)

OFFICERS: Asmat Hussain (Assistant Director Legal and Governance) and Keiley Broadhead (Legal Officer) Penelope Williams (Secretary)

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WELCOME AND APOLOGIES

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

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DECLARATION OF INTERESTS

There were no declarations of interests.

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SUBSTITUTE MEMBERS

There were no substitute members.

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INDEPENDENT PERSON - EXTENSION OF TERM OF OFFICE

Christine Chamberlain left the meeting for this item.

The Committee received a report from the Monitoring Officer on options for extending the term of office of one of the Independent Persons.

NOTED

1. Christine Chamberlain's term of office is due to come to an end in June 2015.
2. It is proposed that her term of office is extended for a further two years.
3. Christine Chamberlain has brought an invaluable wealth of knowledge and experience to the role which it was felt would benefit the Council if retained.
4. There is no statutory limit on the length of time an Independent Person can serve.

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5. Christine Chamberlain has been able to provide very helpful support to Sarah Jewell, our other Independent Person, who is new to the post.
6. Independent Persons are paid an annual allowance of £500 per year.
7. This is a complex area where experience and training are necessary.

AGREED to recommend to full Council that the term of appointment of Christine Chamberlain (Independent Person), whose current term of office comes to an end on 30 June 2015, is extended by two years to 30 June 2017.

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MEMBER TRAINING PROGRAMME

Christine Chamberlain returned to the meeting.

The Committee received a report from the Director of Finance, Resources and Customer Services, on member training and development.

1. Presentation of the Report

Asmat Hussain, Monitoring Officer, introduced the report to members, highlighting the following:

- A summary of the training provided this year is set out in paragraph 3.3 of the report. Members have also been invited to attend training organised by the Local Government Association.
- A list of subjects identified by members and officers for next year was set out in paragraph 3.10

2. Question/Comments

2.1 Members suggested that the following items should be included as subjects for training in the next municipal year:

- Community Asset Transfer – this was an area which it was felt could be divisive and training would help members deal with these issues fairly and objectively. It falls under the remit of Property Services.
- Mental Health – it was felt that it would be helpful for members to have an understanding of mental health issues to enable them to manage difficult situations more effectively. Councillor Claire Stewart said that she had recently received some excellent training organised by Parliament. She would pass on the details.
- Effective use of social media. It was suggested that this should include discussion of examples of inappropriate use, in view of the cases considered by the Councillor Conduct Committee recently.

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- Conflict Resolution
- 2.2 Information on the number of members who had taken up the offer of one to one meetings was requested. This would be fed back to members after the meeting. The opportunity for one to one meetings was still available.
- 2.3 Some concern was expressed about a casework seminar, which had received negative feedback from members. Concerns would be passed on to the officers organising the training.
- 2.4 The whips were keen to encourage members to take up the offer of training to build up their knowledge and expertise. A greater take up could be expected after the elections.

AGREED

1. To note the development programme offered since the May 2014 elections.
2. That the items listed in 2.1 above should be addressed to meet training and development needs in the next municipal year.
3. A further update would be provided to the Committee in 6 months' time.

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CHANGES TO CODE OF CONDUCT ON DECLARATION OF INTERESTS

The Committee received a report from Asmat Hussain, the Monitoring Officer on the declaration and registration of disclosable pecuniary, other pecuniary and non-pecuniary interests.

1. Presentation of the Report

Keiley Broadhead presented the report to the Committee highlighting the following:

- There has been some confusion about what is meant by the words in the Councillor Code of Conduct "close personal relationship" in relation to the declaration of disclosable pecuniary, other pecuniary and non-pecuniary interests.
- It is a statutory requirement, as set out in the Localism Act 2011 that members should declare interests of themselves as well as their spouses, civil partners, a person with whom the members is living as if they were civil partners.
- Enfield's code of conduct goes further than this stating that interests should extend to "your spouse, partner, civil partner, family members, or persons with whom you have a close personal relationship".
- Members have two options: they can recommend that the code stays as it is or to amend the code to reflect the need to only declare those interests that are set out in the act.

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- Not amending the code will maintain the increased level of transparency with regard to interests that we have at present. Amending the code will reduce confusion as to what is meant by “close personal association” but could be seen as reducing transparency and as such could be a reputational risk to the Council, perhaps suggesting that members have something to hide.

2. Questions/Comments

- 2.1 This was being looked at now because it had been raised by several members because it is difficult to define exactly what is meant by “close personal relationship”.
- 2.2 Enfield’s current code was based on the previous code produced under the old standards regime. At the time the committee had agreed that the requirement for the enhanced level of disclosure should be continued.
- 2.3 Most other local authorities had restricted the need for disclosure to the narrow definition in the Localism Act 2011.
- 2.4 The wording “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” helps members to make a decision on whether or not interests should be declared.
- 2.5 Officers generally advise to err on the side of declaring any interests likely to affect decision making due to the criminal sanctions.
- 2.6 The advice of one independent person was that she felt that there could be a risk in paring back the definition at this point.
- 2.7 The other independent person felt that having a broader definition encourages members to be as transparent as possible.
- 2.8 There have been very few cases where members have failed to declare interests that should have been declared, which suggests that the current wording is effective.
- 2.9 It was suggested that the issue of kinship should be also be addressed. Some ethnic groups have a very strong sense of kinship which could influence decision making and it was felt that this should be declared. Kinship was an issue that could fall within the definition of close personal relationship and which ought to be covered in any code of conduct training.
- 2.10 More information on the numbers of declarations made was requested.

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AGREED that the committee members would take the issue back to the political groups for discussion with their members and that it should be discussed again at the next meeting of the committee.

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COMPLAINTS UPDATE

Asmat Hussain, Monitoring Officer reported on the complaints that she had considered in the last 3 months:

1. Councillor A had made a complaint against Councillor B involving the use of inappropriate terminology. Councillor B had made a public apology and the matter had been resolved.
2. An employee had complained about an email received from a councillor. An apology had been made and the matter had been resolved.
3. A member of the public had complained about a councillor. This was still under investigation.
4. A member of the public complained about a councillor but failed to follow the procedures or respond to correspondence. Preliminary enquiries had been made, the issues unsubstantiated and so the matter had been closed.

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ANNUAL REPORT 2014/15

The Committee received a draft copy of the Councillor Conduct Committee Annual Report 2014/15.

AGREED to accept the Annual Report 2014/15 and to recommend that it be referred on to full Council.

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WORK PROGRAMME 2014-15

The Committee considered the work programme for 2015/16.

AGREED that the following items would be added to the 2015/16 work programme for consideration on the following dates:

July 2015

Media Relations for Councillors
Gifts and Hospitality
Review of Internet and Email Usage Policy for Councillors

September 2015

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Member Training Update
Review of Planning and Licensing Codes of Conduct

December 2015

Treating
Review of Protocol for Member Officer Relations

March 2016

Review of Member Expenses – This will be brought forward to an earlier meeting if there is an issue.

Updates on standards matters will be a regular item on the agenda but only if required.

The Local Ombudsman Complaints Update is discussed at Audit Committee so it will not be necessary to discuss it at the Councillor Conduct Committee.

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MINUTES OF THE MEETING HELD ON 20 JANUARY 2015

The minutes of the meeting held on 20 January 2015 were agreed and signed as a correct record of the meeting.

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DATES OF FUTURE MEETINGS

The dates of meetings for the next municipal year will be agreed at the full council meeting on 13 May 2015.