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COUNCILLOR CONDUCT COMMITTEE - 11.7.2018

MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE HELD ON WEDNESDAY, 11 JULY 2018

COUNCILLORS

PRESENT Ergin Erbil, Glynis Vince, Christine Hamilton and Elaine Hayward and Sarah Jewell (Independent Person)

OFFICERS: Jeremy Chambers (Director of Law and Governance)
Penelope Williams (Secretary)

Also Attending: No members of the public.

1

WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting. Apologies for absence were received from Christine Chamberlain, Independent Person.

2

SUBSTITUTIONS

There were no substitutions.

3

DECLARATION OF INTERESTS

Councillor Erbil declared a non-pecuniary interest in Item 7, Update on Complaints, because he was distantly related to one of the councillors subject to complaint.

4

COUNCILLOR CONDUCT COMMITTEE ANNUAL REPORT 17/18

The Committee received the Councillor Conduct Committee Annual Report for 2017/18.

NOTED

1. The report had been prepared, as required by the Constitution, in the name of the previous Committee Chair, Councillor Claire Stewart.
2. It included a list of the work carried out by the Committee, over the past year. It contained no surprises.
3. At the Council meeting it will be introduced by the current chair, and seconded by the vice chair.

AGREED to approve the report and recommend to Council.

5

WORK PROGRAMME 2018/19

The Committee received a copy of the draft work programme for 2018/19 for comment.

NOTED the suggestion that training for committee members should be included.

AGREED the work programme for 2018/19, as drafted, with the addition of an item on training for the committee and substitute committee members.

6

DISPENSATIONS - ANNUAL REVIEW 2017/18

The Committee received the report of the Monitoring Officer setting out information on dispensations granted in 2017/18.

NOTED

1. Dispensations were rarely used in this authority. In the past year only one had been granted by the monitoring officer's predecessor, Asmat Hussain. This was apart from the blanket dispensations allowed for votes on the council tax and council house rents.

AGREED to note the report.

7

UPDATE ON COMPLAINTS

The Committee received a copy of the rolling record of complaints currently being considered by the Monitoring Officer.

Jeremy Chambers introduced the report saying it provided an indication of the current case load. Cases would not be discussed in detail as this could prejudice the outcome of any later hearing.

NOTED

1. The suggestion that councillors full names should be included in the rolling record to avoid confusion.
2. Concern that some cases were taking a long time to resolve. Some of these had taken a long time because they were exceptionally complex. Straightforward cases should be dealt with more quickly. Jeremy Chambers acknowledged that some of the cases had taken too long, had cost too much and that this was in part due to the transition between the old, new and temporary monitoring officers.

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3. Jeremy Chambers gave the following information to members about how the complaints process worked. He said that he assessed all complaints as they came in. If the complaint fell outside the remit of the code, it was dismissed. If he felt that there was a case to answer he would consult one of the independent persons and would then decide how to proceed.
4. A flowchart, which had been devised explaining the process, would be sent to members of the committee.
5. Members would receive training before any hearings were held.
6. The complaint No: 009 from November 2017 had now been completed. The findings had been sent to the complainants and the time allowed for an appeal to be made lapsed.

AGREED to note the information provided on current complaints.

8 COUNCIL CONDUCT COMMITTEE TRAINING

The Committee members discussed their training needs.

NOTED

1. The majority group substitute members could be the deputy whips but this would need to be a membership change which would need to be agreed at a full council meeting.
2. The Monitoring Officer was happy to brief any members on the processes, if requested.
3. The training session would be added to the workprogramme.

AGREED that a training session would be organised as part of the next meeting of the committee on 4 October 2018. The training would include the complaints process, the role of the monitoring officer and the committee, the code of conduct and what constitutes a breach of the code, the sanctions available and the role of the independent persons. Substitute members would also be invited.

9 MINUTES OF MEETING HELD ON 11 DECEMBER 2017

The minutes of the meeting held on 11 December 2017 were agreed as a correct record.

10 DATES OF FUTURE MEETINGS

The date of the next meeting, which would include training, was noted as follows:

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- Thursday 4 October 2018

The Chair thanked everyone for coming.