
STANDARDS COMMITTEE

MINUTES of the Virtual Meeting held Via Skype on Tuesday, 17 November 2020 from 7.00pm - 7.39pm.

PRESENT: Councillors Lloyd Bowen, Steve Davey, Nicholas Hampshire, James Hunt, Ken Ingleton, Elliott Jayes, Hannah Perkin (Vice-Chairman), Ken Rowles, Julian Saunders (Chairman) and Corrie Woodford (Substitute for Councillor Bill Tatton).

Kent Association of Local Councils representative: Graham Addicott OBE.

OFFICERS PRESENT: David Clifford, Philippa Davies, Robin Harris and Jo Millard.

ALSO IN ATTENDANCE: Councillors Cameron Beart, Derek Carnell, Mike Dendor, Tim Gibson and Tony Winckless.

APOLOGY: Councillor Bill Tatton.

254 MINUTES

The Minutes of the Meeting held on 16 January 2020 (Minute Nos. 457 – 462) were taken as read, approved and signed by the Chairman as a correct record. Councillor Nicholas Hampshire requested that it be noted that he abstained from the vote as he was not a member of the Standards Committee in January 2020.

255 DECLARATIONS OF INTEREST

No interests were declared.

Part B Minutes for Information

256 ANNUAL MONITORING OFFICER REPORT

The Monitoring Officer introduced the report which provided an overview of his work during the period 1 November 2019 to 31 October 2020. The report covered a range of topics, not all under the remit of the Standards Committee. The Monitoring Officer said that it had been an exceptional year, with elections, the passing of the Chief Executive, and the challenge of the Covid-19 pandemic. He acknowledged the work that had been carried out by officers during these challenging times, particularly middle and junior level staff, and he thanked them and praised their dedication.

The Monitoring Officer drew attention to paragraph 5 in the report: Ethical standards and the member code of conduct. He reported that the Local Government Association (LGA) was working towards a member code of conduct which was likely to be adopted by many local authorities. A consultation on the draft code of conduct had taken place during the summer of 2020, and Swale

Borough Council (SBC) had submitted their response to the consultation. The final version of the code of conduct was due to go to the LGA in December 2020. The Monitoring Officer said that the code seemed to resemble the standard unified code that was in place in most Kent authorities.

The Monitoring Officer said it had not been a quiet year for complaints and he highlighted the increased number of complaints involving social media and also the increase in complaints by Councillors, about other Councillors. He said that there was a danger that the complaints process could become weaponised.

Members were invited to make comments and ask questions.

A Member praised the report and the work that had gone into producing it. He referred to paragraphs 5.17, 5.18 and 5.19 in the report, in relation to complaints about social media posts. The Member raised the issue of Members' comments on social media being perceived as them acting in an official role and considered this was always going to be a problem to mitigate. The Member also spoke on the newly updated SBC website which he considered not to be very intuitive, and that it was now more difficult to find some pages, such as finding your local councillor.

A Member echoed the thanks to officers and particularly thanked the Monitoring Officer for his work and acknowledged that he had dealt with a lot in the past year. The Member questioned the Standards Committee involvement in the complaints set out in the report, and considered the Committee should have more of a role in the process, and be kept up-to-date with any complaints. The Member also acknowledged the problem of social media posts, and considered the code of conduct needed to be updated to take this issue into account. He did not think the updated guidance on social media went far enough. He said there needed to be clearer information for both Members and officers on this, with clearer detail on what the standards should be on social media, and he suggested a policy on this be considered in the future.

The Monitoring Officer responded to the comments made in relation to social media and the Standards Committee's role. He referred to the Localism Act, which said that the code of conduct was applicable to elected Members when they were acting in that capacity, so any conduct that was not in the capacity of a councillor was not subject to the code of conduct. The Monitoring Officer added that social media was a grey area in terms of whether people were acting in their Councillor role or in an unofficial capacity. The LGA had asked as part of their consultation how social media should be dealt with within the code. The Monitoring Officer said that the response that SBC gave was that there needed to be a code of conduct, plus a guidance document on how the code of conduct applied to social media and he considered this be a good step forward.

The Monitoring Officer explained that the Standards Committee did not have a major role in terms of complaints because they sat with him as monitoring officer. He added that the only time the Standards Committee did have a role was when a case was referred for a hearing, and a sub-committee of the Standards Committee was set-up.

A Member agreed that the new SBC website was not as easy to navigate as it had been. He said that Members should 'think before they typed' in terms of what they said on social media, and they should not burden the standards process with trivial complaints, but leave the process for the more serious complaints. He encouraged Members not to use the Standards Committee to make political points, unless it was really serious.

A Member reported that some residents had also found it difficult to navigate the new website. He echoed the thanks given to junior officers, especially in terms of their help during lockdown.

The Monitoring Officer thanked Members for their feedback on the new website, and briefly outlined the way in which different sections of the Council were located on the new website. This was down to traffic volumes, and the frequency at which residents wanted to find certain information. He acknowledged that there needed to be exceptions to the prominence of certain parts of the website, for example, Councillors. The Monitoring Officer said he would let the Communications Team know about the feedback received from Members.

A Member referred to paragraph 5.11 in relation to gifts and hospitality and asked whether a change in the amount that was required to be declared could be proposed by the Standards Committee? The Monitoring Officer explained that in principle they could propose a change, but this would need to be done through the General Purposes Committee as it would be a proposed change to the Constitution. He advised that currently the figure was £50 or more (or £100 worth of separate gifts/hospitality from a single source), and he suggested that it not be changed at this stage.

Resolved:

(1) That the report be noted.

257 ANNUAL REPORT ON MEMBER TRAINING AND DEVELOPMENT 2019/20

Councillor Ken Ingleton, as a member of the Member Development Working Group (MDWG), introduced the report which provided an update on progress with Member Training and Development since November 2019. He explained that due to the Covid-19 pandemic, significantly less training had taken place than in previous years. He welcomed more training opportunities in the future.

In response to a question, Councillor Ingleton advised that if a Member had a particular topic that they would like as a future training session they should approach the Chairman of the MDWG and it could be considered at their next meeting.

A Member asked about the average attendance of the training sessions and said that alternative means of delivering training should be looked into. The Senior Democratic Services Officer advised that there had been one remote training session held so far during the pandemic, and the attendance figures could be circulated. The MDWG was meeting the following week and they would be looking at adding more remote training sessions for Members.

Resolved:

- (1) That the report be noted.**

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel