

NORTHUMBERLAND COUNTY COUNCIL

STANDARDS COMMITTEE

At a meeting of the **Standards Committee** held in Committee Room 1, County Hall, Morpeth on Thursday 18 April 2019 at 2.00 p.m.

PRESENT

Mr J. Jackson
(Independent Chair, in the Chair)

COUNTY COUNCILLORS

Armstrong, E.
Dungworth, S.

Murray, A.J.
Swinburn, M.

PARISH COUNCILLORS

Tebbutt, A.

Wallace, A.

IN ATTENDANCE

Common, Mrs J.

Independent Person

OFFICERS IN ATTENDANCE

Henry, L.
Turnbull, N.

Monitoring Officer
Democratic Services Officer

19. APOLOGIES FOR ABSENCE

Apologies were received from Parish Councillor Greig and Councillors Gallacher, Homer, Rickerby and Webb.

20. MINUTES

The Monitoring Officer reported that he had discussed the implications of the Ledbury Case with the Chief NALC Officer. The Monitoring Officer had agreed to attend training events being held by NALC for Town and Parish Councils to provide support and ensure that the points raised by the Standards Committee were addressed. Guidance notes would be available following the events.

Members discussed the general deterioration in behaviour and respect, which was more exaggerated at Town and Parish Council due to the smaller size of

some of these organisations. It was also felt that there was a lack of understanding on the roles of officers and councillors and that more training should be available or be made compulsory. Political Groups should be involved to ensure that Councillors were engaged.

RESOLVED that the minutes of the meeting of the Standards Committee held on Thursday 25 October 2018, as circulated, be confirmed as a true record and signed by the Chair.

REPORT OF THE MONITORING OFFICER

21. Committee on Standards in Public Life

The Committee received a report which summarised the outcome of the review by the Committee on Standards in Public Life (CSPL) on Local Government ethical standards. (Report attached to the signed minutes as Appendix A).

The Monitoring Officer highlighted the key issues relevant for the County Council and areas of good practice already adopted. Many of the recommendations or comments raised had been picked up in a positive way, including the reintroduction of a 6 month suspension, which would be subject to the agreement of the Independent Person and a right of appeal to the Local Government Ombudsman.

He reported that he had recently attended a meeting of the North East Monitoring Officers where there was a willingness to provide a degree of consistency with regard to an updated Code of Conduct.

The Monitoring Officer outlined 2 areas of best practice which needed to be addressed, namely:

- The inclusion of the view of the Independent Person in investigation reports.
- Appointment of a second Independent Person. Many Local Authorities, including Northumberland County Council, had only appointed a single Independent Person following the introduction of the Localism Act 2011. One Independent Person had been appointed to streamline the process particularly with regard to the uncertainty of the requirement to obtain the view of one or both of the Independent Persons.

The following points were raised by Members when they discussed the report:-

- They welcomed the outcome of the review which reflected the concerns and comments of those who had participated in the consultation process. Evidence had been taken from a wide range of sources.

- They agreed that Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. It was what the public believed and would provide clarity.
- Leadership and culture had changed in recent years.
- The reintroduction of a sanction of suspension would place additional responsibility on the Standards Committee and require a thorough examination of evidence.

There was debate regarding the seriousness of the imposition of a 6 month suspension and loss of allowance should this be a member's only source of income. The majority of Members were in agreement that the sanction was required; potential candidates would never be recommended to resign from another profession if standing for election; they did not consider the role of a County Councillor to be a full time post as it could be combined with other employment, it was subject to the vagaries of the electorate. A councillor needed to carefully consider a course of action and be subject to penalty, if deemed appropriate. Comparison was made with employees who could potentially lose their position if found guilty of gross misconduct.

The Chair suggested that the imposition of a suspension would perhaps be utilised as a secondary mechanism if a member's conduct had not improved following an initial review and lesser sanction, unless the action was so severe that it was merited suspension at the first stage.

- The proposal to restrict the term of office of the Independent Person to 2 years plus a single reappointment, should be challenged.

The Chair commented that this Committee had been fortunate to appoint an Independent Person of Mrs. Common's calibre.

The Independent Person suggested that it would be beneficial if there were 2 posts. It would allow the process to be better managed if the terms of office were staggered to allow for a degree of continuity. She made a comparison with Non-Executive Director posts which were normally appointed for 3 year terms for a maximum of 3 periods (9 years in total). The Monitoring Officer confirmed that the NE Independent Person Group meetings were to be resurrected. He also agreed to check the position of indemnity with the Insurance Team.

- It would be beneficial for there to be consistent best practice across all of the North East Councils, the North of Tyne Combined Authority and for NCC to work with NALC to ensure that the Town and Parish Councils also adopted best practice and Code of Conduct. It was suggested that a mandatory process would be preferable.

Reference was made to the poor attendance of Town and Parish Council members at social media training held the previous year. A policy on social media had been adopted by NALC and it was agreed that they be contacted to check how many bodies had signed up to the policy.

It was noted that in the North of Tyne Combined Authority area, there were only 6 parishes outside of Northumberland and that more parishes in Newcastle and North Tyneside would be seen favourably as they would represent a population in excess of 2 million.

- The recommendation to allow the Chair and Town and Parish Council representatives the right to vote, was welcomed. The Chair stated that he would not vote unless required to use his casting vote.

RESOLVED that:

- (a) The 26 recommendations made by the Review of Local Government Ethical Standards by Committee on Standards in Public Life and the 15 best practice points, be noted.
- (b) The Standards Committee noted that the Council already practices many of the recommendations which do not require legislative changes, as a matter of good practice.

22. DATE OF NEXT MEETING

It was noted that the date of the next meeting would take place on Thursday 25 July 2019 at 2.00 p.m. in Committee Room 2, County Hall, Morpeth.

(The meeting ended at 3.01 p.m.)

CHAIR _____

DATE _____