

EMPLOYMENT AND MEMBER STANDARDS PANEL

TUESDAY, 10 MARCH 2020

PRESENT: Councillors Christine Bateson, Samantha Rayner (Chairman), Lynne Jones, Catherine Del Campo, Shamsul Shelim (Vice-Chairman), Simon Werner, David Coppinger and Andrew Johnson

Also in attendance: Councillor David Hilton

Officers: Mary Severin, Nikki Craig, Duncan Sharkey, Shilpa Manek and Karen Shepherd

APOLOGIES FOR ABSENCE

No apologies for absence were received.

DECLARATIONS OF INTEREST

No declarations of Interest were received.

MINUTES

RESOLVED UNANIMOUSLY: that the Part I minutes of the meeting held on 14 January 2020 were approved as a true and accurate record.

CHANGES TO CODE OF CONDUCT AND COMPLAINTS PROCESS

The Panel considered the report regarding proposed amendments to the Code of Conduct and associated Complaints process.

Mary Severin, Monitoring Officer, informed the Panel that the working document that had been prepared in consultation with Councillor Samantha Rayner, Chairman of the Employment and Member Standards Panel. The main changes proposed included:

- The wording in the Code had been tightened up. There had been many complaints about the wording being too loose.
- The Code of Conduct had not been radically changed, it had been slightly changed in cooperation with scrutiny where the behaviours had been clarified.
- The Complaints process was broadly the same.
- A sub committee would be a great idea, it would consist of three Panel Members, a Member of the Conservative Group, a Member of the Opposition and an Independent Member. Both of the current independent members had agreed to sit on Panels and another independent member would be recruited shortly.

Councillor Lynne Jones was of the opinion that the provision of free legal advice should be available to the Panel Member and the Member. The advice given was that all have access to legal advice but at their own cost.

Councillor Simon Werner suggested adding the length of different punishments and that the punishments should fit the crime. It was also discussed if Planning meetings should have the objective read out at the beginning of the meeting that the Panel were to make decisions in a non-political manner.

Councillor Del Campo highlighted that if Members were to go against officer recommendation then they should be asked for strong reasons which were fair and reasonable.

Councillor Del Campo pointed out that if a complaint had been made against a Member, the number of days to respond should be changed from 14 to 10 and the Group Leader should be copied into the email in case the Member had not read the email or were away on holiday.

Mary Severin confirmed that this could be amended and that it was up to the Panel to agree to the correct sanction and time limit.

Councillor Bateson asked if decisions could be taken forward to an Ombudsman and it was confirmed that the decision could not be taken further.

The amended Code of Conduct and Complaints process would be for all Councillors and Parish Councillors.

RESOLVED UNANIMOUSLY: The amended complaints process to be formally reviewed in twelve months.

RESOLVED UNANIMOUSLY: To include guidance in the procedure that the Panel must take into account the nature of the complaint before sanctioning.

RESOLVED UNANIMOUSLY: To include suggestions of a range of sanctions in the recommendation by the Monitoring Officer.

RESOLVED UNANIMOUSLY: that the Panel agree the following recommendations:

- i) Approves the draft changes to the Code of Conduct and complaints process as set out in Appendix A and**
- ii) Authorises the Monitoring Officer to recommend the approved changes to full Council to amend the Constitution.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 6.30 pm, finished at 7.40 pm

CHAIRMAN.....

DATE.....