

# TANDRIDGE DISTRICT COUNCIL

## STANDARDS COMMITTEE

Minutes and report to Council of the virtual meeting of the Committee held on the 15<sup>th</sup> March 2021 at 7.30pm.

**PRESENT:** Councillors Pursehouse (Chair), Caulcott, Parker and N.White

**ALSO PRESENT:** Councillors Allen, Lockwood and Mills and Mr. Shaun Mundy (Independent Person)

### 296. APPOINTMENT OF VICE-CHAIR

This item was added to the agenda following the resignation of ex-Councillor Milton (the previous Vice-Chair) earlier in the day.

**RESOLVED** – that Councillor Caulcott be appointed Vice-Chair of the Committee for the remainder of the Municipal Year.

### 297. MINUTES OF THE MEETING HELD ON THE 11TH JANUARY 2021

These were confirmed as a correct record.

### 298. MEMBER CODE OF CONDUCT

As recommended by the Committee for Standards in Public Life, the Local Government Association had produced an updated model code of conduct for councillors following an extensive consultation exercise. The Council's Standards Committee had participated in that consultation process following consideration of the matter at its 21<sup>st</sup> July 2020 meeting.

The key areas of difference between the Council's current Code of Conduct and the new Model Code were:

- (i) the introduction of a new section on bullying and harassment, including a definition of the terms;
- (ii) increased content relating to equalities and diversity;
- (iii) a requirement to declare any gifts and hospitality which are offered and declined;
- (iv) a requirement to disclose, and not take part in any discussion or vote on a matter where a Councillor has an interest which directly relates to their financial interest or wellbeing (and is not a Disclosable Pecuniary Interest) e.g. something that affects the financial interest or wellbeing of a friend, relative or close associate;
- (v) the new Code is set out as a personal commitment for Councillors to sign up to (rather than 'Dos and Don'ts' as per the current version) and includes guidance.

Officers had facilitated meetings with Tandridge councillors and parish council chairs to review the new model code. At both meetings, there was general support for Tandridge to adopt the code in its entirety. This was endorsed by Shaun Mundy, the Independent Person. The Committee was therefore invited to recommend such adoption to Council and for the constitution to be amended accordingly.

**COUNCIL DECISION**  
*(subject to ratification by Council)*

**RECOMMENDED** – that

- A. the Local Government Association’s New Model Code of Conduct, as shown at Appendix A to the report, be adopted; and
- B. authority be delegated to the Head of Legal and Monitoring Officer to make any consequential amendments required to the Constitution.

## **299. ARRANGEMENTS FOR HANDLING COMPLAINTS ON COUNCILLOR CONDUCT AND INDEPENDENT PERSON PROTOCOL**

The Committee considered proposed amendments to the current arrangements for dealing with standards complaints, informed by practice in other councils and recommendations by the Committee for Standards in Public Life. The revisions were intended to clarify the process and increase its transparency and effectiveness. The main changes were:

- clarification of the involvement of the Independent Person throughout the process;
- addition of estimated timescales for completion of each stage (subject to provision of information by third parties);
- addition of criteria to be used when assessing whether or not to refer a complaint to investigation;
- additional detail about the approach to be taken by the Hearings Panel;
- a new process for the appointment of members to the Hearings Panel, which aims to ensure that all Panels comprise members who have no conflicts of interest regarding the complaint and have been appropriately briefed;
- clarification on the nature of complaints which may be referred to the Hearings Panel.

A suggested protocol for the Independent Person, which sought to increase understanding of the role, was also presented. Arising from the debate, the Monitoring Officer agreed to document a process for recruiting the Independent Person.

**RESOLVED** – that the revised arrangements for dealing with standards complaints, as attached at Appendix A to the report (subject to non-material drafting changes circulated prior to the meeting) be approved.

**COUNCIL DECISION**  
(subject to ratification by Council)

**RECOMMENDED** – that the protocol for the Independent Person, as attached at Appendix B to the report, be adopted as part of the Constitution.

### **300. MEMBER OFFICER PROTOCOL**

The current protocol had been adopted in February 2019 and had recently been reviewed following consultation with a cross-party group of Members. The Committee considered proposed revisions to the protocol in light of that review. These sought to clarify the mutual responsibilities of Members and Officers and set out how each should work effectively with each other (e.g. regarding decision-making, giving information and advice and responses to enquiries).

Regarding section 6 of the protocol (access to officers and information) the question of whether Members should be given timescales for officer responses to their enquiries was discussed. It was suggested that, while the nature of Member enquiries could vary significantly, officers might reasonably be expected to acknowledge an enquiry within 48 hours and, at the same time, state an estimated timescale for the substantive response. It was not considered appropriate to agree such an amendment without consulting the Executive Leadership Team (ELT). Instead, the Committee was content for matter to be discussed with ELT in due course, with a view to a further report being submitted to a future meeting. In the meantime, the Committee wished to endorse the revisions to the protocol as presented.

**COUNCIL DECISION**  
(subject to ratification by Council)

**RECOMMENDED** – that the proposed changes to the protocol for Member / Officer relations, as attached at Appendix A to the report, be adopted.

### **301. MEMBER INDUCTION 2021 AND MEMBER DEVELOPMENT 2021/22**

Suggested programmes for new Member induction and ongoing Member development were presented.

It was intended to run the new Member induction programme over a longer period than in previous years, following the May 2021 elections with a broad range of subject matters. Current Councillors would also be encouraged to attend sessions so that all Members have the most up to date understanding of the topics.

The on-going Member development plan comprised departmental briefings and e-learning modules, including an 'introduction to how councils work' which newly elected Members would be expected to complete during the first committee cycle of 2021/22.

Where possible, training would be provided internally. However, £5,000 had been transferred from the staff training budget to fund external trainers for Members when required. A similar provision would be sought as part of the budget process for 2022/23 to enable ongoing funding for Member development.

In accordance with the Committee's decision at its previous meeting, all training undertaken by Councillors since 2020 would be uploaded onto their profile page on the website. It was acknowledged that Group Leaders had a key role to play in encouraging as many Members as possible to participate in the development programme. Member engagement with the development programme was considered a vital prerequisite for Councillors being able to fulfil their roles effectively.

***RESOLVED*** – that

- A. the new Member induction programme, as attached at Appendix A to the report, be agreed;
- B. the Member development programme, as attached at Appendix B to the report, be agreed.

Rising 8.11 pm