

Standards and Ethics Committee

Wednesday, 20 January 2021, Online - 10.00 am

Present:

Minutes

Mr S J Mackay (Chairman), Mr R C Adams,
Mr R M Bennett, Dr A J Hopkins, Dr K A Pollock,
Mr R P Tomlinson and Mr R M Udall

Independent Members (Non-voting): Dr P Whiteman

Available papers

The members had before them:

- A. The Agenda papers (previously circulated); and
- B. The Minutes of the meeting held on 21 October 2020 (previously circulated).

**290 Apologies and
Named
Substitutes
(Agenda item 1)**

Apologies were received from Dr M Mylechreest and Mr C Slade.

**291 Declarations of
Interest
(Agenda item 2)**

None.

On a point of clarification, the Democratic Governance and Scrutiny Manager explained that as members views were being sought as county councillors, there was no need to declare an interest as a district councillor in respect of Agenda item 5.

**292 Public
Participation
(Agenda item 3)**

None.

**293 Confirmation of
Minutes
(Agenda item 4)**

RESOLVED that the Minutes of the meeting held on 21 October 2020 be confirmed as a correct record and signed by the Chairman.

**294 Local
Government
Association
Member Code
of Conduct
(Agenda item 5)**

The Committee considered the Local Government Association Member Code of Conduct.

In the ensuing debate the following points were raised:

- There was a particular nuance within the Code whereby councillors were required to respond respectfully to a member of the public whose

views which might not be worthy of respect

- The public could be extremely rude to councillors and therefore the inclusion of a requirement in the LGA Code for the public to treat councillors with respect was welcomed
- The £15 limit for the value for registering gifts and hospitality as set out in the pan-Worcestershire Code was appropriate and in line with the ethos of the Nolan Committee Report
- The LGA Code had been written in plain English which might be clearer for members and the public to understand
- A statement about a right to respectful behaviour from the public should be included in the pan-Worcestershire Code
- Training on the Code of Conduct should only be necessary as part of the councillor induction process
- A principle of the Nolan Committee Report was for councillors to act honestly and lawfully which should be self-evident and any training should be perfunctory
- There was an argument that the training should be mandatory given that new councillors might not have the necessary understanding of the standards and ethos of local government
- The Democratic Governance and Scrutiny Manager advised that Code of Conduct training had been included in the induction programme for members. In addition, a copy of the Code of Conduct had been circulated to all candidates prior to the County Council elections previously and would be again in 2021
- The only other occasion where training might be necessary would be for fundamental changes to standards legislation
- The existing arrangements for the declaration of interests on outside bodies worked effectively. It was therefore unnecessary to change the current pan-Worcestershire Code so that members were required to automatically declare an Other Interest as a member of an outside body. However, this approach should be reviewed dependent on circumstances.

The Chairman concluded that there were differing opinions on how far the pan-Worcestershire Code should be changed to reflect the LGA Code however the majority view was that the Code should remain largely as it was. However, if district council partners were of a

different opinion then these issues could be revisited to find a compromise solution.

RESOLVED: that

- a) **The update about the LGA member Code of Conduct be noted and the following recommendations made in relation to the pan-Worcestershire Code:**
- a statement about a right to respectful behaviour from the public should be included
 - an obligation to undertake Code of Conduct training by the local authority was not necessary aside from the Code of Conduct training session arranged for new councillors. However, this would be the subject of further review by the Monitoring Officer if district council partners were of the view that training should be mandatory for all councillors
 - the value for registering gifts and hospitality should remain as £15
 - the current situation in the Worcestershire Code where an appointment to an outside body by the Council did not automatically mean that an Other Interest should be declared should remain unchanged. However, this approach should be reviewed dependent on circumstances;
- b) **Having heard the feedback from the Committee in (a) above, the Monitoring Officer be asked to liaise with colleagues from the District Councils in Worcestershire to consider feedback from all Councils and to bring forward any revisions to the Worcestershire Code for consideration.**

295 Code of Conduct - Complaints Update (Agenda item 6)

The Committee considered the Code of Conduct - Complaints Update.

In response to a query, the Democratic Governance and Scrutiny Manager advised that Purdah would start on 22 March 2021 for the County Council elections in May.

RESOLVED: that the formal complaints that have been made about the conduct of County Councillors be noted.

The meeting ended at 10.35am

Chairman