

## NORTHUMBERLAND COUNTY COUNCIL

### STANDARDS COMMITTEE

At the meeting of the **Standards Committee** held at Remote Meeting on Thursday, 22 April 2021 at 10.00 am.

#### PRESENT

J Jackson (Chair) (in the Chair)

#### MEMBERS

S Dungworth  
M Swinburn

B Flux

#### PARISH COUNCILLORS

A Tebbutt

A Wallace

#### OFFICERS

L M Bennett  
H Lancaster  
N Masson

Senior Democratic Services Officer  
Deputy Monitoring Officer  
Legal Services Manager (Deputy Monitoring Officer)

#### 19 CHAIRMAN'S REMARKS

The Chairman requested that Members observe a minute's silence in memory of HRH The Duke of Edinburgh. Members were also invited to reflect on all those who had lost loved ones and friends over the last year.

The Chairman also expressed Members' gratitude to all who had worked tirelessly in public service during the pandemic.

#### 20 APOLOGIES FOR ABSENCE

Apologies were received from Councillors E. Armstrong, L.J. Rickerby and Mrs K. Milner (Independent Person).

#### 21 MINUTES OF PREVIOUS MEETING

**RESOLVED** that the minutes of the meeting of the Standards Committee held on Thursday, 16 July 2020, as circulated, be confirmed as a true record and signed by the Chair.

#### 22 MODEL CODE OF CONDUCT

Ch.'s Initials.....

Members received a report updating them on the new Model Code of Conduct prepared by the Local Government Association. (Report filed with the signed minutes.)

Helen Lancaster, Deputy Monitoring Officer, reported that the Model Code of Conduct had been published on 23 December 2020 following a consultation exercise. Local Authorities were invited to consider whether to adopt it. There was a requirement for any Code of Conduct to be consistent with the seven principles of public life; selflessness, integrity, objectivity, accountability, openness, honest and leadership. Nationally, there had been a mixed response from Local Authorities with some adopting it in full, others in part and others not at all.

The new Code set out the obligations imposed upon Councillors but also included examples of what might be considered as disrespectful behaviour and definitions of bullying and harassment. As with the current Code of Conduct, there was no provision for sanctions including the power to suspend a Member or withdraw allowances. Any such change would require a legislative change.

North East Local Authorities had worked collaboratively in the past and discussions would be held to aim at achieving a consistent view.

The following comments were made:-

- It was noted that under the Protection from Harassment Act 1997, there must be at least two incidents of harassment. However, the Equality Act 2010 required only one incident. Both situations could apply in Code of Conduct cases.
- It was disappointing that no timescale was set for the completion of investigations which could often be protracted.
- Two Codes of Conduct were operated in Northumberland, that used by the County Council and another by the National Association of Local Councils (NALC). Uniformity across Northumberland with all Councils using the same Code would be welcomed. Parish Councillor Alex Wallace agreed to raise this issue at a forthcoming meeting of NALC.
- Discussions with neighbouring Local Authorities would be welcomed in an effort to have a consistent approach.
- It was frustrating that the comments in the consultation regarding sanctions had not been listened to and that the new Code of Conduct still did not allow the Standards Committee to apply sanctions where appropriate.
- There was concern that the North of Tyne Combined Authority had indicated that its Members should be subject to the Code of Conduct of their individual Local Authority. Agreement and use of the same Code of Conduct across the region would be welcomed.
- It was noted that social media was not referred to within the new Code and it was reported that this had been noted as a weakness at a national level. Members would welcome its inclusion, although it was noted that an Advisory Note had been issued by the County Council in the last few years.

**RESOLVED** that the Model Code of Conduct be noted with a view to a further report being presented to Members when Officers have had the opportunity to consider the national and local picture further.

Ch.'s Initials.....

23 **CODE OF CONDUCT COMPLAINTS - PROGRESS REPORT**

Members received a report on the progress with complaints received by the authority under the new arrangements adopted by the authority for dealing with standards allegations under the Localism Act 2011 on caseloads. (Report filed with the signed minutes.)

Neil Masson, Deputy Monitoring Officer, discussed the current list of cases and their status. A number of older cases had been included purely to provide context. There had been a significant increase in cases during 2020. Some cases were awaiting investigation whilst others were awaiting further discussion of the next steps with the Independent Person following the meeting.

The following comments were made:-

- There was some concern at the large number of outstanding cases and it was suggested that a report should be submitted to the Standards Committee explaining the increased level of complaints.
- It was unfortunate that this high level of complaints would be carried over into the new Council.
- An indication of whether complaints originated from an Officer, Councillor or the public would be welcomed.
- If a case was to proceed to a Hearing, there could be problems due to potential delays in appointing Parish Council representatives following the May 2021 Elections.
- It was emphasised that the Independent Person had responded with initial comments to a number of cases and that further discussions would be held with her after this meeting.

**RESOLVED** that the report be noted.

24 **DATE OF NEXT MEETING**

The next meeting will be held on Thursday, 15 July 2021 at 2 p.m.

**CHAIR**.....

**DATE**.....

Ch.'s Initials.....