

NORTHUMBERLAND COUNTY COUNCIL

STANDARDS COMMITTEE

At the meeting of the **Standards Committee** held at Meeting Space, Block 1, Floor 2, County Hall on Thursday, 10 February 2022 at 2.00 pm.

PRESENT

J Jackson (Chair) (in the Chair)

MEMBERS

B Flux
T Cessford
C Seymour
D Towns

L Dunn
L Grimshaw
G Stewart

ALSO IN ATTENDANCE

Independent Person

OFFICERS

L M Bennett
S Binjal

Senior Democratic Services Officer
Monitoring Officer & Interim Director of
Governance

N Masson

Legal Services Manager (Deputy Monitoring
Officer)

L Wafer

Principal Solicitor

9 APOLOGIES FOR ABSENCE

Apologies were received from Councillors S. Bridgett and A. Wallace.

10 MINUTES OF PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Standards Committee held on Thursday, 14 October 2021, as circulated, be confirmed as a true record and signed by the Chair.

11 APPOINTMENT OF PARISH COUNCIL REPRESENTATIVES TO STANDARDS COMMITTEE

Members were informed of the progress made with regard to the appointment of the three Parish Council representatives to the Standards Committee. It was reported that, following two rounds of advertisements through the Northumberland Association of Local Councils, only two applications were received within the

Ch.'s Initials.....

timeframe. A third application was received outside the required timeframe.

Members agreed to accept the third application and move ahead with the interview process to avoid any further delays. The Panel agreed at the previous meeting comprised of the Chairman, and Councillors B. Flux and A. Wallace.

RESOLVED that

- (1) the position thus far be noted with regard to the appointment process relating to the vacancies for the three Parish Council representatives to the Standards Committee.
- (2) the application from the third applicant be accepted even though it was submitted out of time.
- (3) the three applicants be interviewed.
- (4) If any applicant withdraws from the interview process, the position is further advertised and any applicants are interviewed.

12 **APPOINTMENT OF ADDITIONAL INDEPENDENT PERSONS**

Members were asked to consider the proposed process for the appointment under the Localism Act of two further Independent Persons as delegated to the Standards Committee by Council.

It was reported that many other Local Authorities had more than one Independent Person and because of the size of the Local Authority and number of cases, it was proposed that Northumberland should appoint a further two Independent Persons. It was noted that some amendments were required to the application pack.

Applicants would be interviewed by a Panel set up by the Standards Committee and it was suggested that the same Panel as for the Parish/Town Council representatives be used. It was clarified that the Monitoring Officer would be present but only in an advisory role. The recommendation of the interview panel would be reported to the Council meeting for approval.

Following the January Council Meeting, Councillors G. Hill and S. Dickinson had requested sight of the application pack and had provided comments which were circulated to Members at the meeting.

RESOLVED that

- (1) the application pack be amended and approved.
- (2) the composition of the Interview Panel be agreed as follows:-

Chairman of Standards Committee, Councillors B. Flux and A. Wallace

13 **MODEL CODE OF CONDUCT**

Ch.'s Initials.....

Members were updated with regard to the new Model Code of Conduct prepared by the Local Government Association and to present to the Standards Committee a new draft Code for its consideration.

In response to queries raised, the following comments were made:-

- The LGA produced guidance on social media and also how Members could deal with it if issues were directed at them. The Code of Conduct could contain a hyperlink to this guidance. It was planned to include as many hyperlinks to relevant information as possible to the Code of Conduct. Bullying behaviour or misinformation whether directed at an individual or a group was covered in various parts of the Code. The Chair would work with the Monitoring Officer's Team to provide additional guidance on the use of social media.
- Bullying behaviour was inappropriate regardless of where it happened and was not limited only to social media channels.
- Regarding disclosures of pecuniary interests, it was necessary for Members to declare their land and property, however, some details may not be published on the Council's website. A hard copy containing all such information was maintained by the Council by law.
- As the Code of Conduct was linked to the Council's Constitution, any changes must also be considered by the Constitution Working Group prior to final approval by Full Council.
- Further work on social media issues could be added to the proposed Work Plan.
- The Model Code of Conduct and guidance had more information and examples of particular types of behaviour than in the previous version.
- It was important to strike a balance between what was put in the Code of Conduct and the addition of extra information and this guidance should be alongside the Code rather than part of the Code.
- The Code of Conduct was a document that would be constantly under review. In the future, suggestions for improvements could be considered and included in the Committee's future plan of work.

RESOLVED that the Committee recommend the adoption of the draft Code as amended and attached to the report in full, and that it be submitted to the Constitution Working Group prior to being submitted to Full Council for approval.

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

Members received a report on the progress with complaints received by the authority under the arrangements adopted by the authority for dealing with standards allegations under the Localism Act 2011. An updated report was circulated at the meeting for Members' information.

RESOLVED that the report be noted.

15 **CODE OF CONDUCT HEARING PROCEDURE**

Members were informed of the updated hearing procedure to be followed to assist with forthcoming hearings into Member Code of Conduct investigations. There

Ch.'s Initials.....

were very few major differences with the existing code adopted in 2016.

Neil Masson, Deputy Monitoring Officer, highlighted the main areas of the procedure for Members' information. The major changes were concentrated in the initial stages to try to streamline the process as much as possible.

RESOLVED that the updated Hearing Procedure be noted.

16 **FUTURE PLAN OF WORK**

Members discussed a future plan of work for the Standards Committee. The following areas were highlighted:-

- Investigation procedure – certain aspects would benefit from review and in relation to the type of information provided to the Standards Committee.
- Ongoing review of the Code of Conduct including social media issues.

Members were asked to pass any suggestions directly the Chair.

RESOLVED that the items for inclusion in the future plan of work be noted.

17 **INVESTIGATION INTO A CODE OF CONDUCT COMPLAINT - COUNCILLOR JOHN RIDDLE**

Members were informed of the conclusions within a report of the Investigating Officer into a Members Code of Conduct complaint and the subsequent disposal of that complaint.

The allegations made against Councillor Riddle were outlined in the report along with the findings of the Investigating Officer. Under the procedure, the Monitoring Officer was satisfied with the investigation, and it had been agreed that no further action be taken.

RESOLVED that the contents and information provided in the report be noted.

18 **INVESTIGATION INTO A CODE OF CONDUCT COMPLAINT - COUNCILLOR RICHARD WEARMOUTH**

Members were informed of the conclusions within a report of the Investigating Officer into a Members Code of Conduct complaint and the subsequent disposal of that complaint.

The allegations made against Councillor Wearmouth were outlined in the report along with the findings of the Investigating Officer. Under the procedure, the Monitoring Officer was satisfied with the investigation, and it had been agreed that no further action be taken.

RESOLVED that the contents and information provided in the report be noted.

19 **DATE OF NEXT MEETING**

The next meeting will be held on a date to be confirmed.

Ch.'s Initials.....

20 **EXCLUSION OF THE PUBLIC**

RESOLVED that

- (a) under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the Agenda as it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the 1972 Act, and
- (b) the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

Agenda Item

15 Paragraph 1 of Part 1 of Schedule 12A
Information relating to any individual.

Paragraph 2 of Part 1 of Schedule 12A
Information likely to reveal the identity of an individual.

Disclosure of this information would prejudice the interests of individuals at little benefit to the general public.

21 **INVESTIGATION REPORT AND APPENDICIES - COUNCILLOR JOHN RIDDLE AND COUNCILLOR RICHARD WEARMOUTH**

Members received the investigation reports relating to the investigation into alleged breaches of the Members' Code of Conduct by Councillor John Riddell and Councillor Richard Wearmouth for information.

Members discussed whether Hearings, generally, should be heard in public or private, publishing investigation reports online, and the provision of confidential papers to Members.

It was noted that the Standards Committee had agreed, some years ago, that Hearings should be held in public unless it would involve the disclosure of exempt information.

RESOLVED that the reports be noted.

CHAIR.....

DATE.....

Ch.'s Initials.....