

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Agenda

Standards and Personnel Appeals Committee

Date: **Wednesday, 4th March, 2020**

Time: **10.30 am**

Venue: **Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield**

For any further information please contact:

Lynn Cain

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01623 457317

(Please note a training session has been arranged for Members of the Standards and Personnel Appeals Committee only at 9.30am in the Council Chamber)

If you require an adjustment to enable you to participate or access the meeting, please contact the Democratic Services team at least 48 hours before the meeting.

STANDARDS AND PERSONNEL APPEALS COMMITTEE

Membership

Chairman: Councillor Lee Waters

Councillors:

Jim Blagden
Warren Nuttall
Helen-Ann Smith

Christian Chapman
Phil Rostance
David Walters

FILMING/AUDIO RECORDING NOTICE

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

SUMMONS

You are hereby requested to attend a meeting of the Standards and Personnel Appeals Committee to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



Carol Cooper-Smith
Chief Executive

AGENDA

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- 1. To receive apologies for absence, if any.**
- 2. Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests.**
- 3. To receive and approve as a correct record the minutes of the meeting of the Committee held on 2 October 2019.** 5 - 8
- 4. Exclusion of the Press and Public.**

A Member of the Committee is asked to move:-

“That in accordance with the provisions of Section 100A of the Local Government Act 1972, the press and public be now excluded from the meeting during the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 3 of part 1 of Schedule 12A of the Act and in respect of which the Proper Officer considers the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”
- 5. Determination of Appeal Against Dismissal.** 9 - 186

To consider and determine an appeal, lodged in respect of an appeal against dismissal issued by the Director of Housing and Assets under delegated powers.

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Agenda Item 3

STANDARDS AND PERSONNEL APPEALS COMMITTEE

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Wednesday, 2nd October, 2019 at 7.00 pm

Present: Councillor Lee Waters in the Chair;

Councillors Jim Blagden, Christian Chapman,
Warren Nuttall, Helen-Ann Smith and
David Walters.

Apology for Absence: Councillor Phil Rostance.

Officers Present: Lynn Cain and Ruth Dennis.

In Attendance: Parish Council Representatives
Stuart Fletcher and Councillor Jason Zadrozny.

SP.8 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

No declarations of interest were made.

SP.9 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 8th July, 2019, be received and approved as a correct record.

SP.10 Use of Resources Policy

The Director of Legal and Governance (and Monitoring Officer) presented the draft Use of Resources Policy and advised Committee that it had been produced following a recommendation from a Hearing Sub Committee to provide clear guidance to Members regarding the appropriate use of Council resources.

The draft policy had been considered on two occasions by the Standards Committee Working Group and any comments/suggestions made at the meetings had been incorporated into the document presented to Committee. It was intended that the Use of Resources Policy, once ratified by Council, would form an appendix to the Members' Code of Conduct as contained in the Council's Constitution.

The draft policy included examples of Council resources, what activities were included in the definition of 'Council business' and the principles for use of resources by a Councillor.

Members took the opportunity to consider the content of the draft policy and the following suggestions/responses were made:-

- concerns that the wording of the section about the use of Councillor email addresses was excessively restrictive and should be reviewed to acknowledge the use of Councillor emails for constituency work which might otherwise be seen as political in nature;
- to request that the reference to the 'Council being able to charge Councillors for excessive use of the photocopier' (page 17) be taken out as Members were already restricted in their usage via a monthly monetary allowance;
- to remove the reference to Members being restricted from posting in excess of 25 items of mail (page 19), having acknowledged that Members rarely used the facility and if they did, a request would already be made to the Service Manager, Scrutiny and Democratic Services;
- concerns around restricting the use of political logos on all stationary items (page 19) and a request for it be clarified to ensure business cards and letterheads can refer to the political group a Member belongs to;
- to consider the possibility of introducing a tiered monetary allowance system for the Council's photocopiers to reflect the increased use of the equipment by the Leader, Deputy Leaders and Cabinet Members.
- business cards not being limited to 250 for the Leader, Deputy Leaders and Cabinet Members (page 20);
- in relation to Clothing (page 20), a distinction should be made between clothing used solely for promotional events/photoshoots and clothing provided to Cabinet Members to assist in their roles as Portfolio Holders.

RESOLVED that

- a) having taken into account the suggestions/responses made at the meeting, delegated authority be delegated to the Director of Legal and Governance (and Monitoring Officer), in consultation with the Chairman of the Committee, to make any appropriate changes to the draft Use of Resources Policy prior to its submission to Council for ratification;
- b) the Director of Legal and Governance (and Monitoring Officer) be requested to liaise with the Interim Chief Executive to consider the possibility of introducing a tiered monetary allowance system for the Council's photocopiers to reflect the increased use of the equipment by the Leader, Deputy Leaders and Cabinet Members.

SP.11 Committee on Standards in Public Life - Update from the Working Group

The Director of Legal and Governance (and Monitoring Officer) presented the update report regarding the work undertaken so far by the Standards Committee Working Group in respect of the Best Practice Recommendations of the Committee on Standards in Public Life (CSPL) relating to Local Government Ethical Standards as published in January 2019.

The report contained a table showing the best practice recommendations, the Council's current position and any suggestions/actions agreed by the Working Group. The framework allowed officers time to undertake the necessary work as required and commence implementation of any new procedures and documentation in a timely manner for presentation at the Annual Council Meeting in May 2020.

It was intended to continue the work through the Standards Committee Working Group over the next few months and Members were also asked to note that a meeting of the Monitoring Officers' Nottinghamshire Network was taking place in November 2019 and comments/feedback by other authorities in relation to progress would be sought and fed back to Committee in due course.

RESOLVED that

- a) the update report, as presented, be received and noted;
- b) it be agreed that the work to further consider the Best Practice Recommendations arising from review undertaken by the Committee on Standards in Public Life's (CSPL) relating to Local Government Ethical Standards, be continued via the Standards Committee Working Group with update reports to the Committee as required.

SP.12 Quarterly Complaints Monitoring Report

The Director of Legal and Governance (and Monitoring Officer) took Members through the quarterly complaints monitoring report and advised that no new complaints had been received since July 2019.

An individual complaint being investigated in relation to a District Councillor had been concluded and eight further District Councillor complaints were currently being investigated, seven of which formed part of one overarching investigation. A meeting with the external investigating officer undertaking the overarching investigation was due to take place imminently to conclude the investigation and take receipt of the draft report accordingly.

RESOLVED

that the updated position in respect of Members' Code of Conduct complaints, as set out in the Appendix to the report, be received and noted.

The meeting closed at 7.35 pm

Chairman.

Agenda Item 5

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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