

STANDARDS AND PERSONNEL APPEALS COMMITTEE

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

on Wednesday, 8th December, 2021 at 7.00 pm

Present: Councillor Lee Waters in the Chair;

Councillors Chris Baron, Christian Chapman,
David Martin (as substitute for Warren Nuttall)
and Helen-Ann Smith.

Apologies for Absence: Councillors Jim Blagden, David Hennigan and
Warren Nuttall.

Officers Present: Lynn Cain, Ruth Dennis, Mike Joy and
Shane Wright.

SP.6 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

Councillor Chris Baron declared a Non-Registrable Interest in relation to Agenda No. 6 (Ethical Governance Update). His interest arose from the fact that he was involved with a current standards complaint, as detailed in the Quarterly Update of Complaints attached to the report, that had yet to be resolved.

SP.7 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 30 June 2021, be received and approved as a correct record.

SP.8 Member Development Strategy Update

The Service Manager, Scrutiny and Democratic Services presented the updated Member Development Strategy for approval. Members were reminded that the draft Strategy had already been reviewed and considered at two informal meetings of the Standards and Personnel Appeals Committee held in August and November 2021.

The Strategy was a concise document that identified the training needs of Members, thus ensuring that any individual or group training was facilitated to offer opportunities to enhance Members' skills for carrying out their roles as Councillors.

Members were aware that a pro-forma was available for them to complete (and submit to the Democratic Services team) at any time should any training needs be highlighted.

A concern was raised that Members were often not informed of events/issues that were happening in their wards and that Cabinet Members were often hijacking events at the exclusion of the Ward Members who should be representing their communities.

The Chairman also requested that the maximum 15 minutes allocated for debates on submitted petitions needed to be reviewed and the Director of Legal and Governance (and Monitoring Officer) suggested that this could be done as part of the annual Constitution review undertaken during January-April each year. Members were also reminded that they had the opportunity to give their views/suggestions on any changes to the Constitution as part of the annual review.

RESOLVED

that the updated Member Development Strategy, as presented, be agreed and recommended to Cabinet for approval.

SP.9 Use of Resources Policy

The Scrutiny Research Officer presented the report and asked Committee to consider the content of the draft Use of Resources Policy, as presented, and recommend adoption of the document by Council, as an appendix to the Members' Code of Conduct.

The draft Policy had already been extensively considered at a recent informal meeting of the Standards and Personnel Appeals Committee and the suggested changes made by Members at that meeting had now been incorporated into the final draft document, appended to the report.

Members briefly discussed the ongoing issue of Members wearing Council branded clothing during their attendance at events or outside locations and the requirement for any items to be returned to the Council after such use. Concerns were raised that the return of such items was often impracticable and unhygienic (i.e. protective footwear) and that Members often attended multiple events on a weekly basis and preferred to keep such items in their possession for ease of use.

RESOLVED that

- a) the Service Manager for Scrutiny and Democratic Services, in conjunction with the Service Manager for Risk and Emergency Planning, be requested to suitably amend the wording of Part 14 of the draft Use of Resources Policy to enable Members, in certain circumstances, to keep possession of Council branded items of clothing;

- b) as a result of (a) above and once amendments have been made to Part 14 of the Use of Resources Policy, the draft document be electronically circulated to Committee Members for consideration and then re-submitted to the next Standards and Personnel Appeals Committee in March 2021, for final sign off and subsequent recommendation to Council.

SP.10 Ethical Governance Update

(In accordance with the Members' Code of Conduct as contained in the Council's Constitution, Councillor Chris Baron had previously declared a Non-Registrable Interests in relation to this item. His interest was such that he remained in the room and took part in the discussion and voting thereon.)

As part of the Ethical Governance framework, the Director of Legal and Governance (and Monitoring Officer) gave an update regarding the following:

Politically Restricted Posts

The Council's HR Team had produced a new list of politically restricted posts which had been duly submitted to the Unions for their consideration and response. The Unions had responded with queries regarding eight posts within the list and these were currently being considered. They had also requested further discussions with officers so an update would be brought back to the Committee meeting in March 2022.

Committee was also asked to note that employees were afforded the opportunity to query their inclusion on the list if they were of the belief that their positions did not influence policy or have any involvement with Members etc.

Gifts and Hospitality

The Scrutiny Research Officer advised that in accordance with best practice recommendations, a revised declaration form for Gifts and Hospitality including a revised Guidance for Members were now attached to the report for consideration and approval.

Any declarations were now due to be publicly reported through the Council's website (as managed by the 'modern.gov' software within Democratic Services) and a quarterly report would be presented to Committee for information.

Members were also asked to note that no declarations of gifts or hospitality had been received since January 2020.

Code of Conduct Guidance

Following Council's approval and adoption of the new Member Code of Conduct, a set of guidance notes would be compiled and circulated to Members accordingly.

Members' Complaints

Five complaints had been completed since the last update with receipt of a further three new complaints. In conjunction with the Service Manager for Scrutiny and Democratic Services, new complaints were now receiving a preliminary examination at an earlier stage to swiftly eliminate any complaints that were not legitimate.

The processing of Member complaints had suffered over the last few months due to prolonged staff shortages within the Legal Team and there were three long-standing complaints that needed to now be finalised as a matter of priority.

Members considered the list of complaints as presented and officers gave updates as required. It was acknowledged that the new online form on the Council's website for submitting Members' complaints had allowed for more speedier processing and this was in conjunction with a wider review currently being undertaken regarding the Council's general complaints process.

It was hopeful that Member complaints would now be dealt with in a shorter timescale with any illegitimate or inappropriate complaints being filtered out or signposted at an earlier stage.

RESOLVED that

- a) the updates provided regarding the review of the Politically Restricted Posts list, the Code of Conduct documents and outstanding complaints, be received and noted;
- b) the revised Gifts and Hospitality guidance and declaration form, as presented, be approved with the new reporting arrangements being duly noted.

The meeting closed at 7.54 pm

Chairman.