

STANDARDS AND PERSONNEL APPEALS COMMITTEE

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

on Wednesday, 5th July, 2023 at 6.30 pm

Present: Councillor Lee Waters in the Chair;

Councillors Kier Barsby, Jamie Bell,
Paul Grafton, Oliver Hay, Phil Rostance and
Dave Shaw.

Apologies for Absence: Duncan Deaves (Selston Parish Council
Representative).

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

In Attendance: Lorraine Fagan (Annesley & Felley Parish
Council Representative).

SP.1 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

SP.2 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 8 March 2023,
be received and approved as a correct record.

SP.3 Standards and Personnel Appeals Committee Induction Training

A Standards and Personnel Appeals Committee induction training session was
undertaken by the Executive Director for Governance, to all Members present
at the meeting.

SP.4 Standards and Personnel Appeals Committee 2023/24 Workplan

The Executive Director of Governance and Monitoring Officer presented the
report and took Members through the proposed items for the Committee Work
Plan for 2023/24.

In respect of the proposed review of the Nottinghamshire Authorities Protocol with Nottinghamshire Police, Members were advised that better working relationships with the Police were now in place and it was hoped that the review would be undertaken and completed later in the year.

The current Members' Code of Conduct and related documents, having been in place since May 2021, was now due for a review and it was intended to arrange an informal group meeting of the Standards and Personnel Appeals Committee to consider any amendments. The review would also include consideration of related documents such as the Complaints Process and the Member/Officer Protocol.

RESOLVED

that the Standards and Personnel Appeals Committee Work Plan for 2023/24, as presented, be approved.

SP.5 Quarterly Complaints and Gifts and Hospitality Monitoring

The Assistant Director for Democracy presented the report and advised Members that no new formal complaints had been received by the Authority during the period April to June 2023. Work was continuing on all the current complaints with two being subject to external investigations due to their complexity. Some complaints had also been dismissed due to the submissions from complainants being in the form of a statement rather than an actual request to investigate supported by evidence.

Members took the opportunity to discuss at what stage of the complaint it was appropriate to inform the Member being accused (of a breach of the Code) and if this could be reconsidered during the review of the Complaints Process (alongside the Members' Code of Conduct) commencing in December 2023.

RESOLVED that

- a) the updated position in respect of Member complaints including progress as at June 2023, as presented, be duly noted;
- b) it be noted that there have been no declarations of received gifts and hospitality from April to June 2023.

SP.6 Constitution Update

The Scrutiny Research Officer presented the report which detailed further proposed changes to the Constitution for the 2023/24 municipal year as follows:

Part 3 – Responsibility for Functions

To enable the Chief Executive (Proper Officer) to enact the wishes of the Groups of the Council in appointing Members to committees based on the established political proportionality. In practice this would mean that any changes to committee memberships would need to be notified to the Democratic Services Team by the relevant Group Leader no later than 5pm, 7 clear working days before the meeting where the membership would change.

Members expressed concerns in relation to this proposal regarding whether Members would be notified of any membership changes in a timely manner and the apparent lack of any subsequent appeal process should they wish to challenge the decision. It was agreed that a statement from the Committee should be included in the referral report to Council.

Part 4 – Rules of Procedure

Proposals to include an item on the agenda for ‘Chairman’s Presentation of Awards/Certificates’, to restrict each individual Cabinet Portfolio update to 3 minutes each, to include an order of business and amended length of speeches for the Council’s Budget Setting meeting and to revise criteria for submitting Notices of Motion.

Part 5 – Members’ Code of Conduct

The inclusion of some flexibility regarding mandatory training requirements and adoption of an updated version of the Social Media Policy.

Miscellaneous

Changes to job titles and committee names as required.

RESOLVED that

- a) the proposed changes to the 2023/24 Council Constitution as outlined in the report, be endorsed and submitted to Council for approval;
- b) alongside the proposal to amend the process for making changes to committee memberships (Part 3 – Responsibility for Functions), the following statement be included in the referral report to Council:

Concerns were raised by the Standards and Personnel Appeals Committee that this proposed change could lead to Committee Membership being changed without the involved Members having prior notification and/or contribution, and with no recourse to challenge the decision if desired.

The meeting closed at 8.00 pm

Chairman.