

STANDARDS AND PERSONNEL APPEALS COMMITTEE

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

on Monday, 11 January, 2016 at 6.30 p.m.

Present: Councillor L.S. Morrison, in the Chair

Councillors A. Brown, J. Donnelly, J.D. James, C.A Mason,
C. Quinn-Wilcox, P. Roberts (substitute for Cllr J.F.
Aspinall), P.M. Rostance

Apologies for Absence: J.F. Aspinall

Officers Present: R. Dennis, A. Maher

SP.17 Declarations of Disclosable Pecuniary and Non Disclosable Pecuniary/Other Interests.

There were no declarations of interest made.

SP.18 Minutes.

The minutes of the Committee held on 19 October 2015 were approved as a true record.

SP.19 Social Media Policy for Councillors

Members of the Committee were reminded that they had previously discussed social media (such as Twitter and Face book) and had recognised that it was likely to become an increasingly important tool for Councillors, especially when engaging with their constituents and local communities. However, they had also recognised the potential dangers to individual Councillors if they used social media inappropriately and so breached the Code of Conduct.

Members had agreed that a draft policy on the use of social media be drawn up in order to minimise these dangers. The report to Committee now sets out the draft policy. This made it clear that when using social media, Councillors should:

- (a) Show respect for others – and not use it to be rude or disrespectful;
- (b) Not disclose confidential information about people or the Council;

- (c) Not make repeated negative comments about or to individuals, which could be interpreted as bullying or intimidation;
- (d) Abide by the laws of equality – and in particular, not publish anything that might be seen as racist, sexist, ageist, homophobic or anti-faith, even if this was intended as a joke.

Members discussed the draft policy, which they welcomed. During this discussion several suggested amendments to the text were made. These included a specific reference to the practice of Internet ‘trolling’ and also a clarification of when someone was acting in a personal capacity or as an elected Member. The Monitoring Officer agreed to make the necessary changes to the policy. The Committee also felt that it would be helpful for Members to receive appropriate training on the use of social media. It was noted that the Members of other local authorities currently make greater use of social media than Ashfield. Again, the Monitoring Officer agreed to make the necessary arrangements.

RESOLVED

- (a) That the Monitoring Officer in consultation with the Chair be authorised to make the necessary amendments to the Policy in the light of the comments raised by the Committee at today’s meeting,
- (b) That the amended Social Media Policy be recommended to Council for approval; and
- (c) That the Monitoring Officer make necessary arrangements for social media awareness training for Members.

Reasons

The development of a Social Media Policy for Councillors will help to ensure that the Council clearly outlines responsibilities when using social media.

SP.20 Politically Restricted Posts

The Committee then considered a report which set out the list of politically restricted posts, or in other words those posts where the post holders are prevented by law from having any active political role, either in or outside of the workplace. This list, it was explained, reflected the Council’s current organisational structure, following on from the various reorganisations which had taken place during recent years. Members were asked to approve the list, subject to an amendment to both remove a post and add a post on to it. The Monitoring Officer would then discuss the list with the Trade Unions, in order to identify any further additions or deletions. These changes would be reported back to the next meeting of the Committee. Members supported this approach.

RESOLVED

- (a) That the Committee delegate authority to the Monitoring Officer to consult with the Trade Unions in respect of the draft list of politically restricted posts as

required by the Local Government and Housing Act 1989 and report back to the next Standards and Personnel Appeals Committee any changes, deletions or additions;

- (b) That the Committee require the Monitoring Officer (being the appointed proper officer for the purpose of maintenance of the list) to report to the Committee every two years as to the adequacy or otherwise of the list.

Reasons

To comply with the requirements of the Local Government and Housing Act 1989

SP.21 Quarterly Complaints Monitoring Report

The report to Committee provided information on complaints of alleged Member misconduct and the progress which had been made in assessing them. The report also stated that four new complaints of misconduct had been received from the public during recent months. The Monitoring Officer explained that these new complaints were still being assessed and no decision had been taken as yet about whether or not to investigate them further.

Members discussed the report. As part of this discussion, they noted the reasons for delays, which were often outside the Council's control. They also noted that several of the cases involved the alleged abuse of social media.

RESOLVED

That the Committee note the updated position in respect of the Members' Code of Conduct complaints for the period 9 October 2015 to 31 December 2015.

Reasons

To reflect good practice.

SP.22 Independent Person and Co-optees

Members were reminded that the Localism Act 2011 required local authorities to appoint 'Independent Persons' to play a role in both the investigation of complaints against Members and in disciplinary action relating to statutory officers. Members were also reminded that Council had agreed to appoint two non-voting Co-opted Members to serve on the Committee.

The report to Committee explained that the Council currently has two 'Independent Members', who were appointed in 2012 and 2013. They had been appointed in conjunction with Mansfield District Council, where the post holders carry out the same role. The Committee considered the options and decided that in conjunction with Mansfield District Council the post holders ought to be formally contacted in order to find out whether they do or do not wish to continue in post.

The report also explained that the recruitment process carried out in the autumn to appoint two non-voting Co-opted Members on to the Committee had not been successful. The Committee confirmed that it wished to launch a second recruitment process. Members suggested that this second exercise ought to be targeted at those groups with a professional interest in governance and legal processes, such as those who serve as magistrates. The Monitoring Officer agreed to do this.

RESOLVED

- (a) That the Committee asks the Monitoring Officer to discuss the ongoing arrangements for Independent Persons with Mansfield District Council;
- (b) The Monitoring Officer is asked to consult with the current Independent Persons in order to determine whether they wish to remain in post;
- (c) That a second recruitment process for Co-optees be undertaken along the lines discussed at the meeting.

Reasons

To ensure that the Council fulfils its obligations under Section 28 of the Localism Act 2011. To ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviour.

The meeting closed at 7.20pm.

Chairman.