
STANDARDS COMMITTEE

MINUTES of the Meeting held in the Second Floor Conference Room, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Tuesday, 27 September 2022 from 7.00 pm - 7.30 pm.

PRESENT: Councillors Monique Bonney (substitute for Councillor Denise Knights), Lloyd Bowen, Roger Clark, Steve Davey (Vice-Chair), Hannah Perkin (Chair), Sarah Stephen (substitute for Councillor Elliott Jayes), Bill Tatton, Ghlin Whelan, Mike Whiting (substitute for Councillor Ken Ingleton) and Corrie Woodford.

Kent Association of Local Councils representative (non-voting): Mr Graham Addicott OBE.

Independent Person: Mrs Patricia Richards.

OFFICERS PRESENT: Robin Harris and Jo Millard.

OFFICER PRESENT (Virtually): Billy Attaway.

ALSO IN ATTENDANCE (Virtually): Councillor Ken Ingleton.

APOLOGIES: Councillors Nicholas Hampshire, Ken Ingleton, Elliott Jayes and Denise Knights.

326 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

327 **Declarations of Interest**

No interests were declared.

328 **Minutes**

The Minutes of the Meeting held on 14 June 2022 (Minute Nos. 80 – 86) were taken as read, approved and signed by the Chair as a correct record.

Part B Minutes for Information

329 **Local Government Association (LGA) Model Councillor Code of Conduct**

The Deputy Monitoring Officer introduced the report which proposed the replacement of the current Swale code of conduct with the LGA model code of conduct. He drew attention to page 7 of the report which gave a summary of the LGA code.

A Member sought clarification on the declarations that were necessary for financial limits of being an unpaid director as listed in paragraph 3.5 on page 8 of the report. The Deputy Monitoring Officer agreed to update the document to provide more clarity.

Councillor Lloyd Bowen referred to points 2.1 and 2.2 of the Summary of the LGA Code which related to bullying and harassment and said that 'intimidation' should also be included. He proposed that point 2.1 should read "I do not bully or intimidate any person."

This was seconded by Councillor Sarah Stephen and on being put to the vote, members voted in full support.

A Member highlighted that paragraph 5 on page 28 of the report referred to Cabinet members. The Deputy Monitoring Officer said this paragraph would be updated.

Resolved:

(1) That the Standards Committee propose the adoption of the LGA model code of conduct to the Policy and Resources Committee, as a replacement for the current Swale code of conduct.

(2) That the Standards Committee give delegated authority to the monitoring officer, in consultation with the standards working group, to undertake consultation with members and senior officers on the adoption and implementation of the model code of conduct.

330 Member/Officer protocol

The Deputy Monitoring Officer presented the report and said that the principle of a member/officer protocol had been discussed previously, as a skeleton structure, and the document set out the first draft of the text and sought members' views. He said that the Executive Management Team (EMT) had considered the draft and if agreed by members, the Corporate Leadership Team (CLT) could then be consulted on it.

The Chair invited Members to ask questions and make comments. Points made included:

- Did the LGA have a similar model?;
- how did the protocol compare to other authorities?;
- questioned whether the phrase 'pregnant people' could be better described at paragraph 10.6;
- sought clarification on whether a staff member would be guilty of a data breach if they had been requested to do so by a member?;
- suggested the full Officer Code of Conduct, rather than a link, be included in paragraph 3.2 on page 42 of the Agenda; and
- not all members had a political affiliation, should the reference to politics at paragraph 3.7 be removed?.

In response, the Deputy Monitoring Officer said that the LGA did not have a similar model. He said that the protocol of other authorities had been looked at and the Swale Borough Council (SBC) model was similar and reflected similar views. The Chair explained that pregnancy was a protected characteristic, and 'pregnant people' was more inclusive. She gave examples of non-binary people that might experience pregnancy. The Chair confirmed members' agreement of 'those that are pregnant' as an alternative phrase and said that SBC were a progressive Council that needed a progressive document.

The Deputy Monitoring Officer explained that if a member of staff had been asked to carry out a task that was a data breach, he would expect them to decline. He added that members and officers had different responsibilities.

In response to a member's comments on grammar within the document, the Deputy Monitoring Officer explained that as a first draft, the intention was to gain members' views on whether the correct issues had been addressed.

The Chair thanked officers for their work on the protocol.

Referring to recommendation (2), the Chair proposed that after a consultation with CLT, a consultation with wider members and then other officers, and the Union, could follow. This was seconded by Councillor Roger Clark and on being put to the vote agreed by the Committee.

The Deputy Monitoring Officer suggested a briefing before a Full Council meeting as part of the consultation and all members agreed.

Resolved:

(1) That the draft protocol at Appendix I was fit for purpose.

(2) That after consultation with CLT, a consultation of the protocol with a wider group of members, other officers and the Union takes place.

Chair

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All minutes are draft until agreed at the next meeting of the Committee/Panel