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## Standards Committee

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Tuesday, 16 April 2024 from 7.00 pm - 7.42 pm.

**PRESENT:** Councillors Monique Bonney (Vice-Chair), James Hunt, Mark Last, Charlie Miller, Pete Neal, Richard Palmer, Hannah Perkin, Jeff Tutt (Parish Councillor), Tony Winckless and Ashley Wise (Chair).

**OFFICERS PRESENT:** Robin Harris, Jo Millard and Larissa Reed.

**ALSO IN ATTENDANCE (VIRTUALLY):** Councillors Elliott Jayes, Tom Nundy and Dolley Wooster.

**APOLOGY:** Councillor Rich Lehmann.

### 831 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

### 832 **Minutes**

The Minutes of the Meeting held on 18 December 2023 (Minute Nos. 521 – 527) were taken as read, approved and signed by the Chair as a correct record.

### 833 **Declarations of Interest**

No interests were declared.

### 834 **Code of Conduct Arrangements**

The Monitoring Officer introduced the report which asked the Standards Committee to consider whether the Council's current arrangements for handling complaints under the Code of Conduct should be updated. He explained that the arrangements for dealing with complaints were not amended when the Code of Conduct was updated in 2023 and the Standards Committee had asked for this to be considered. The Monitoring Officer drew attention to the existing arrangements and the arrangements used by the Kent Secretary's Group used by a number of authorities, as published in the Agenda pack. He said this was the beginning of the process and the recommendation was for the Committee to steer the process. The options were to leave the arrangements as they were, update and amend existing arrangements or to adopt new arrangements using either those used by the Kent Secretary's Group or those which met the requirements of Committee Members and were fit for purpose for the Council.

Members were invited to make comments which included:

- The Swale arrangements dealt with the beginning and end of the process but were 'light' in the middle;
- the Kent Secretary's arrangements were more structured;
- some of the wording was ambiguous and there was a lack of detail;
- was critical of the process of a recent Standards Hearing sub-committee;
- said the Monitoring Officer should not be the complaints investigating officer; and

- questioned where the background papers were in the report.

The Monitoring Officer said the only relevant papers were the Council's existing arrangements and the Kent Secretaries arrangements and they were included as appendices to the report. The Local Government Association (LGA) guidance on arrangements was listed as a background paper, as the LGA papers were not strictly background papers because they were publicly available. The Monitoring Officer reiterated the purpose of the report and the discussion was to agree whether to continue with the current arrangements, to update and amend or to use alternative arrangements. In response to a Member's comments, the Monitoring Officer clarified that Swale Borough Council's code of conduct was from the LGA and the Kent Secretary's arrangements which had regard to the LGA guidance on arrangements were included in the report to consider.

A Member questioned the timeline of the complaint process and the Monitoring Officer explained it was dependent on the circumstances and discretion would be used. Several Members said they had suggestions to amend the existing arrangements, if it was agreed to progress in that way.

A Member said it was important that those who had been complained about were made aware from the beginning what the complaint was. Another Member said it was not always the victim that made the complaint and the process of complaining on behalf of a victim should be set out clearly.

A Member expressed how important it was to get the process right and suggested setting up a cross party working group to bring a draft proposal back to the Standards Committee. Another Member suggested comments and amendments should be shared by email in the first instance.

The Kent Association of Local Councils (KALC) representative asked a question on the code of conduct for employees. The Chief Executive explained there were separate disciplinary procedures for staff, based on employment law with a range of sanctions. She also drew attention to the Statutory Officers Disciplinary Appeals sub-committee. The Chief Executive said Councillors were not employees and had different procedures. In response to another Member's question, the Chief Executive advised that the Officer's code of conduct was at 4.2 of the Council's Constitution. Disciplinary procedures for staff were on the Council's intranet and the Chief Executive agreed that a copy of this would be circulated to Members.

POST MEETING NOTE: The disciplinary procedures were circulated to Members.

***Resolved:***

***(1) That Members considered the arrangements for handling complaints under the code of conduct and agreed they should be updated.***

***(2) That Members explored the key differences between the two Code of Conduct arrangements, sourced views from Committee Members and determined a way to collaborate and discuss and propose amendments.***

The Chief Executive introduced the report and explained it set out the training undertaken by Members in 2023/24. She said the Member Development Working Group (MDWG) were currently considering the draft Member Development Training Strategy which would be considered by the Standards Committee at their next meeting and also advised that Standards Training had been arranged with an independent organisation and a confirmed date would be circulated. The Chief Executive explained that, as previously agreed with the MDWG, all training as far as possible would be recorded and there had been a delay in instructing an independent trainer willing to allow recording of the Standards training but this had now been resolved.

There was a discussion around the attendance of Parish Councillors at the Standards training session and the Chief Executive advised that if costs allowed and there was availability, Parish Councillors would be invited to attend or alternatively might be able to view the session at a later date.

A Member asked whether there was any scope to offer more 'soft skills' to Members such as confidence building, time management, commitment balancing, resilience and mental health. The Chief Executive agreed to take the suggestion back to the MDWG and added that they were already looking at providing training for skills needed for liaising with their residents.

***Resolved:***

***(1) That the Member Training and Development report be noted.***

Chair

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