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SOUTHEND-ON-SEA CITY COUNCIL

Standards Committee

Date: Thursday, 6th February, 2025

Time: 2.30 pm

Place: Committee Room 1 - Civic Suite

Contact: Tim Row – Principal Democratic Services Officer

Email: committeesection@southend.gov.uk

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Minutes of the Meeting held on Monday 18th November 2024
(Pages 3 - 6)**
- 4 Minutes of the Meeting held on Wednesday 27th November 2024 at
3.00pm (Pages 7 - 8)**
- 5 Minutes of the Meeting held on Wednesday, 27th November, 2024 at
5.00pm (Pages 9 - 10)**
- 6 Report on Councillor Complaints, Municipal Year to date 2024/2025, Last
quarter of 2023/24 (Pages 11 - 18)**

TO: The Chair & Members of Standards Committee:

Councillor K Robinson (Chair),

Councillors P Collins (Vice-Chair), K Buck, J Courtenay, J Moyies, K Murphy, S Nadeem,
M O'Connor, M Terry,

Councillors Dr D Bowry and J Suttling (Leigh Town Council)

Ms J Morgan and Ms J Tetley

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Standards Committee

Date: Monday, 18th November, 2024
Place: Committee Room 5 - Civic Suite

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Present: Councillor K Robinson (Chair)
Councillors P Collins (Vice-Chair), K Buck, J Moyies, S Nadeem,
M O'Connor, M Terry, J Morgan and J Tetley

In Attendance: Councillors D Cowan
S Zeiss, J Middleton and T Row

Start/End Time: 2.00 pm - 3.35 pm

30 **Apologies for Absence**

Apologies for absence were received from Councillors Courtenay and Murphy (no substitutes).

31 **Declarations of Interest**

No interests were declared at the meeting.

32 **Recruitment of Independent Persons for appointment on the Standards Committee**

The Committee received a report of the Executive Director (Strategy & Change) that sought approval for the commencement of the recruitment process for three Independent Persons to the Council's Standards Committee, in accordance with the requirements of the Localism Act 2011.

The Chair thanked the two current independent persons (Jane Morgan and Julia Tetley) for their work to date.

Resolved:

1. That the commencement of the recruitment, via advertisement, selection, and interview, of three Independent Persons in accordance with the process set out at 3.4 to 3.7 of the submitted report. Be approved.
2. That an updated role profile, attached at Appendix 1 of the submitted report which has been benchmarked against the role profile of other local authorities to ensure that it is robust and fit for purpose, be noted.
3. That, following interviews, the panel propose to Council the appointment of the recommended Independent Persons.
4. That it be noted that the Council may not appoint anyone who is a member or co-opted member, or officer of the Council, or of Leigh-on-Sea Town Council nor a

relative or close friend of any such member or officer, nor anyone who has within the last five years, been a member or co-opted member or officer.

33 Constitution Review Stage 4 Review of amended draft of Part 7 of the Work Programme, Review and agree Parts 3 and 4 of the Work Programme and Consideration of Financial Procedure Rules and Contract Procedure Rules

The Committee received a report of the Executive Director (Strategy & Change) that presented:

- (i) the revised and final drafting of Part 7 (Officers) of the proposed constitution following the comments of the Committee at its meeting on 12 November listed at Appendix B to the submitted report;
- (ii) the final drafting of Part 3 (Committees) of the proposed constitution as set out in Appendix C to the submitted report;
- (iii) the final drafting of Part 4 (The Executive and Joint Arrangements) of the proposed constitution as set out in Appendix D to the submitted report; and
- (iv) the final drafting of the Contract Procedure Rules as set out in Appendix E to the submitted report.

The report also sought approval for the following documents and protocols to be accessible through links in the constitution itself, but would not form part of it and that the existing Financial Procedure Rules as set out in Appendix F to the submitted report would not form part of the current Constitution Review at this stage but will continue to be in force until they are reviewed and ready for implementation at the commencement of the new financial year:

- Probity in Planning
- Executive/Scrutiny Protocol
- Petitions Scheme
- Freedom of the City and Honorary Alderman Scheme
- Public Speaking Rules
- Licensing Hearing Procedure Rules
- Cabinet Portfolios

The Committee noted that the summary of suggested drafting amendments made by Committee (with annotations from our external advisors, Anthony Collins) from its meeting on 12 November 2024 as listed at Appendix A to the submitted report would be circulated for consideration at the next meeting of the Committee.

Updated copies of Appendices B, C and D were circulated in a supplementary pack.

Resolved:

1. That the summary of suggested drafting amendments made by Committee (with annotations from our external advisors, Anthony Collins) at its meeting on 12 November (Appendix A to the submitted report), be considered at the next meeting of the Committee.

2. That, subject to the comments made at the meeting, the revised and final drafting of Part 7 (Officers) of the proposed constitution following the comments of the Committee at its meeting on 12 November listed at Appendix B to the submitted report be noted.

3. That, subject to the comments made at the meeting, the final drafting of Part 3 (Committees) of the proposed constitution as set out in Appendix C to the submitted report be noted.

4. That the final drafting of Part 4 (The Executive and Joint Arrangements) of the proposed constitution as set out in Appendix D to the submitted report be noted.

5. That, subject to the comments made at the meeting, the revised and final drafting of the Contract Procedure Rules as set out in Appendix E to the submitted report be noted.

6. That the following documents and protocols be accessible through links in the Constitution itself, but will not form part of it:

- Probity in Planning
- Executive/Scrutiny Protocol
- Petitions Scheme
- Freedom of the City and Honorary Alderman Scheme
- Public Speaking Rules
- Licensing Hearing Procedure Rules
- Cabinet Portfolios

7. That the existing Financial Procedure Rules as set out in Appendix F to the submitted report will not form part of the current review of the Constitution at this stage but will continue to be in force until they are reviewed and ready for implementation at the commencement of the new financial year.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Standards Committee

Date: Wednesday, 27th November, 2024

Place: Committee Room 1 - Civic Suite

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Present: Councillor K Robinson (Chair)
Councillors P Collins (Vice-Chair), J Courtenay, J Moyies,
S Nadeem, M O'Connor and L Salter*
(*Substitute in accordance with Council Procedure Rule 30.)

In Attendance: Councillors D Cowan and T Cox
S Zeiss, C Ward (Antony Collins) and T Row

Start/End Time: 3.00 pm - 4.45 pm

34 Apologies for Absence

Apologies for absence were received from Councillors Buck (substitute: Councillor Salter), Murphy (no substitute) and Terry (no substitute).

35 Declarations of Interest

No interests were declared at the meeting.

36 Minutes of the Meeting held on Tuesday 12 November 2024

Resolved:-

That the Minutes of the Meeting held on Tuesday 12th November 2024 be confirmed as a correct record and signed.

37 Constitution Review Stage 4 Part 8 Review and Wash Up

The Committee received a report of the Executive Director (Strategy & Change) that presented the final draft of Part 7 (Section 6 – Contract Procedure Rules) for approval as well as the review and “wash-up” of the complete draft new Constitution and associated documents that sat outside of the constitution through live links. An updated copy of all the documents were circulated to the Committee in a supplementary pack prior to the meeting.

The Committee made a number of additional comments and suggestions for amendment prior to the draft new Constitution document being recommended to Council for adoption. The Committee was also requested to email the Monitoring Officer with any outstanding issues that had not been addressed before the new draft Constitution document was submitted to Council for adoption in December.

Resolved:-

1. That it be noted that the Financial Procedure Rules in Part 7 (Officers) has not been reviewed at this time and remains in its current form as published on the Council's website.
2. That authority be delegated to the Monitoring Officer, in consultation with the Chair of the Committee, to make appropriate minor amendments to the draft new Constitution on the basis of the comments made at the meeting as may be necessary, prior to it being submitted to Council for adoption in December.

Chair: _____

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Standards Committee

Date: Wednesday, 27th November, 2024

Place: Committee Room 1 - Civic Suite

5

Present: Councillor K Robinson (Chair)
Councillors P Collins (Vice-Chair), J Courtenay, J Moyies,
S Nadeem, M O'Connor and L Salter*
(*Substitute in accordance with Council Procedure Rule 30.)

In Attendance: Councillors D Cowan and T Cox
S Zeiss, C Ward (Antony Collins) and T Row

Start/End Time: 5.00 pm - 5.10 pm

37 **Apologies for Absence**

Apologies for absence were received from Councillors Buck (substitute: Councillor Salter), Murphy (no substitute) and Terry (no substitute).

38 **Declarations of Interest**

No interests were declared at the meeting.

39 **Constitution Review Stage 4**

The Committee received a report of the Executive Director (Strategy & Change) that presented the complete draft new Constitution and associated documents that sat outside of the Constitution but would be accessible through live links. An updated copy of all the documents were circulated to the Committee in a supplementary pack prior to the meeting.

The Committee noted that a few minor amendments would be required prior to the draft new Constitution document being recommended to Council for adoption in December, following the comments made at the review and "wash up" meeting held earlier.

The Chair took the opportunity to thank all the Councillors involved with the review, including substitute members of the Committee, and officers for their time and hard work.

Resolved:-

1. That authority be delegated to the Monitoring Officer, in consultation with the Chair of the Committee, to make the necessary appropriate minor amendments to the draft new Constitution, prior to it being submitted to Council for adoption in December.

2. That the draft new Constitution be recommended to Council at its meeting on 12 December 2024 for approval and subsequent adoption in two stages, namely:

(i) that the whole of the constitution except all those provisions relating to the numbers of Members allocated to Committees be adopted on 12 December 2024 directly after approval by Council; and

(ii) that all those provisions relating to the numbers of Members allocated to Committees be adopted at the Annual Council in May 2025.

3. That it be noted that the Financial Procedure Rules in Part 7 (Officers) has not been reviewed at this time and remains in its current form as published on the Council's website.

Chair: _____

Meeting: Standards Committee
Date: 6th February 2025
Classification: Part 1
Key Decision: No
Title of Report: Report on Councillor Complaints, Municipal Year to date 2024/2025, Last quarter of 2023/24

Executive Director: Claire Shuter
Report Author: Monitoring Officer – Susan Zeiss

1. Executive Summary

- 1.1. This report sets out, in summary, details of complaints against members of the Council received during the municipal year to date 2024/25 (including the last quarter of 2023/2024).

2. Recommendations

It is recommended that the Members of the Committee:

- 2.1. Note the number, status, and outcome of complaints against Members for the municipal year to date 2024/25 and for the last quarter of 2023/24.
- 2.2. Note that, in future years, greater analysis of the types of complaints and the complainants will be provided.
- 2.3. Note that the Monitoring Officer will include details of complaints in her annual report on the work of the Standards Committee to full Council.

3. Background

- 3.1. This report provides an update on complaints received under Southend-on-Sea City Council's Members' Code of Conduct during the municipal year to date (2024/25) and the last quarter of 2023/2024.
- 3.2. The Council's Monitoring officer also receives complaints relating to the members of Leigh-on-Sea Town Council. These complaints are also set out in this report and the Monitoring Officer will report separately to the Town Clerk at Leigh-on-Sea Town Council.
- 3.3. The Localism Act 2011 requires all councils to adopt a code of conduct for its members, and to plan for the investigation of complaints alleging that a member has breached the Code. Southend-on-Sea City Council has

adopted a Code of Conduct for Members and such arrangements which are set out in its' Constitution. The Council has recently introduced new on-line complaints form to improve the Councillor complaints process.

- 3.4. Southend-on-Sea City councillors must agree, at the start of their term of office, to follow the Code of Conduct to ensure high standards in the way they undertake their duties. They also receive training on the Code. The Standards Committee reviews training requirements for Councillors on standards matters and advises on the Code of Conduct. Part of the remit of the Standards Committee is to monitor the effectiveness of the Members' Code of Conduct.
- 3.5. The Monitoring Officer contributes to the promotion and maintenance of high standards of conduct and as part of this role provides of support to the Standards Committee and its Sub-Committee. The Monitoring Officer is also required to report any Councillor conduct complaints that have been resolved informally.
- 3.6. Therefore, this report, in line with the requirements of the Constitution and with best practice, provides information on the complaints received in the municipal year to date and for the fourth quarter of the last municipal year.
- 3.7. The table at Appendix one is anonymised to protect the personal data of both the complainant and the subject member. The names of parties involved in code of conduct complaints is kept confidential unless it is appropriate to disclose the names as part of a formal investigation and consideration by a Hearing Panel of the Standards Committee. No formal hearings have occurred in the period covered by this report.
- 3.8. A total of sixteen complaints against Southend-on-Sea City Council Members have been received in the period covered by this report. There are set out at Appendix one.

4. Reasons for Decisions

- 4.1. The report is for noting. It is best practice for the Monitoring Officer to report on an annual basis to the Standards Committee on councillor conduct complaints. The current internal system for logging Member complaints is being updated which should enable greater analysis for future reports.

5. Other Options

- 5.1. The report is to note complaints received and actions taken so there are no other options to be considered.

6. Financial Implications

- 6.1. None.

7. Legal Implications

- 7.1. As set out in the report, the Localism Act requires local authorities to have a system in place for investigating complaints that a member may have breached the code of conduct.
- 7.2. The Council's Constitution requires members of the Standards committee to oversee, develop and review the Council's Code of Conduct for Councillor and the Council's Arrangements for Dealing with Complaints Against councillors. The report therefore evidences Southend-on-Sea City Council's compliance with the law and its Constitution. The Constitution also requires that Standards Committee reports to Council on the number of complaints made under the Code each municipal year.
- 7.3. The contents of this report will also assist the Council in meeting the aims of its Local Code of Governance in terms of demonstrating transparency and a strong commitment to ethical values.

8. Policy Context

- 8.1 None

9. Carbon Impact

None

10. Equalities

- 10.1. The Councillor Conduct complaints process is published on the Council's website and can be easily accessed by residents and councillors. The initiation of the process requires complainants to complete a form however adjustments to the process are made for those who require it because of protected characteristics. The form can be posted, and the complaint can be transcribed. The Council has recently introduced an on-line form, to further assist the process.
- 10.2. The Council's Monitoring Officer can agree to the identity of the complainant remaining anonymous which provides further support to vulnerable complainants and further enables accessibility to the complaints process.

11. Consultation

- 11.1. None

12. Appendices

12.1. **Appendix 1:**

Reference no.	Date received	Alleged breach of the code	Outcome	Status	Complaint received from:
LTC-001a	07.03.24	Respect, Bullying, Disrepute	Determined on initial assessment that does not meet the criteria for further action as behaviour does not amount to a breach of Code or complaint about Council procedure.	Closed	Member of Public
LTC-001b	07.03.24	Several: Respect, Bullying, Disrepute	Closed as Subject of complaint no longer a Councillor	Closed	Member of Public
LTC-001c	07.03.24	Several: Respect, Bullying, Disrepute	Closed as Subject of complaint no longer a Councillor	Closed	Member of Public
LTC-002	10.03.24	Leadership	Closed as complaint unsubstantiated.	Closed	Member of Public
SCC-003	12.3.24	Respect, Bringing the Council into Disrepute	Closed as complaint unsubstantiated.	Closed	Member of Public
LTC-004	23.3.24	Respect, Disrepute	Closed as complaint unsubstantiated	Closed	Member of Public
LTC-005	23.3.24	Respect, Disrepute	Closed as complaint unsubstantiated	Closed	Member of Public
LTC-006a	23.3.24	Respect, Bullying, Disrepute	Closed as complaint unsubstantiated	Closed	Member of Public
LTC-006b	23.3.24	Respect, Bullying, Disrepute	Closed as complaint unsubstantiated	Closed	Member of Public
LTC-007a	25.3.24	Integrity, Honesty, Objectivity	Determined on initial assessment that does not meet the criteria for further action as	Closed	Councillor

			action as behaviour does not amount to a breach of Code, is minor or insufficient evidence to demonstrate breach.		
SCC-007b	25.3.24	Integrity, Honesty, Objectivity	Determined on initial assessment that does not meet the criteria for further action as action as behaviour does not amount to a breach of Code, is minor or insufficient evidence to demonstrate breach.	Closed	Councillor
LTC-008a	1.4.24	Failure to act lawfully	Determined on initial assessment that complaint submitted too long after the event to merit investigation	Closed	Member of Public
LTC-008b	1.4.24	Failure to act lawfully	Determined on initial assessment that complaint submitted too long after the event to merit investigation	Closed	Member of Public
LTC-008c	1.4.24	Failure to act lawfully	Determined on initial assessment that complaint submitted too long after the event to merit investigation	Closed	Member of Public
LTC-009	11.4.24	Disrepute	Determined Code not engaged	Closed	Councillor
SCC-010	10.4.24	Respect bringing the Council into Disrepute	Closed as determined could be settled by informal	Closed	Member of Public

			resolution. Apology given		
LTC-011	9.5.24	Disrepute	Closed as complaint unsubstantiated	Closed	Member of Public
LTC-012	13.5.24	Respect	Closed as complaint unsubstantiated	Closed	Member of Public
LTC-013	01.5.24	Respect, Disrepute, Leadership	Closed as complaint unsubstantiated	Closed	Councillor
SCC-014	21.05.24	Conflict of Interest	Closed as complaint unsubstantiated	Closed	Member of Public
SCC-015	07.06.24	Failure to declare interest	Closed as complaint withdrawn	Closed	Member of Public
SCC-016a	13.07.24	Respect, Bringing the Council into Disrepute	Closed as determined could be settled by informal resolution. Apology given and social media training agreed	Closed	Member of Public
SCC-016b	13.07.24	Respect, Council into Disrepute	Closed as complaint unsubstantiated	Closed	Member of Public
LTC-017	16.07.24	Respect	Closed referred to corporate complaints process	Closed	Member of the Public
SCC-018	24.09.24	Respect, Council into Disrepute, Uphold equalities	Determination merits formal investigation	Open	Member of Public
SCC-019	26.09.24	Respect, Council into Disrepute, Uphold equalities	Determination merits formal investigation	Open	Member of Public
SCC-020	27.09.24	Respect, Council into Disrepute Uphold equalities	Determination merits formal investigation	Open	Member of Public
SCC-021	14.10.24	Respect	Determination, informal resolution, apology given	Closed	Councillor
SCC-022	22.10.24	Respect, Disrepute	Linked to an earlier complaint which was	Closed	Member of Public

			resolved informally, no new evidence provided.		
SCC-023	22.10.24	Respect, Bullying, Disrepute	Determined on initial assessment that no breach and for one allegation admitted making an error and the matter would not warrant a more serious sanction	Closed	Councillor
LTC-024	10.11.24	Integrity and Honesty, act lawfully, respect, leadership	Assessment Stage, awaiting further evidence	Open	Member of Public
LTC-025	11.12.24	Honesty	Determination, service enquiry	Closed	Member of Public
SCC 026	15.12.24	Failure to declare pecuniary DPI, not acting lawfully	Assessment Stage	Open	Councillor
SCC 027	23.12.24	Respect, Bullying, Harassment, Integrity and Honesty	Assessment Stage	Open	Member of Public
SCC 028	24.12.24	Respect, Equalities, Disrepute	Assessment Stage	Open	Member of Public

13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
Executive Director(s)	Claire Shuter	27.01.25
S151 Officer	Joe Chesterton	27.01.25
Monitoring Officer	Susan Zeiss	27.01.25
Relevant Cabinet Member (s)	Cllr Cowan	27.01.25

Background Documents

[New Constitution.pdf](#)
Part 6.2 and 3

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