

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Standards Committee

Date: Thursday, 3rd October, 2019

Place: Committee Room 2 - Civic Suite

Present: Councillor I Shead
Councillors B Ayling, D Cowan, A Dear, M Flewitt, D Garne,
*P Collins, *T Cox, C Nevin and

J Tetley (Independent Person – observer)

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: J K Williams and R Harris

Start/End Time: 6.00 - 7.30 pm

369 Apologies for Absence

Apologies for absence were received from Councillor Burzotta (substitute: Cllr Cox), Councillor Hooper (substitute: Cllr Collins) and J Morgan (Independent Person).

370 Declarations of Interest

There were no declarations of interest at this meeting.

371 Monitoring Officer's Report

The Committee considered a report of the Executive Director (Legal & Democratic Services) and Monitoring Officer that provided an update on ethical issues and the need to promote and maintain high standards of conduct for Councillors and Co-opted Members.

Resolved:

That the report be noted.

372 Committee on Standards in Public Life (CSPL): Annual Report 2018/19 and Local Government Ethical Standards Review

The Committee considered a report of the Executive Director (Legal & Democratic Services) and Monitoring Officer presenting the 2018/19 Annual Report of the Committee on Standards in Public Life ("the CSPL") and addressing the Best Practice recommendations in the CSPL's Local Government Ethical Standards Review published in January 2019.

Resolved:

1. That the Committee on Standards in Public Life (CSPL) Annual Report 2018/19, (Appendix 1 to the submitted report), be noted.

Recommended:

2. That the Council's response to the Best Practice recommendations in the CSPL's "Local Government Ethical Standards Review" be as set out in section 3.9 of the report, subject to the following amendments:

(a) Add the following words at the beginning of the definition of harassment in the general provisions of the Members' Code of Conduct: *'Harass(ment) means an act falling within the definition of harassment in the Protection from Eviction Act 1997 (as amended) and any unwanted...'*;

(b) Replace the word 'co-operate' with 'comply' in Section 3.3 of the Members' Code of Conduct; and

(c) Add new section 3.8 in the Complaints against Members Rules (Part 4i): *'That in the event of the Monitoring Officer having a conflict of interest in respect of a complaint, the matter will be dealt with by a Deputy Monitoring Officer or other arrangements will be made.'*

3. That the Council be recommended to amend the Members' Code of Conduct (Part 5(a) of the Constitution), as set out in Appendix 3 to the submitted report, subject to (i) the amendments in recommendations 2(a) and (b) above and (ii) the addition to the Complaints against Members Rules (Part 4(i) of the Constitution) in recommendation 2(c) above.

373 Refresh of Protocol on Councillor/Officer Relations (Part 5(d) of the Constitution)

The Committee received an overview from the Chair setting out the scope/purpose, methodology and timescales for a refresh and update of the Protocol on Councillor/Officer Relations (Part 5(d) of the Constitution).

The Committee noted that the Protocol has not been subject to any significant update since it was rewritten in 2009 with assistance from the Improvement and Development Agency (I&DEA). Therefore, this was an opportune time to undertake a review and refresh of the Protocol to ensure it is fit for purpose, given:

- The focus on values and behaviours as pre-requisites for delivering the Southend 2050 Ambitions;
- Some recent concerns about disharmony between certain councillors and officers; and
- The changing national picture – for example the increased use of social media since 2009 and also recent challenges in Parliament.

The Committee discussed and commented on the methodology and timescales for the refresh of the Protocol.

Resolved:

1. That the following methodology and timescales for the refresh of the Protocol on Councillor/Officer Relations, be agreed:

a) To engage the LGA to facilitate at least two sessions to which all Councillors will be invited. These sessions will consider representations from Councillors about the content and effectiveness of the existing Protocol, changes which might be made and current issues. Council Officers will also be invited to attend a session and to make representations. The process should commence as soon as possible, but thereafter should not be rushed, as it is more important that the matter is dealt with in a comprehensive way;

b) To recommend a revised Protocol for consideration by Policy & Resources Scrutiny Committee and then adoption by Council; and

c) To consider ways to embed the revised Protocol in the Council, so that Councillors and officers observe the behaviours and values within it.

Chair: _____