

NORTH HERTFORDSHIRE DISTRICT COUNCIL

STANDARDS COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH GARDEN CITY
ON TUESDAY, 19TH OCTOBER, 2021 AT 7.30 PM

MINUTES

Present: *Councillors: Councillor Judi Billing MBE (Chair), Clare Billing, Elizabeth Dennis-Harburg, Mike Rice, Claire Strong, Mandi Tandi, Richard Thake*

Town/Parish/Community Councillors: Parish Councillor Rebecca Elliott

Nicholas Moss OBE (Independent Person), Peter Chapman (Reserve Independent Person), non-voting advisory roles

In Attendance: *Jeanette Thompson (Monitoring Officer), William Edwards (Committee, Member and Scrutiny Manager)*

15 APOLOGIES FOR ABSENCE

Audio recording – 1:42

Apologies for absence were received from Councillors Kate Aspinwall, David Levett, Sean Prendergast, Ruth Brown and Sam Collins.

Apologies for absence were also received from John Richardson, Reserve Independent Person, and Parish Councillor Martin Griffin.

Councillor Simon Bloxham advised he would be substituting for Councillor David Levett and Councillor Ian Albert advised he would be substituting for Councillor Kate Aspinwall.

16 MINUTES - 3 MARCH 2021

Audio Recording – 2:26

Councillor Judi Billing proposed, Councillor Mike Rice seconded and it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 3 March 2021 be approved as a true record of the proceedings and be signed by the Chair.

17 NOTIFICATION OF OTHER BUSINESS

Audio recording – 3:58

There was no other business notified.

18 CHAIR'S ANNOUNCEMENTS

Audio Recording – 4:00

- (1) The Chair welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (4) The Chair advised Members that the Council was consulting on its electoral cycle and that details of the consultation could be found on the Council's website.

19 PUBLIC PARTICIPATION

Audio recording – 9:30

There was no public participation at this meeting.

20 STANDARDS MATTERS REPORT

Audio Recording – 10:00

The Monitoring Officer presented the Standards Matters report and drew attention to the following:

- The report covered complaint volume, training undertaken by Members, and the adoption of the new LGA Code of Conduct;
- At the point of upload there had been 41 complaints; there were now 45 complaints;
- These complaints were in relation to Great Ashby Community Council (GACC)
- Five District Councillors had not completed compulsory training and group leaders had been made aware.

The following Members asked questions:

- Councillor Judi Billing
- Councillor Mike Rice
- Councillor Richard Thake
- Councillor Claire Strong

In response to questions the Monitoring Officer advised:

- There had been an attempt to mediate with parties in GACC earlier in the year which had been unsuccessful;
- The Committee was unable to discuss the particulars of any complaint currently ongoing;
- A number of complaints relating to GACC were raised by one person against various other members;
- Only 18 of a possible 200 local council members attended training offered by Paul Hoey on the Code of Conduct and none from GACC;

In response to questions Mr Nicholas Moss, Independent Person, advised:

- The majority of complaints related to parish councils by sheer weight of numbers as there were more parish councillors than District councillors;

- He had observed a tendency in members of the public to lodge complaints against elected members as a way to complain about or challenge decisions taken by them where a more proper recourse would be the electoral process;
- The Monitoring Officer and her team were required to triage complaints that came in and their workload was high.

RESOLVED: That the report of the Monitoring Officer be noted.

21 REVIEW OF COUNCILLOR COMPLAINTS HANDLING PROCEDURE

Audio Recording – 24:04

The Monitoring Officer presented the report entitled “Review of Councillor Complaints Handling Procedure” along with Appendices A and B – Updated Councillor Complaints Handling Procedure (‘clean,’ and with tracked changes respectively).

The Monitoring Officer drew attention to the following:

- The complaints handling procedure was last reviewed in May 2019 and the Council had committed to a review following the adoption of the new code of conduct;
- On the day of this meeting the Local Government Association (LGA) had published their own complaints handling procedure;
- The LGA had not consulted the Council on its procedure and officers had not input to it prior to publication so that document and the procedure proposed at Appendix A had not been compared;
- The procedure at Appendix A was drawn from the Council’s own experience of complaint handling and was a practical document;
- The Council would benefit from having a procedure in place and time for it to bed down before undertaking any further changes, and the LGA procedure would be investigated to see if there was any value in its adoption or adaptation;
- The procedure at Appendix A incorporated a provision for encouraging local resolution where possible which would allow local councils to attempt to resolve issues;
- The procedure also incorporated clearer complaint stages 1-6 and a flowchart to illustrate the process of a complaint.

The following Members asked questions and participated in debate:

- Councillor Richard Thake
- Councillor Judi Billing
- Councillor Claire Strong
- Councillor Mike Rice
- Nicholas Moss, Independent Person

Points raised included:

- Local resolution was a positive goal and should be promoted;
- There were a range of reasons an elected member might cease to hold their position and the phrasing currently couched in the procedure was exclusive of some of those;
- Any changes to the complaints handling procedure made, if delegated power was given, should be brought back to the Committee for members’ information;
- It was unlikely that any changes would be made before the next meeting;

Nicholas Moss, Independent Person proposed that at paragraph 5.13 the words “Similarly, if the Councillor resigns or is not re-elected during...” be amended to “Similarly, if the Councillor ceases to hold office during..” to encompass all possible reasons that a member might cease to hold office.

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The Monitoring Officer accepted this amendment to the report.

It was:

RESOLVED: That the Standards Committee adopts the updated Councillor Complaints Handling Procedure at Appendix A (as amended).

The meeting closed at 8.06 pm

Chair