

**Minutes of the Ethical Standards
and Member Development Committee**

**16th June, 2017 at 2.30 pm
at the Sandwell Council House, Oldbury**

Present: Councillor S Crumpton (Vice-Chair);
Councillors E M Giles, P Hughes, Sandars, Trow
and Underhill.

Observer: Mr Tomkinson (Independent Person).

Apologies: Councillor Lewis (Chair);
Ms Williams (Independent Person).

1/17

Minutes

Resolved that the minutes of the meeting held of the former Standards Committee on 24th March, 2017 be confirmed as a correct record.

2/17

Appointment of Sub-Committees

The Localism Act 2011 required authorities to adopt arrangements for dealing with complaints about breaches of the Member Code of Conduct. The Council's arrangements for dealing with complaints provided for a Sub-Committee of the Ethical Standards and Member Development Committee to consider investigation reports referred to it by the Monitoring Officer and to conduct hearings (including the imposition of sanctions).

The Council, at its annual meeting held on 16th May 2017, agreed the membership of the Ethical Standards and Member Development Committee for the 2017/2018 municipal year. It was now necessary for the Committee to appoint sub-committees under the arrangements approved in accordance with the Localism Act 2011.

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Resolved that two Ethical Standards Sub-Committees be appointed for the 2017/18 municipal year, with flexibility between membership to cater for availability and workload, with delegated powers to carry out the functions set out in the following terms of reference, and with the membership set out below:

Terms of reference of the Ethical Standards Sub-Committee

- To consider investigation reports referred to it by the Monitoring Officer.
- To conduct hearings (including the imposition of sanctions).

Membership

SUB-COMMITTEE 1		SUB-COMMITTEE 2	
Member	Substitute	Member	Substitute
Lewis	S Crumpton	S Crumpton	Lewis
E M Giles	P Hughes	P Hughes	E M Giles
Shackleton	Sandars	Sandars	Shackleton
Trow	Underhill	Underhill	Trow

3/17

Appointment of Independent Person

In accordance with the Localism Act 2011, arrangements must be put in place for the appointment by the Council of at least one Independent Person whose views must be sought and taken into account by the Council before a decision on an allegation against an elected member was made. The Independent Person's views may be sought by a member or co-opted member of the Council if that person's behaviour was the subject of an allegation, and may also be sought by the Council in relation to an allegation it had not yet decided to investigate.

The Council had decided to appoint three Independent Persons. Following a recent resignation, there was one vacancy.

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In terms of a third member, to enable statutory processes to be followed, a recruitment exercise would be carried out. An update would be provided at the next meeting with regard to the outcome of the interview process and to seek approval, if required, to additional persons to the role of Independent Person.

Resolved that a report be submitted to the next meeting of the Ethical Standards and Member Development Committee with regard to the outcome of the interview process for the appointment of an additional Independent Person and to seek approval, if required, to additional persons to the role.

4/17 Allegations Update

The Committee received a verbal update on complaints received in respect of member conduct.

5/17 Case Summary

The Committee considered two external cases.

The first case concerned a councillor who had made a Nazi salute in a budget meeting and could be guilty of misconduct in public office. The councillor had been suspended for three months and ordered to undertake a course of diversity training, but would keep his role as member.

The councillor had been barred from sitting on six council committees and told to apologise to the Standards Committee.

A separate investigation into the councillor's actions, by the monitoring officer, was ongoing.

The second case concerned a councillor who took to Twitter to lash out at his colleagues, just hours after he was threatened with expulsion over his social media conduct.

East Herts District Council formally censured the councillor after he called opponents "thick" and "illiterate", and ordered him to attend social media training.

Standards sub-committee members subsequently agreed with a report that found the councillor had breached the council's code of conduct to treat the public with respect.

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The councillor had argued with opponents on the social media site over whether the authority should hold prayers before its full council meetings. He attempted to mitigate by saying he was provoked and defending not only himself but the majority of councillors who voted against stopping prayers.

The councillor was given one month to attend the training or he would be removed from the six committees he stood on.

6/17

Work Programme 2017/18

The Committee considered a draft work programme for 2017/18.

The oversight of the member development function was welcomed as a new role of the Committee. A report would be submitted to the next meeting of the Committee, however, members stressed the importance of being more engaged in the training process and welcomed involvement with external partners, such as colleges.

Resolved that the work programme for 2017/18 be approved and kept under review during the year.

(Meeting ended at 3.08 pm)

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