

Present:	Councillor Geoff Ellis (<i>in the Chair</i>)
Councillors:	Chris Burke, Brent Charlesworth, Ronald Hills, Rosanne Kirk and Ralph Toofany
Independent Person(s):	Russell Pond
Apologies for Absence:	Councillors David Jackson and Hilton Spratt

1. Confirmation of Minutes - 22 October 2012

RESOLVED that the minutes of the Standards Committee meeting held on 22 October 2012 be confirmed.

2. Declarations of Interest

No declarations of interest were received.

3. Revised Terms of Reference

The Assistant Director of Legal and Corporate Support Services:

- a. presented a report summarising the revision to the Committee's terms of reference which had been agreed by Council.
- b. emphasised the shift in the Committee's status to ensure a more proactive approach with regard to ensuring standards for member conduct.
- c. noted the increase in the Committee's remit to cover matters relating to engagement and member development.
- d. invited members' questions and comments.

Members:

- noted recent reports regarding the inclusion of citizenship classes within schools, and questioned whether the Committee would be able to promote similar activities in local schools.
- questioned whether the revised terms of reference incorporated additional scope to apply sanctions to any members in breach of the Code of Conduct.

The Assistant Director of Legal and Corporate Support Services responded that:

- the Committee would now be able to investigate the provision of citizenship information with regard to the promotion of democratic engagement.

- changes made through the Localism Act 2011 had removed the statutory basis for sanctions; an emphasis was instead placed on internal sanctions applied by political groups where relevant.

RESOLVED that:

1. the revisions to the Committee's terms of reference be noted.
2. the provision of citizenship lessons within local schools be investigated at a future meeting.

4. **Dispensations for Members Holding Licences to Occupy Land within the City**

The Assistant Director of Legal and Corporate Support Services:

- a. presented a report proposing the granting of dispensations to members who held licences to occupy land within the city to participate in the determining of the Medium Term Financial Strategy.
- b. noted that the report had been consulted upon with both the Leader and the Leader of the Opposition.
- c. highlighted the nature of the dispensation, which would prevent councillors from being excluded in relation to the discussion of the Medium Term Financial Strategy, which was a decision of high relative importance in comparison with the nature of the relevant disclosable pecuniary interest.
- d. recommended that the dispensation should be granted as being in the interests of persons living in the authority's area, in order to ensure their representatives' rights to discuss and determine relevant matters.
- e. invited members' questions and comments.

RESOLVED that a dispensation be agreed for a period of four years from 12 December 2012 for all members who met the following criteria:

1. the member has a disclosable pecuniary interest for any licence held (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer; **and**
2. the nature of the business specifically related to the consideration of the Council's Medium Term Financial Strategy as a whole.

5. **Members' Interests and Criminal Investigations**

The Assistant Director of Legal and Corporate Support Services:

- a. presented a report noting the potential value in creating a formal agreement between the Council and Lincolnshire Police with regard to any criminal proceedings in relation to the declaration of interests by members.
- b. noted that while it was to be hoped that use of the protocol would not be required, its provision would provide clarity regarding the manner in which any interaction with Lincolnshire Police would proceed.
- c. invited members' questions and comments.

Members:

- noted that the provision for information being reported back to the Monitoring Officer in the event that the police would not pursue a prosecution was unlikely to result in additional investigation by the Council.
- questioned whether the authority to prosecute a member in the event of a relevant potential criminal offence would reside with the police or the Director of Public Prosecutions.

The Assistant Director of Legal and Corporate Support Services:

- confirmed that, as had been made clear during the passage of the Localism Act 2011 through parliament, the Council was unlikely to pursue a matter which had been rejected for further consideration as not being in the public interest to prosecute.
- responded that the decision to prosecute would rest with the Crown Prosecution Service; the final version of any protocol would be amended to make this and any other relevant points clear.

RESOLVED that the Monitoring Officer be requested to seek to put in place a written protocol with Lincolnshire Police, either solely or in combination with other councils' monitoring officers, in relation to potential criminal proceedings regarding the declaration of interests by members.

6. **Code of Conduct: Cases Review**

The Assistant Director of Legal and Corporate Support Services:

- a. presented a report containing information on recent cases relating to other local authorities' codes of conduct.
- b. highlighted that members should identify any issues raised within the report as being relevant for further consideration with regard to their impact upon members of the Council.

c. invited members' questions and comments.

Members:

- noted the present distinction between those cases involving criminal sanctions and the more limited powers provided to local authorities under the Localism Act 2011.
- discussed the cases, particularly noting that involving the receipt of two IT allowances by councillors who represented both a lower and upper tier council.

The Democratic Services Officer responded that he understood the case relating to IT allowances had not been found to concern a breach of the respective authorities' codes of conduct as the IT allowance of one council was integrated within a broader allowance and had not been separately claimed.

RESOLVED that the report be noted.

7. **Councillor Role Descriptions**

The Assistant Director of Legal and Corporate Support Services:

- a. presented a report proposing the adoption of role descriptions relating to the overall role of a councillor, in addition to more specific role descriptions for other roles to which councillors may be appointed.
- b. noted the benefits which role descriptions could provide, with particular regard to the guidance which they would offer to prospective councillors, the public, and officers.
- c. explained that the descriptions had been under consideration by officers for some time, and that similar documents were already in place at other local authorities.
- d. invited members' questions and comments.

Members:

- noted that the idea was positive, while stressing the responsibility of political groups to ensure members delivered the political manifesto on which some had been elected, with particular regard to portfolio holders.
- noted that the role descriptions represented a best practice model which would be particularly useful for the public.
- discussed the drafting of role descriptions relating to members not within the controlling political group.
- noted that references to collective decision-making could be problematic for members who did not support a particular decision.
- debated the production of a role description relating to advocate members such as the Advocate for Children and Young People's Advocate.
- welcomed the production of the role descriptions, noting their particular value with

regard to educating the public, informing new councillors, and promoting transparency.

RESOLVED that the Executive be recommended to adopt the proposed councillor role descriptions for guidance purposes, subject to the addition of a role description for advocate members and the clarification of references to collective responsibility.

8. **Member-Officer Protocol**

The Assistant Director of Legal and Corporate Support Services:

- a. presented a report considering the suitability and current awareness among both councillors and officers of the Member-Officer Protocol.
- b. noted that a number of small amendments to the protocol were proposed within the report.
- c. emphasised that increasing awareness of the protocol would be advantageous.
- d. invited members' questions and comments.

RESOLVED that:

1. the Member-Officer Protocol be suitably publicised to increase awareness of the document within the Council.
2. the proposed revisions to the Member-Officer Protocol be recommended for incorporation into the Constitution.

9. **Public Involvement at Committees and Webcasting**

The Democratic Services Officer:

- a. presented a report considering the level and quality of democratic engagement between the Council and the public.
- b. highlighted the work already undertaken to allow members of the public to engage with the Council's decision-making process through committees.
- c. noted a number of suggestions which could be investigated with regard to improving future engagement.
- d. drew members' attention to the advantages and disadvantages of webcasting of committee meetings, as well as the significant associated financial cost.
- e. invited members' questions and comments.

Members:

- noted their experience of webcasting at other councils.
- accepted that finance was a likely stumbling block, and so suggested that consideration be given to working with students from the University of Lincoln in providing an alternative service.
- discussed the attempts which councils had made in the past when attempting to engage with communities, noting that people often considered that they exercised their democratic rights through voting for representatives, and that it was challenging to find people with the time and willingness to become more involved.
- welcomed the potential increase in transparency which webcasting could bring.
- discussed previous experience with changing the venue of committee meetings, including varying levels of interest from local communities.
- noted that other councils' webcasting schemes had differing experiences regarding the public appetite for viewing meetings.
- noted interest in viewing the arrangements made by other local councils for webcasting meetings.
- agreed that it was necessary to find new ways of engaging with the public and suggested that consideration be given to increasing engagement with local media outlets.
- noted that the voter turnout in local elections was often low, and suggested that councillors had been negatively associated with the allegations and convictions made in relation to MPs' conduct in recent years.
- noted the potential role of social media as a new way to engage with members of the public.
- noted that a large number of people did not have access to the internet, and so moving more meetings to different areas of the city would be more effective than webcasting in improving public engagement with those people.

The Assistant Director of Legal and Corporate Support Services responded that:

- members' comments regarding more cost effective methods for providing webcasting or a similar service would be investigated further.
- the Council had a clear duty continually to improve its engagement with the public, and work was required to ensure the Council did not fall behind the best practice in place.

RESOLVED that further investigation be carried out with regard to the matters raised, prior to reporting findings to the Committee at a future meeting.

10. **Work Programme Update**

The Assistant Director of Legal and Corporate Support Services:

- a. presented the current Ethics and Engagement Committee work programme for consideration by members.
- b. noted the changes made to the work programme since it was last agreed by the

Committee, including the increased priority given to addressing social media.

c. highlighted that members were to be encouraged to raise any additional items.

d. invited members' questions and comments.

RESOLVED that the work programme be agreed.