

Meeting of the Standards Committee

Wednesday, 6 March 2024, 2.30 pm



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Harrish Bisnauthsing (Chairman)
Councillor Sarah Trotter (Vice-Chairman)
Councillor Ashley Baxter
Councillor Richard Dixon-Warren
Councillor Tim Harrison
Councillor Chris Noon
Councillor Max Sawyer
Councillor Mark Whittington

Officers

Gordon Grimes, Independent Person
Mr. Fred Mann, Independent Person
Graham Watts, Assistant Director (Governance and
Public Protection) and Monitoring Officer
James Welbourn, Democratic Services Manager
(Deputy Monitoring Officer)
Debbie Mewes, Governance Support Team Leader

Other Members present

Councillor Anna Kelly

Independent Persons

Gordon Grimes
Fred Mann

8. Apologies for absence

In welcoming Members and officers to the meeting, the Chairman commented on the sad news of the passing of former Councillor Brenda Sumner. All present stood for a minute's silence.

Apologies for absence were received from:

Councillor Zoe Lane
Councillor Vanessa Smith
Councillor Lee Steptoe

Councillor Tim Harrison substituted for Councillor Vanessa Smith.

9. Disclosure of interests

There were none.

10. Minutes of the previous meeting

The minutes of the meeting held on 6 September 2023 were agreed as a correct record.

11. Councillor Code of Conduct Complaints - Overview of Cases

Members considered an overview of Councillor Code of Conduct complaints received and processed for the municipal year to date. They also considered the outcome of a formal investigation relating to a complaint against a District Councillor.

The Monitoring Officer introduced the report and reminded Members that the new procedure for Code of Conduct complaints, as agreed by Standards Committee in September 2023, was now being followed. Complaints were subjected to an initial two-stage assessment process; Stage 1 would assess whether the Councillor was acting in an official capacity and establish whether the Code of Conduct was engaged. Stage 2 assessed the complaint against set criteria as outlined in the procedure; the Monitoring Officer would consult with both Independent Persons before making a decision as to whether the complaint would proceed to a formal investigation.

Since 4 May 2023 16 complaints had been received against District Councillors. In addition, 22 further complaints had been received since Saturday 2 March 2024 – these 22 were open and active. Further information was given by the Monitoring Officer on the 16 complaints outlined at Table 1 in the report:

- 19 May - an alleged inappropriate scrutiny of a Register of Interest and a threat to go to the press. **No breach.**
- 5 June – social media posts on the subject of transgender issues. The subject Councillor was not acting in an official capacity and therefore the Code was not engaged.
- 16 June – 4 complaints against 4 District Councillors from a Lincolnshire County Councillor who felt they should have been consulted on an issue. **No breach.**
- 20 June – 2 complaints, a breach of the Code on the publication of exempt information at a Town Council. An apology was issued in both cases. **Breach of the Code**, but no further action necessary.
- 2 September – No response from a local Member to an email. **No breach.**
- 1 November – 2 complaints about attendance by Councillors at a pro-Palestinian rally. The subject Councillors were not acting in an official capacity. **No breach.**
- 23 November – Formal investigation and a **breach of the Code.**
- 1 December – Councillor being accused of not representing constituents and misleading on planning issues. **No breach.**
- 30 January – comments at Full Council. Still being assessed.

- 2 February – disrespectful comments on Facebook. **No breach.**
- 13 Feb – perceived conflict of interest based on member being appointed to Outside Body. That Councillor had received a large volume of correspondence and this dealt with as a vexatious complaint. **No breach.**

The following points were highlighted during debate on Table 1 of the report:

- The number of complaints received over the weekend of 2 March was unprecedented. The 22 complaints had been received from 4 Councillors and one member of the public. Any additional support for investigating Code of Conduct complaints should they proceed to formal investigation may be provided by Legal Services Lincolnshire (LSL) should the volume be unmanageable for the Monitoring Officer and his team given the volume – there would be a cost for these services, which would vary depending on the seniority of the legal advisor. Any complaints referred to LSL would be completed as expediently as possible.
- The complainants in Table 1 and Table 2 were a mixture of members of the public and Councillors; however the complaints were predominantly Councillors complaining about other Councillors.
- For future reports, the Monitoring Officer agreed to provide information on the different types of Councillors submitting and receiving complaints, for example whether they were District, County or Town/Parish Councillors.

The Monitoring Officer outlined further information on the complaints against Parish and Town Councillors at Table 2 of the report:

- 3 May – verbal and physical threats. **No breach.**
- 6 June – facility for community use was alleged to have been used improperly. **No breach.**
- 11 July – incorrect information was provided from the Parish Council. **No breach.**
- 7 August – an alleged failure to declare an interest. **No breach.**
- 10, 15, 19 November – respect from a Member at a Parish Council meeting. No breach in 3 of these as the Code was not engaged; the Member had withdrawn from the meeting as a Councillor on these occasions. However, they were part of the meeting and the Code was engaged within the complaint on 15 November. **That aspect of complaint was upheld.**
- 13 December – an inappropriate comment at a Town Council regarding an officer. The comment wasn't sufficient enough to be a breach. **No breach.**
- 3 January – inappropriate behaviour and comments on a personal matter. **No breach.**

Further information was highlighted during debate:

- The Monitoring Officer had limited jurisdiction with Town and Parish Councils and had no influence on their governance. Any issues at individual Parish or Town Councils could be addressed using Lincolnshire Association of Local Councils (LALC). LALC would also offer induction training for new and existing Parish Councillors.
- The Monitoring Officer would support the transition, working with existing staff of the Grantham Charter Trustees, over to the new authority of Grantham Parish Council, but could not give any advice on how they should operate once they were in operation.
- In the opinion of the Independent Persons, the volume of complaints received against District Councillors, prior to the 22 complaints received in the lead up to the meeting, was about average. Generally, the Town and Parish Councils would generate far more complaints than a District Council.
- The financial costs and time costs attached to each complaint were interlinked. The Council taxpayer would be concerned with any undue costs; however if there was a serious breach of the Code then there was no alternative but to formally investigate.
- Although Council Chambers were party to the 'rough and tumble' of political debate it was important to note that the mental health of each individual should be taken into account.

The Monitoring Officer presented the Standards Committee with a decision notice following a formal investigation undertaken in respect of a District Council who was found to have breached the Councillor Code of Conduct.

Members **AGREED** to note the report, and to also note the outcome of the formal investigation.

12. Code of Conduct Training Update

The Monitoring Officer reported that all 56 Members had now received their Code of Conduct training. There would be annual refresher training for the Code of Conduct.

An item was to be considered by Governance and Audit Committee on 13 March 2024 recommending that certain training sessions were made 'mandatory'.

Members confirmed that the ideal scenario would be a range of different options for the delivery of training, as well as the option to train in the evening as well as the daytime. If certain training sessions, such as PREVENT and safeguarding were to be made mandatory, it would bring the Council in line with areas such as the Police and schools.

13. Any other business, which the Chairman, by reasons of special circumstances, decides is urgent

There was no other business.