

Standards Task and Finish Group

10 September 2024

Training Room 2

2.00pm

CDC Members Present = Cllr's Briscoe, Chant and Vivian (Chair)

Officers = Mr N Bennett and Mrs L Baines

Independent Person = None.

Parish Representative = None.

Apologies – Richard Andrews.

There were apologies for absence from Richard Andrews. The Group also wished to remember Mr Richard Hitchcock who had recently passed away and would have been a member of the Group.

1. Code of Conduct Webpage

Mr Bennett explained that when the website was established every council did a similar upload of all documents. He explained that it had never been revisited. He outlined that the documents are currently just a list on the website. It includes:

- The Code of Conduct – recently adopted
- Complaint Form – to be considered today
- Equalities monitoring form – being considered by Mrs Bushby's team more widely across the council
- Procedure – arrangements have been recently updated by the Committee
- Public Notice – this is something that needs to be kept as is

Mr Bennett explained that there are three other modules which are suggested for consideration. Member were invited to look at the papers and consider whether any of the options would be a preference.

Mr Bennett explained that the graphic design side will be considered by the Web Team to ensure the finalised version complies with Accessibility Regulations and has the councils signature purple and green style.

Mr Bennett asked which module is a preferred. He explained that it is meant to guide people into the process and decide whether they want to make a complaint and how to do it as smoothly as possible.

Mr Bennett outlined the three webpages:

Cherwell District Council:

- Clear and well-structured with the simplistic structure which is very accessible
- Easy to comprehend
- States when it was first adopted
- Includes Appendices to the 7 key principles of public life
- Included a brief introduction outlining what the Code of Conduct is
- Refers to law, specifically the Localism Act 2011

Maidstone Borough Council:

- Clear and well-structured with appropriate titles in a comprehensible order
- Includes annex to the 7 Key Principles of public life
- Clear links between the complaint form to the code of conduct
- States distinctly that “Your complaint must be that the member(s) has, or may have, breached the Code of Conduct”
- Includes a brief introduction
- Refers to law, specifically the Localism Act 2011

London Borough of Sutton:

- Easy to locate Code of Conduct
- Refers to the Localism Act 2011
- One succinct document included within the constitution
- More than one method to submit complaint form: by post, email or complete online google form
- Refers to The Seven Principles of Public life
- Links to the Constitution
- Also allows post, email or online form options
- Everything in one document

Cllr Briscoe – liked Cherwell the best, liked adding the option of different ways to complete the form. Easy to use.

Cllr Vivian – agreed about Cherwell being the most concisely laid out. Other websites say ‘complain about a councillor’ whereas Chichester District Council (CDC) does not have a webpage for that. Cllr Vivian felt the drop down menus helped.

Mr Bennett explained that the Seven Principles of Public Life are often used as a reference tool. Members agreed to that the document should be added to the page separately.

Cllr Chant – digital version of submission is a must. Drop down, click and type. Easier for officers to collate. Data would be easy to extract. It would also be an accessible option.

Cllr Briscoe also asked for a paper copy option to be available to drop it down. Mr Bennett suggested using the drop down section.

Mr Bennett explained that a revised version would be written up and circulated to members in the next few days. If all in agreement the second Task and Finish Group would be cancelled.

2. Complaints Form

Mr Bennett explained that the form was based on the original model.

The positives of the form is that it is a recognisable form which people may have previously used. It also includes the Seven Principles of Public Life.

Mr Bennett highlighted the areas of the CDC complaint form that definitely need changing:

- The section on openness section on page 6 is out of date. W
- The recommendations section could be removed adding 'that a councillor cannot be sacked'
- Section F will have to be changed to match new arrangements
- Complaints submission in writing should also be removed
- Disability and Discrimination Act is now out of date

Mr Bennett explained that of the example forms they are all much more streamlined. Members were asked to consider their preferences.

Cllr Chant with regard to remedy it is important to give people the opportunity of deciding which outcome they would find acceptable. This could be tick boxes which are all valid options within the council's powers. If there is a free text box any option can be added. Mr Bennett explained that the options were not added currently people tend to just put they would like the person sacked. Cllr Briscoe then agreed with Cllr Chant that tick boxes would be a better option. Cllr Chant added that this could also help the Standards Committee when deciding a sanction. Mr Bennett suggested that the box provides a scope can take other options short of sacking a councillor. Instead it could be said that there is the option of the 'Monitoring Officer to provide an informal verbal warning in person'. Add on at the end 'none of the above, 'just want concerns to be recorded'. Members agreed the importance of options without providing too much choice.

Members were happy for Mr Bennett to use Cherwell District Council as a template inclusive of members points above.

Cllr Vivian asked about the Equalities Section. Mr Bennett explained that there is currently an optional Equalities Monitoring form which if completed that form can be considered as part of the complaint. Mr Bennett suggested added a signal line to the form to read that there 'is there any equalities matters you would like to take into consideration' linking to the Equalities Form. Cllr Briscoe explained that Planning Enforcement use a similar system.

Mr Bennett also asked to remove the 'facts' box which members agreed.

Cllr Vivian asked about the section on making a complaint about the Monitoring Officer. Mr Bennett explained that there is a Panel for the named Statutory Officers. Mr Bennett explained that on the final decision letter for a complaint there is a line to say that you can only appeal as a Judicial Appeal at the High Court. It also has a line there about how to complain at the Monitoring Officer's decision.

Mrs Baines was asked to complete the section relating to the Monitoring Officer complaints as an independent pair of eyes.

3. Date of the Next Meeting

Members will be sent the changes in advance and will be able to meet if required. Amended versions will be sent with changes in colour. That meeting is scheduled to take place on Tuesday 29 October at 1.30pm in Training Room 1.

The meeting ended at 2.38pm.