

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Tuesday 5th September 2017 at 1400 hours.

PRESENT:-

Members:-

Mrs R. Jaffray (Independent Member) in the Chair

Councillors G. Buxton, H.J. Gilmour, C.R. Moesby, T. Munro, K. Reid and S. Statter.

Officers:-

S.E.A. Sternberg (Monitoring Officer) and A. Bluff (Governance Officer).

0183. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors M. Dixey and D.S. Watson.

0184. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0185. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0186. MINUTES OF THE LAST MEETING OF THE STANDARDS COMMITTEE

Moved by Councillor H.J. Gilmour and seconded by Councillor C.R. Moesby.

RESOLVED that the Minutes of a Standards Committee held on 13th April 2017 be approved as a correct record.

0187. REVIEW OF PROTOCOL ON MEMBER/OFFICER RELATIONS

Committee considered a report which provided Members with an opportunity to consider the Council's Protocol on Member/Officer Relations at the beginning of the review.

Committee were advised that the purpose of the protocol was to provide guidance to Members and Officers in their relations with one another, providing principles to be followed to achieve the shared aim of enhancing and maintaining the integrity of local government through high standards of personal conduct.

Members discussed that the provision of support services to Members and the advice of officers to party groups needed to be very clear. Members were also referred to the

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Scheme of Delegation to find out the limits of the authority officers hold to act in particular circumstances.

The Committee considered the role of Ward Members. The importance of a reciprocal relationship was highlighted, that the Council involve local Ward Members in meetings or consultation exercises with the public on local issues, but also that the public and other groups/organisations involve the Council and local Ward Members when they arrange public meetings. It was agreed that some wording could be added to the protocol to reflect this principle.

It was suggested that understanding of the protocol could be improved by examples of scenarios and the application of the principles, which could be carried out through Member and officer training.

It was agreed that the review of the protocol include consultation with all Members and officers from the Senior Management Team and that the results of this be brought back to the next meeting in November 2017.

Moved by Councillor T. Munro and seconded by Councillor K. Reid.

RESOLVED that the review of the Protocol on Member/Officer Relations include consultation with all Members and officers from the Senior Management Team and that the results of this be brought back to the next meeting in November 2017.

(Monitoring Officer)

0188. REVIEW OF JOINT REGULATION OF INVESTIGATORY POWERS ACT POLICY.

The Committee considered a report of the Assistant Director of Governance and Solicitor to the Council & Monitoring Officer which advised of a review of the joint policy and procedures document covering the Council's activities under the Regulation of Investigatory Powers Act 2000 (RIPA).

The Committee were advised that there had been no changes in the relevant legislation or Codes of Practice since the last review and therefore the amendments that were proposed were intended to ensure the Policy remained accurate and up-to-date in terms of working practices and named officers.

The Council had not used the RIPA Powers since the last review.

The Council's use of RIPA was subject to inspection by the Surveillance Commissioner. The previous inspection carried out in 2015/16 concluded that the procedures and level of awareness in place were sufficient to ensure future applications would be compliant with the Act.

The Standards Committee receives an annual report on the use of RIPA Powers, as well as the Review of the policy, and training would be provided to officers on a regular basis to ensure awareness is kept up-to-date.

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The Committee discussed amending the flowchart in the policy to show that if judicial approval for covert surveillance was refused, either the Council would have to consider other overt forms of investigation or reapply for authorisation on stronger grounds.

Moved by Councillor T. Munro and seconded by H. J. Gilmour.

RESOLVED that the Standards Committee:-

- (1) Notes the update provided on the use of the Policy.
- (2) recommend the revised joint RIPA Policy and Procedure document for approval, subject to the amendment to the flowchart referred to above.
- (3) Recommends that the joint RIPA Policy and Procedures document be updated by the Monitoring Officer to reflect the appointment of authorised officers and Designated Persons made by the Monitoring Officer at any future time.

(Monitoring Officer)

0189. UPDATE ON INDEPENDENT PERSON RECRUITMENT

The Committee were advised that interviews had been conducted by the Chief Executive and the Deputy Monitoring Officer in August 2017 and that Mr Ian Kirk had been selected as a suitable candidate for the position of Independent Person.

A report would be submitted to Council recommending that Mr Kirk be appointed for a four year term.

Following the appointment, Mr Kirk would be offered training to assist him in carrying out his role.

Moved by Councillor H.J. Gilmour and seconded by Councillor C. Moesby.

RESOLVED that the update be noted.

(Monitoring Officer)

0190. COMPLAINTS OF BREACH OF THE CODE OF CONDUCT – 2017

The Committee were informed that four complaints had been received that were outstanding and not yet resolved. The complainants had been requested to provide additional information and had been given 14 days in which to respond. If the information was not received, the complaints would be closed.

Moved by Councillor T. Munro and seconded by Councillor H.J. Gilmour.

RESOLVED that the update be noted.

(Monitoring Officer)

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0191. WORK PLAN

Committee considered their Work Plan for the 2016/17 period.

Members were requested to notify the Monitoring Officer of any training needs related to ethical standards and the Code of Conduct.

It was suggested that training on the Code of Conduct be raised with the Parish Council Liaison Group.

Moved by Councillor C.R. Moesby and seconded by Councillor T. Munro.

RESOLVED that the Work Plan be noted.

(Monitoring Officer)

The meeting concluded at 1430 hours.