

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday, 19 June 2023 at 14:00 hours.

PRESENT:-

Members:-

R. Jaffray in the Chair

Councillors Anne Clarke, Louise Fox, Justin Gilbody and Jane Yates.

Officers:- Jim Fieldsend (Director of Governance, Legal Services & Monitoring Officer), Jo Wilson (Scrutiny and Elections Officer) and Amy Bryan (Governance and Civic Manager).

Also in attendance was Ian Kirk (Independent Person).

STA1-23/24 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Clive Moesby.

STA2-23/24 URGENT ITEMS OF BUSINESS

There was no urgent business to be considered at the meeting.

STA3-23/24 DECLARATIONS OF INTEREST

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations made at the meeting.

STA4-23/24 MINUTES

Moved by Councillor Justin Gilbody and seconded by Councillor Anne Clark
RESOLVED that the minutes of a meeting of the Standards Committee held on 20th February 2023 be approved as a true and correct record.

STA5-23/24 DRAFT ANNUAL STANDARDS COMMITTEE REPORT

Committee consider a draft Annual Report on the work it had undertaken during the municipal year 2022/23. It was intended that the report be presented to Council on 2nd August 2023.

Moved by Councillor Louise Fox and seconded by Councillor Anne Clarke
RESOLVED that the Committee's Annual Report be approved.

STANDARDS COMMITTEE

STA6-23/24 RIPA UPDATE

The Monitoring Officer provided an update on the Council's use of the Regulation of Investigatory Powers Act 2000 (RIPA), which governed the use of covert surveillance by public bodies. It was confirmed that no applications had been made during 2022/23 to use RIPA.

STA7-23/24 REVIEW OF THE COUNCIL'S CONSTITUTION

Committee considered a report in relation to areas for review within the Council's Constitution.

The following areas had been identified for review at this meeting.

Junior Executive Members

The Leader of the Council had proposed the introduction of the role of Junior Executive Member. The report set out the details of this new role. Article 7 of Part 2 of the Constitution, which set out detail of the Executive would need to be amended to include details of the Junior Executive Member. A revised version of Article 7 was attached to the report at Appendix 1.

In answer to a question the Monitoring Officer confirmed that it would be up to the Leader of the Council to appoint Councillors to this new role.

Access to Information Rules

The Access to Information Rules within the Constitution set out how the public could attend Council meetings, committees and the Executive and how they could access agendas, reports and minutes. Following a review of these rules there were a number of omissions and points of clarification that needed to be addressed. Of specific note were the changes to Rule 4.2.12, which would now place the responsibility for determining whether a report should be exempt with the Monitoring Officer. A revised version of the Access to Information Rules was attached to the report at Appendix 2.

Scrutiny Procedure Rules

Following the separation of the Audit and Scrutiny functions, officers had taken the opportunity to complete a full review of the Scrutiny Procedure Rules. The review highlighted that some sections required amendment to ensure they fully reflected current legislation and local operating procedures. A revised version of the Scrutiny Procedure Rules was attached to the report at Appendix 3.

Councillor Call for Action (CCfA)

As part of the review officers had found that reference to the CCfA procedure had been omitted from the current version of the Constitution. Furthermore, due to changes in legislation the original CCfA required minor amendments. A revised Councillor Call for Action was now included within Appendix 3 to the report.

STANDARDS COMMITTEE

Executive/Scrutiny Protocol

Within the revised *Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities*, guidance was given on the creation of an Executive/Scrutiny Protocol. As part of the review of scrutiny procedures a protocol had been created, the aim of which was to outline practical expectations of the relationships between Scrutiny Members and the Executive. The proposed Executive/Scrutiny Protocol for insertion into the Constitution at 4.5.21 within Part 4.5 was attached to the report at Appendix 4.

Members Roles and Responsibilities

The current document omitted the role of a Scrutiny Member, so this had now been added. In addition, the role and responsibilities of the Vice-Chair of the Council had been added for clarity, and the new role of Junior Executive Member had also been included. A revised Members Roles and Responsibilities section was attached to the report at Appendix 5.

Virement

There was currently a slight discrepancy between the two parts of the Constitution that dealt with virement, which were Part 4.3 (Budget and Policy Framework) and part 4.7.2(7) (Financial Regulations). An amendment was proposed to make it clear that it was Members of the Senior Leadership Team (SLT) who could authorise virements. The proposed changes to the two sections were set out in Appendix 6.

Moved by Councillor Jane Yates and seconded by Councillor Anne Clarke

RESOLVED that having considered the proposed amendments to the constitution they be submitted to Council for approval.

STA8-23/24 COMPLAINTS UPDATE

Committee considered a report which set out the figures for complaints made against Members during 2022/23. The Monitoring Officer reported that 17 complaints had been received, 14 of which had been against Parish Councillors. For most of the complaints there had only been a minor breach of the Code of Conduct, or it had not been in the public interest to pursue the complaint further. The most common complaint was regarding Councillors being disrespectful to another Councillor or member of the public, either in person, at a meeting or increasingly, on social media.

The Monitoring Officer stated that a future training offer to Parish Councils would likely include training on the use of social media.

The meeting concluded at 14:33 hours.