

NOTTINGHAM CITY COUNCIL

STANDARDS COMMITTEE

MINUTES of the meeting held at LH 0.06 - Loxley House, Station Street, Nottingham, NG2 3NG on 29 June 2017 from 3.30 pm – 3.51 pm

Membership

Present

Councillor Georgina Culley
Councillor Wendy Smith
Councillor Chris Tansley (Chair)
Councillor Jane Urquhart (Vice Chair)

Absent

Councillor Graham Chapman
Councillor Jon Collins
Councillor Ginny Klein

Councillor Leslie Ayoola
Councillor Neghat Khan

Colleagues, partners and others in attendance:

Nancy Barnard - Governance Manager
Nigel Cullen - Independent Person for Standards
Glen O'Connell - Monitoring Officer
Malcolm Townroe - Director of Legal and Governance

1 APPOINTMENT OF CHAIR

RESOLVED to appoint Councillor Chris Tansley as Chair for the 2017/18 Municipal Year.

2 APPOINTMENT OF VICE CHAIR

RESOLVED to appoint Councillor Jane Urquhart as Vice-Chair for the 2017/18 Municipal Year.

3 APOLOGIES FOR ABSENCE

Councillor Graham Chapman – leave (Councillor Leslie Ayoola substituting)
Councillor Jon Collins – other Council business (Councillor Neghat Kahn substituting)
Councillor Ginny Klein - leave

4 DECLARATIONS OF INTEREST

None.

5 TERMS OF REFERENCE

The Committee noted its terms of reference.

6 THE ROLE OF THE STANDARDS COMMITTEE AND THE INDEPENDENT PERSON

Glen O'Connell, Monitoring Officer, introduced Nigel Cullen, the Council's Independent Person for Standards, to the Committee. Nigel was appointed to this role by Council in May and whilst he had no formal role at this meeting he has a statutory advisory role in any complaints made that a Councillor or Co-opted member has breached the Code of Conduct.

The Monitoring Officer then presented his report to the Committee highlighting the following points:

- a) The current Standards regime differs significantly from the previous one. Previously serious cases of Councillor misconduct were dealt with by the Standards Boards for England which could impose sanctions including suspension and resultant withdrawal of allowances. Under the new regime failure to disclose a Disclosable Pecuniary Interest is a criminal offence and will be dealt with by the Police while other allegations of breaches of the code will be dealt with by Local Authorities themselves. Local Authorities have a limited range of sanctions available to them if it is found that a breach has occurred including withdrawal of Council facilities, removal from committees/ positions and public censure.
- b) The Standards Committee will be involved in individual complaints that the Code of Conduct has been breached only after an informal process of assessment of the complaint and attempts at informal resolution has been followed by the Monitoring Officer. This process will involve the Independent Person who will act as a source of independent, third party advice for both the Monitoring Officer and the Councillor who is the subject of the complaint. If informal resolution is not possible cases will be heard by the full Standards Committee or by a sub-committee appointed for that purpose.
- c) There is no appeal process as part of the procedure though most Council processes can be subject to complaints to the Local Government Ombudsman and/or to Judicial Review.
- d) Training on the principles of natural justice will be provided to councillors prior to any involvement in hearing complaints.
- e) The Standards Committee is a committee of Council and therefore access to information rules apply. This also applies to any sub-committee meetings. Meetings will take place in public unless the public interest in holding the meeting in private session outweighs the public interest in holding it openly. The decisions of the Committee will also be published.
- f) It is intended that this committee will meet in full at least twice per year to consider reports of the Monitoring Officer on Standards related issues including reports on complaints received which have not proceeded to the stage of a Standards Committee hearing.

RESOLVED to:

(1) Note the role of the Committee and the Independent Person,

- (2) Approve the procedure for managing complaints that allege a Councillor or Co-opted Member has breached the Code of Conduct,**
- (3) Note the intention to publish the approved complaints procedure, together with a simplified version advising citizens how to complain, on the Council's website,**
- (4) Defer the decision on whether to appoint a Standards (Hearings) Sub-Committee to consider any complaints that a Councillor or Co-opted Member has breached the Code of Conduct to a future meeting.**