

West Suffolk Standards Committee

Minutes of a meeting of the **West Suffolk Standards Committee** held on **Monday 31 January 2022 at 5.00 pm** in the **Conference Chamber West, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU**

Present: **Councillors**

Chair Jim Thorndyke
Vice Chair Cliff Waterman

John Augustine
Roger Dicker
Robert Everitt

Margaret Marks
Andy Neal

In attendance:

Carol Bull

(Portfolio Holder for Governance)

15. **Election of Chair for 2021 to 2022**

This being the first meeting of the West Suffolk Standards Committee since the Annual Meeting of Council in May 2021, the Monitoring Officer opened the meeting and sought nominations for the Chair of the Committee for 2021 to 2022.

Councillor Margaret Marks nominated Councillor Jim Thorndyke as Chair, which was duly seconded by Councillor Robert Everitt.

There being no other nominations and no objections, it was

Resolved:

That Councillor Jim Thorndyke be elected Chair for 2021 to 2022.

Councillor Thorndyke then took the Chair for the remainder of the meeting.

16. **Election of Vice Chair for 2021 to 2022**

The Chair sought nominations for the election of Vice-Chair of the West Suffolk Standards Committee for 2021 to 2022.

Councillor Robert Everitt nominated Councillor Cliff Waterman as Vice-Chair, which was duly seconded by Councillor Margaret Marks.

There being no other nominations and no objections, it was

Resolved:

That Councillor Cliff Waterman be elected Vice-Chair for 2021 to 2022.

17. Apologies for absence

No apologies for absence were received.

Under this item, the Democratic Services Officer reported that contrary to that printed on the agenda, Councillor Andy Neal was now appointed as a full member on the Committee, thus filling the vacant seat allocated to the Independent Group. As Councillor Neal had previously been appointed as a substitute, this had resulted in a vacancy for a substitute member for the Independent Group.

Members noted that a vacancy for a substitute member from the Conservative Group also remained on the Committee.

(Councillor Roger Dicker joined the meeting during the consideration of this item at 5.04pm.)

18. Substitutes

No substitutions were declared.

19. Minutes

Matters arising from the minutes included:

- That in respect of the fifth paragraph of minute 14. 'Standards Activity Update (Report number: STC/WS/20/002)', it was reiterated that the Committee was seeking to retain the present level of monetary value by which gifts and hospitality should be declared as stated in the current Suffolk Local Code of Conduct. Presently, members should declare gifts or hospitality received with an estimated value of at least £25. The new model Code produced by the Local Government Association had indicated that gifts and hospitality received should be declared with an estimated value of at least £50.
- In respect of the tenth paragraph under this same minute, it was reiterated that if an additional column was added to the data table highlighting those cases where a councillor resigned from office following a complaint, that the reasons for the resignation should also be included as well.

The minutes of the meeting held on 7 December 2020 were confirmed as a correct record and signed by the Chair.

20. Declarations of interest

Members' declarations of interest are recorded under the item to which the declaration relates.

21. Public participation

There were no members of the public in attendance on this occasion.

22. New Suffolk Model Code of Conduct (Report number: STC/WS/22/001)

The Committee considered this report, which sought to recommend to Council, adoption of the Local Government Association (LGA) Model Code of Conduct as its new local Code of Conduct for councillors.

The Localism Act 2011 placed a duty on every council to promote and maintain high standards of conduct by councillors and co-opted members of the authority and, in discharging that duty, adopt a code dealing with the conduct that was expected of those members when they were acting in that capacity. A Suffolk-wide local code of conduct was adopted by the Councils in 2012.

In January 2019, the Committee on Standards in Public Life (CSPL) published a report following their review of local authority standards. This review had concluded that a model code of conduct would create consistency across England and reflected the common expectations of the public, regardless of geography or tier. It would also reduce the potential for confusion amongst dual-hatted or triple-hatted councillors. The CSPL also considered that matters such as gifts and hospitality, social media use and bullying and harassment had also increased in salience and where, perhaps, not regularly reflected in local authority codes of conduct and a model code would help to ensure that they did so.

The report directed a series of recommendations to the Government and to the local government sector. A key recommendation was directed to the LGA to create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government. Consequently, the LGA approved a Model Councillor Code of Conduct in December 2020, which provided a template for councils to adopt in whole and/or with local amendments.

The Code (attached at Appendix A) contained much of the existing Suffolk Local Code of Conduct and provided welcome guidance to explain the rationale for the obligations and how councillors should follow them. The LGA had also published more extensive guidance that would assist councillors and the public in understanding the Code and what was included. This guidance was attached at Appendix B. Moving forward, the LGA had committed to undertake an annual review of the Code to ensure it continued to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation.

The Suffolk Monitoring Officers Group strongly recommended that there continued to be a Suffolk-wide code of conduct to enable clarity and consistency across the county and particularly across the tiers of local government where councillors represented more than one authority. The district council Monitoring Officer was responsible for investigating breaches

of the code of conduct by town and parish councillors across the whole district and the ability to apply a single code to all complaints was desirable. The Suffolk Association of Local Councils (SALC) was also supportive of a Suffolk-wide code.

Therefore, the purpose of this report was to outline the key differences in the new model Code, before seeking endorsement of the LGA's model code of conduct and to resolve to recommend that the Model Code of Conduct be adopted by the Council.

Councillor Carol Bull, Portfolio Holder for Governance was in attendance and drew relevant issues to the attention of the Committee, including that the LGA would be offering support, training and mediation to councils and councillors on the application of the Code. Advice and support to town and parish councils would also be provided by the National Association of Local Councils (NALC) together with local associations of local councils, which in Suffolk's case was SALC. A training package in Suffolk was expected to commence from March 2022, starting with offering support and guidance to county, then district through to town and parish councillors.

The following points arose from the discussion:

- The matter was on the agenda for the forthcoming West Suffolk Town and Parish Forum arranged for Thursday 10 February 2022.
- Following specific consideration on proposed 'best practices' 2, 9 and 11, as contained in Appendix C of the Model Code of Conduct, the Committee was informed that each of the 15 'best practices' were guidelines. Although the recommendation was to adopt the same code on a Suffolk-wide basis, there remained an opportunity for interpretation of the 'best practices' to ensure appropriate compliance with West Suffolk Council's own councillor complaints policy and guidance. The Monitoring Officer would come back to a future meeting on this.
- The imposition of 'mediation' was a potential sanction if a town/parish councillor was found to have breached the Code of Conduct. If felt to be an appropriate sanction, this would be for the relevant town or parish council to arrange themselves, not the district council.
- The opportunity to amend the proposed Model Code of Conduct was available during the period of consultation. So that each Suffolk authority was taking a consistent, aligned approach and therefore being presented with the same code, Council's decision would be to adopt or not adopt. If the decision was taken not to adopt, West Suffolk Council would be out of step with the rest of the county, which may cause some difficulties for twin or triple-hatters if they were required to abide by different codes.
- It was not known to hand regarding the number of authorities across the country that had decided to adopt their own code of conduct rather than a county-wide code. All councils were guided by the seven Nolan Principles of Public Life for instilling good ethical standards within their authority in order for public trust and confidence to be maintained. These principles

would, therefore, be enshrined in all codes of conduct, including bespoke codes.

It was proposed by Councillor Robert Everitt, seconded by Councillor Margaret Marks, and with the vote being unanimous, it was

Recommended to Council (22 March 2022):

That the Local Government Association Model Code of Conduct be adopted as its new Local Code of Conduct for Councillors.

The meeting concluded at 5.29 pm

Signed by:

Chair
