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NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Councillors Commission** broadcast from the Civic Suite, Castle House, Great North Road, Newark, Notts NG24 1BY on Monday, 11 January 2021 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)

Councillor Mrs L Dales, Councillor P Harris, Councillor Mrs L Hurst, Councillor J Lee and Councillor P Peacock

APOLOGIES FOR ABSENCE: Councillor L Brailsford (Committee Member) and Councillor Mrs G Dawn (Committee Member)

The meeting was held remotely, in accordance with the Local Authorities and Police & Crime Panels (Coronavirus) (Flexibility of Local Authority and Police & Crime Panel Meetings) (England and Wales) Regulations 2020.

30 MINUTES OF MEETING HELD ON 8 JULY 2020

AGREED that the Minutes of the meeting held 8 July 2020 be approved as a correct record and signed by the Chairman.

31 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

32 GOVERNANCE REVIEW UPDATE

The Director - Governance & Organisational Development presented a report which set out the latest position in respect of the Governance Review. Remote visits to Melton Borough Council and Daventry District Council had been undertaken in October 2020, and the Local Government Association (LGA) had now been approached to provide three remote sessions with all Members to prompt discussion around the role, purpose and responsibility of Members given the Covid pandemic. It was considered that such sessions would help inform the direction of travel further in relation to governance.

AGREED that the progress with the Governance Review and the proposed workshop sessions with all Members be noted.

33 COMMITTEE ON STANDARDS IN PUBLIC LIFE - REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS

The Director - Governance and Organisational Development and Monitoring Officer presented a report detailing the findings from the National Committee on the Standards in Public Life's (CSPL) review of Local Government Ethical Standards, and invited the Commission to consider any action required in respect of the findings.

The CSPL had made fifteen best practice recommendations for immediate

consideration by councils and these were set out in the report. It was noted that most of these best practice recommendations were already undertaken by the Council and the position in respect of each of these were detailed in the appendix to the report. It was reported that the most notable variances in practice were in relation to the three following points:

Best Practice 1 – The Council’s current Code of Conduct prohibited bullying but didn’t specifically mention harassment, and was not supplemented by examples;

Best Practice 2 – There was no obligation within the current Code of Conduct for councillors to comply with investigations; and

Best Practice 11 – Currently, the Council did not require complaints relating to conduct by a parish councillor towards a clerk to be made by the Chairman or by the parish council as a whole.

The Commission considered the best practice recommendations and how the Council were currently responding to these. Concern was expressed about the ability of Parish Clerk to be able to make complaints directly to the Monitoring Officer.

AGREED that the Commission recommend to the Council that the Councils Code of Conduct be revised to reflect the Best Practice Recommendations from the Committee for Standards in Public Life.

34 MODEL MEMBER CODE OF CONDUCT - LOCAL GOVERNMENT ASSOCIATION

The Director - Governance & Organisational Development and Monitoring Officer presented a report regarding the Local Government Association (LGA) Model Member Code of Conduct. The Model Code had been published by the LGA during December 2020 following a consultation period. The report outlined the differences between the new Model Code and the existing Code of Conduct.

Members considered the content of the Model Code, noting the general principles, application of the Code and the standards of councillor conduct which had been more clearly explained with examples of how they applied in practice. In relation to the applicability of the Code, Members noted that the Model Code helpfully expressed this as applying when ‘your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor’.

The Commission considered the provisions in the Model Code around the registration and declaration of interests and where these apply that the councillor must disclose the interest at meetings and not speak on the matter unless members of the public were allowed to speak at the meeting.

The Commission were also advised that there were three obligations that were in the current Code of Conduct that did not specifically appear within the Model Code. These were requirements for councillors to: exercise their own independent judgement, taking decisions for good and substantial reasons; account for their actions, particularly by supporting the authority’s scrutiny function; and ensure that the authority acts within the law.

AGREED that the Model Code of Conduct, including the obligations in the Council's existing Code but not in the Model Code (as set out in paragraph 4.1 of the report), be recommended in whole, to the Full Council for adoption.

35 PROPOSED CHANGES TO THE CONSTITUTION - FINANCIAL POLICIES AND PROCEDURES

The Business Manager - Financial Services presented a report regarding proposed changes to the Council's Constitution in relation to a number of financial policies and procedures. The Anti-Fraud and Corruption Strategy; Anti-Money Laundering Policy; Guidance for Dealing with Irregularities; and Financial Procedure Rules had all been refreshed to ensure they reflected current practice.

In addition, the changes to the Financial Procedure Rules required corresponding changes to the Contract Procedure Rules. All of the refreshed policies were attached as appendices to the report. It was noted that most changes were minor, reflecting new roles within the Council and references to other policies.

AGREED that the Full Council be recommended to approve the changes to the financial policies and procedures for adoption in the Constitution.

Meeting closed at 5.15 pm.

Chairman

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