

PUBLIC

MINUTES of a meeting of **GOVERNANCE, ETHICS AND STANDARDS COMMITTEE** held on Thursday, 3 March 2022 at Council Chamber, County Hall, Matlock, Derbyshire, DE4 3AG.

PRESENT

Councillor S Swann (in the Chair)

Councillors R Flatley, C Cupit, D Muller, L Grooby, K Gillott and N Gourlay.

Also in attendance – Mr I Orford (Independent Person)

Apologies for absence were submitted for Councillor B Woods and W Major.

4/22 MINUTES

RESOLVED that the minutes of the meeting of the Governance, Ethics and Standards Committee held on 18 January 2022 be confirmed as a correct record and signed by the Chairman.

5/22 CODE OF CONDUCT FOR ELECTED MEMBERS

The Assistant Director and Data Protection Officer J Lakin introduced a report, which had been circulated in advance of the meeting that provided the Committee with an update of the work undertaken by the Working Group regarding the consideration of a new Code of Conduct for Elected Members and to asked the Committee to agree, and to recommend to Council the Code as a new Code of Conduct for Derbyshire County Council.

RESOLVED that the Committee

1) Supports the adoption of Code of Conduct for Elected Members from 1st April 2022 and agrees that this should be recommended to full Council for approval.

6/22 INDEPENDENT PERSONS

The Assistant Director and Data Protection Officer J Lakin introduced a report, which had been circulated in advance of the meeting that provided the Committee with an update of the work undertaken by the Working Group regarding Independent Persons and asked the Committee to agree to recommendations to be put forward to Council regarding the number of and remuneration for Independent Persons.

RESOLVED that the Committee

- 1) Supports the proposal for the Council to pay independent persons appointed under s28 Localism Act 2011 a fixed-fee of £1200 per annum in 12 monthly instalments from 1st April 2022, but that this should be kept under regular bi-annual review by the Committee and recommends this be referred to full Council for approval;
- 2) Supports the proposal that the Council should have two independent persons and recommends that this be referred to full Council for approval;
- 3) Agrees that a recruitment process should be commenced to appoint a second independent person and authorises the Monitoring Officer to commence the recruitment process and agrees for a cross-party, politically balanced recruitment panel of Councillors Swann, Flatley and Gillott be established to interview candidates and recommend a candidate for approval, initially to the Committee and then to full Council; and
- (4) Agrees that a formal letter of thanks from the Civic Chair and Chair of the Governance, Ethics and Standards Committee be sent to Mr Lloyd Newby to recognise his service as an independent person.

7/22 ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL

The Director of Legal and Democratic Services H Barrington introduced a report, which had been circulated in advance of the meeting that informed the Committee of the latest report from the Council's Independent Remuneration Panel (IRP), relating to member remuneration for 2022/23 in order to make recommendations to Council.

RESOLVED that the Committee

- 1) Following consideration of the report and recommendations of the Independent Remuneration Panel, as set out in Appendix Two to the report, recommends them to Council for approval; and
- 2) Approves the commencement of a recruitment exercise for IRP members as detailed in the report and agrees the composition of the interview panel.

8/22 REMUNERATION OF THE INDEPENDENT REMUNERATION PANEL

The Director of Legal and Democratic Services H Barrington introduced a report, which had been circulated in advance of the meeting that sought agreement from the Governance, Ethics and Standards Committee for the remuneration to be paid to members of the Independent Remuneration Panel and referral to Council to formal approval.

RESOLVED that the Committee

1) Agrees that the Independent Remuneration Panel members should be paid a fixed-fee of £600 per annum and the Chair should receive an additional chair's allowance of £250 per annum payable in 12 monthly instalments from 1st April 2022; and

2) Refers the proposals to full Council for formal approval.

9/22 CODE OF CONDUCT COMPLAINTS

The Director of Legal and Democratic Services H Barrington introduced a report, which had been circulated in advance of the meeting that informed the Committee of complaints against Councillors received during the period of 1st October 2021 to 31st January 2022.

RESOLVED that the Committee

1) Notes the complaints made that Members' had breached the Code of Conduct.

10/22 TRADING STANDARDS – LEGISLATION UPDATE

The Director of Legal and Democratic Services H Barrington introduced a report, which had been circulated in advance of the meeting that notified the Committee of minor amendments to the Constitution to update the list of legislation under which the Council's Trading Standards Service can take enforcement action.

RESOLVED that the Committee

1) Notes the decision made by the Director of Legal Services to amend the Constitution and include the updated list of legislation to enable the Trading Standards Service to undertake necessary enforcement action; and

2) Notes that this decision would also be reported to full Council.