

PUBLIC

**MINUTES** of a meeting of the **GOVERNANCE, ETHICS AND STANDARDS COMMITTEE** held on 18 January 2022 at County Hall, Matlock

**PRESENT**

Councillor S Swann (in the Chair)

Councillors C Cupit, R Flatley, K Gillott, L Grooby, J Innes, W Major, and D Muller.

Also in attendance – Mr I Orford (Independent Person)

Apologies for absence were received from Councillor B Woods.

**01/22** **MINUTES RESOLVED** that the minutes of the meeting of the Governance, Ethics and Standards Committee held on 20 October 2021 be confirmed as a correct record and signed by the Chairman.

**02/22** **REVISIONS TO COUNCIL CONSTITUTION: REVIEW OF COUNCIL PROCEDURE RULES** The Council had the power to make Standing Orders for the regulation of their proceedings and business and may vary or revoke any such orders under para 42 of Schedule 12 to the Local Government Act 1972. There was no prescribed form for the Standing Orders, but there were certain provisions specified in legislation that the Standing Orders must comply with. These had been set out in the Legal Implications section in Appendix 1 to the report.

The Council's Standing Orders (known as the Council Procedure Rules) had been subject to a detailed review by the Director of Legal and Democratic Services in conjunction with the Chairman of the Council in order to ensure the smooth running of council business and that the procedures at council meetings were effective and efficient. Following the review, revised Council Procedure Rules had been drafted, which appeared at Appendix 2 to the report. The main amendments proposed had been outlined within the report.

A motion was proposed and duly seconded.

Councillor Gillott proposed the following amendment to the original motion, which was duly seconded:

To retain the required notice for questions to Council of 3 days prior to the meeting rather than the new proposal of 10 days.

The amendment to the original motion was duly voted on and declared to have fallen.

The substantive motion was duly voted on and declared to be carried.

**RESOLVED** that the proposed Council Procedure Rules as set out in Appendix 2 to the report be agreed and referred to full Council for approval and inclusion in the Constitution subject to the following additional amendments:

- a) To add clarification that a reasonable period of time should elapse before adjourning a meeting that is not quorate to enable Members to join the meeting.
- b) To add the ability for a Member to withdraw a question.
- c) To ensure that a written response to a question should be sent out as soon as reasonably practicable after the Council Meeting and in any event within ten days.
- d) To tidy up the remaining inconsistencies in terminology and formatting and address any further drafting points.

**03/22 UPDATE REGARDING THE REVIEW OF THE ETHICAL STANDARDS REGIME**

It was agreed at the Governance ,Ethics and Standards Committee on 1st July 2021 that two working groups would be set up to review the standards regime introduced in 2012 under the Localism Act 2011.

The focus of the first working group was the Code of Conduct and the process for granting dispensations in accordance with Section 33 of the Localism Act 2011.

The proposed Code of Conduct and the process for the granting of dispensations was considered at the 22nd October 2021 Governance, Ethics and Standards Committee meeting and it was agreed that a period of consultation with Members would be undertaken in relation to the new proposed code of conduct and the proposed arrangements for the granting of dispensations. The draft Code of Conduct was circulated to all Members in the week commencing 3rd January 2022. The outcome of the consultation and a revised Code of Conduct would be reported to a future meeting of the Committee.

The second working group had been tasked with reviewing the process for managing alleged breaches of the Code of Conduct and for reviewing the arrangements in relation to the Independent Person, including remuneration.

The working group met on two occasions and formulated proposals to amend the Council's current process. Immediately following this the Local Government Association issued updated guidance which was more comprehensive than the version produced by the working group. The working group therefore met on a further occasion to consider the guidance issued by

the Local Government Association. The proposed draft at Appendix 2 to the report reflected the updated Local Government Association guidance.

The second working group also considered the arrangements for the Independent Person. It was agreed at the Committee meeting on 22nd October that the Independent Remuneration Panel would undertake a piece of work to consider options in this regard. The Independent Remuneration Panel had commenced this piece of work and would report its findings to a future meeting of the Governance, Ethics and Standards Committee.

**RESOLVED** that the Committee (1) approves the proposed process for considering complaints that Members had breached the code of conduct at Appendix 2 to the report; and (2) notes the actions which were ongoing in relation to the code of conduct and Independent Persons.

#### **04/22      MEMBER DEVELOPMENT WORKING GROUP UPDATE**

A verbal update was given by Councillor L Grooby on the Member Development Strategy and role of the Member Development Working Group.

During the previous term in February 2020 a workshop was held with Members to consult on the skills matrix, pre-election content on the role of Members and the induction programme. The skills matrix was then approved with the Member Development Strategy in September 2020. Post-election the induction programme had been delivered as well as the Members area being set up on DLO, the online learning management system.

The induction programme had been reviewed due to low attendance. Members had been reminded of this and sent a list of all of their outstanding training. Group leaders and whips were to be sent attendance records so that they could encourage completion of modules. A survey had been sent to all members in December 2021. The survey was being used to gather feedback on immediate training needs, understand views on wellbeing and current ways of working, and also to see if members wanted any support with systems or needed any further information.

A confidential 121 would be arranged with every member and a trained officer from Legal & Democratic Services to understand individual needs against the skills matrix. The training needs identified would form personal development plans and an overall annual development plan from which the best way to commission the training could be decided. A face to face event would also be held in the Spring for all members, to share and explore the survey results and introduce the proposal to identify members' training needs, along with possible key topics such as Modern Ways of Working and Vision Derbyshire.

The next meeting of the Member Development Working Group would be held on 31st January 2022.

DRAFT