

PUBLIC

MINUTES of a meeting of the **STANDARDS COMMITTEE** held on 12 April 2019 at County Hall, Matlock

PRESENT

Councillor C Short (in the Chair)

Councillors T Ainsworth (substitute Member), J Coyle, C Dale (substitute Member), A Fox, W Major, D Taylor (substitute Member) and M Wall (substitute Member)

Also in attendance – Messrs K Jackson-Horner and L Newby MBE (Independent Persons)

Apologies for absence were received on behalf of Councillors K Buttery, L Grooby, D McGregor and C R Moesby

07/19 **MINUTES RESOLVED** that the minutes of the meeting of the Standards Committee held on 25 February 2019 be confirmed as a correct record and signed by the Chairman.

08/19 **GOVERNANCE ARRANGEMENTS – FINAL DRAFT OF THE REVISED CONSTITUTION** The final draft of the proposed Constitution was attached for the Committee's consideration. It was proposed that this would come into effect following consideration of the Constitution and the recommendations from this Panel at the next meeting of the Council and the proposed implementation date was 27th May 2019.

This version of the Constitution reflected the final amendments discussed at the meeting of the Committee on 25th February and concluded the work programme. In particular, the Committee was asked to consider the following which were outstanding at the time of last meeting:

1. The amended terms of reference for the proposed new Governance, Ethics and Standards Committee
2. The proposed terms of reference for the Regulatory – Planning Committee. These were due to be considered at the next meeting of the Regulatory – Planning Committee on 9th April
3. A new Article 24 setting out the terms of reference for the proposed new Appointments and Conditions of Service Committee, together with a revised Appendix 9 – Officer Employment Procedure Rules
4. The role profile for the Chairman, Civic Chairman and Vice-Civic Chairman of the Council

5. A revised Appendix 6 – Access to Information Procedure rules which properly outlined the legislative requirements regarding access to information for meetings

The Committee was also asked to note that references to ‘Strategic Directors’ throughout the document had been amended to ‘Executive Directors’ to reflect the new role title which would be adopted from 15th May 2019. Consequently, references to ‘the Executive’ had been amended to become ‘the Cabinet’ for clarity.

Finally, the Committee was asked to consider the order of the Articles and whether the current listing reflected the preferred sequential order.

RESOLVED that following consideration of the final amendments to the Council’s Constitution, the adoption of the new Constitution be recommended to the meeting of Council on 15th May 2019 to be effective from 27th May 2019.

09/19 TERMS OF REFERENCE FOR THE STANDARDS COMMITTEE

At the last meeting of the Standards Committee, consideration was given to the proposed terms of reference for the Governance, Ethics and Standards Committee.

The amendments arising from that meeting had now been incorporated within the revised Terms of Reference which was appended to the report.

However the reference to performance monitoring process for the Strategic Directors had now been removed as this was now included as a responsibility for the newly created Appointments and Conditions of Service Committee.

RESOLVED to approve the terms of reference for the Governance, Ethics and Standards Committee for inclusion in the revised constitution.

10/19 CORPORATE COMPLAINTS The terms of reference of the Standards Committee included *“the overview of complaints handling.”* Accordingly, the Committee was invited to receive the report which was presented by the Strategic Director for Commissioning, Communities and Policy to CMT on 22 January 2019 entitled “Compliments and Complaints 2017/18”.

RESOLVED to note the report of the Strategic Director of Commissioning, Communities and Policy to CMT entitled “Compliments and Complaints 2017/18.”

11/19 CODE OF CONDUCT COMPLAINTS As part of the procedure for managing complaints received in relation to the Members Code of Conduct, the outcome of any complaint received should be reported to the Standards Committee.

During this municipal year to date four complaints had been received and three of these had been concluded.

The details of the concluded complaints were as follows:

	Complaint received from	Substance of the Complaint	outcome
Cllr 1	Member of the Public	Failure to respond to repeated requests for support and information relating to a local issue	Complaint not upheld as the investigation indicated that there had been a communication error between the complainant and a Council Department as opposed to the role of the Councillor in question.
Cllr 2	Member of the Public	Failure to treat with respect, allegations of defamation of character via use of social media	Complaint not upheld as the complaint fell outside of the remit of the Code of Conduct. Cllr 2 not acting in the capacity of a councillor when using social media and had already provided an apology in a private capacity
Cllr 3	Member of the Public	Allegation of failure to act with honesty when information was printed in a political newsletter. The allegation was that comments printed were inaccurate	Complaint not upheld as the complaint fell outside the remit of the Code of Conduct. The printed material in question was of a political nature and not related to the County Council

RESOLVED to note the contents of the report.