

STANDARDS COMMITTEE

26 OCTOBER 2017

PRESENT

Councillor Dr. K. Barclay (in the Chair).

Councillors K. Procter (Vice-Chairman), R. Bowker, K. Carter, Mrs. L. Evans, M. Freeman, D. Hopps, A. Western, M. Whetton and A. Rudden.

In attendance

Janet Kealy

Director of Legal Democratic Services.

Alexander Murray

Democratic and Scrutiny Officer

APOLOGIES

Apologies for absence were received from Councillors Miss L. Blackburn, P. Myers, Mr. D. Goodman, Mr. C.E.G. Griffiths, Brown and Neild.

13. MINUTES

RESOLVED: That the minutes from the meeting held 8 March 2017 be agreed as an accurate record and signed by the chairman.

14. MEMBERS AWARENESS OF STANDARDS

The Director of Legal and Democratic Services (DLDS) stated that the guidance was very clear and comprehensive and no further explanation was necessary. Committee members were then asked if they had any questions relating to the guidance but none were raised. Committee Members made a number of suggestions relating to the guidance and Councillors awareness of it. The suggestions consisted of having a training session for all members to be scheduled to occur before the next meeting of full Council and for the document to be re-circulated to all Councillors.

RESOLVED:

- 1) That the guidance be noted by the Committee.
- 2) That the DLDS create a short training session to cover the guidance for all members.
- 3) That a training session be scheduled prior to the next full meeting of Council.
- 4) That the guidance be circulated to all councillors.

15. OMBUDSMAN REPORT 2017

The DLDS went through the report with the Committee Members and noted that the numbers of Ombudsman complaints was low and that many of those that had been made were due to changes in service. It was also highlighted to Members that there were no particular areas for concern or discernible trends. One Committee member noted that whilst the number of complaints was low a large number of them involved highly vulnerable individuals. Another Member noted that whilst there were a low number of complaints they could have a high cost to the individuals involved. Members requested that any further ombudsman reports contain the lessons learned by the Council and what actions the Council had taken to ensure that the issues didn't occur again.

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RESOLVED:

- 1) That the report be noted.
- 2) That further ombudsman reports are to include lessons learnt and actions taken.

16. DATA PROTECTION

The DLDS informed the Committee of the issue of Councillors not being registered as data controllers in their own right. The Committee were told that all Councillors would undoubtedly hold protected data relating to residents in the course of conducting their duties as a Councillor and so needed to be registered. By handling protected data and not being registered Councillors were in breach of the law which could result in a fine of up to £5000. The DLDS had looked at the cost of registering Councillors and found that it would cost £2262. A Committee Member proposed a motion for the Committee to recommend that Council agree to pay for all Councillors to be registered as data controllers as a matter of urgency. The motion was seconded and agreed unanimously.

In addition to being registered as data controllers Committee Members requested that the DLDS provide training to all Councillors. It was requested that the DLDS liaise with the Workforce Strategy Officer who works with the Member's Development Committee in order to coordinate the training with other necessary training. The Chairman asked whether parish councillors would be required to register as data controllers. The DLDS responded that each parish council should be registered and that it depended on the work that each individual parish councillor did as to whether they would be required to register themselves. The Chairman requested that the guidance be shared with all Trafford Parish Councils to ensure that they were aware of the law and their obligations.

RESOLVED:

- 1) That the guidance be noted by the Committee.
- 2) That the Committee recommend that full Council agree to pay for all Councillors to be registered as data controllers.
- 3) That the guidance be sent to all Trafford Parish Councils.

17. DCLG CONSULTATION ON DISQUALIFICATION OF MEMBERS

The DLDS gave a brief overview of the DCLG consultation paper on the disqualification of disqualification of Councillors and Mayors that was distributed with the agenda. The Chairman proposed that the Committee go through the six questions posed within the report and to give their responses which would then be given to full Council as a recommendation for response. The Committee members agreed the process and the DLDS asked whether Committee Members had any questions prior to providing responses. Members asked for clarification of aspects of questions 2 and 6 before voting. The Committee voted in favour of all the questions unanimously with the exception of 2 abstentions for Question 2 and 1 for Question 3. The DLDS noted the Committees responses to pass onto full Council.

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RESOLVED:

- 1) That the Committees responses to the consultation questions be noted and passed on as recommendations to full Council.

18. REPORT OF THE MONITORING OFFICER

The DLDS had no further items to bring to the Committee's attention.

The meeting commenced at 6.30 pm and finished at 7.34 pm