

# Public Document Pack

## STANDARDS COMMITTEE

7 MARCH 2018

### PRESENT

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

Councillors K. Procter (Vice-Chairman), Miss L. Blackburn, R. Bowker, K. Carter, Mrs. L. Evans, D. Hopps, P. Myers, A. Western, M. Whetton, Mr. D. Goodman and Mr. C.E.J. Griffiths.

#### In attendance

Jane Le Fevre

Director of Legal and Democratic Services

Dominique Sykes

Principal Solicitor (Corporate and Commercial)

Alexander Murray

Democratic and Scrutiny Officer

### APOLOGIES

Apologies for absence were received from Councillors M. Freeman, and A. Rudden. Apologies were also received from S. Neild, and R. Brown.

### 19. MINUTES

The Director of Legal and Democratic Services explained the changes that had happened regarding the role of monitoring officer since the previous meeting to the Committee. The Committee were informed that following the departure of Janet Keeley the Director of Legal and Democratic Services had reassumed the role of Monitoring Officer.

RESOLVED: That the minutes of the meeting held 26 October 2017 be agreed as an accurate record and signed by the Chairman.

### 20. LOCAL GOVERNMENT ETHICAL STANDARDS CONSULTATION

The Director of Legal and Democratic Services gave a brief explanation to the Committee as to what the consultation covered and the purpose of the review. Following the introduction Committee Members were asked to give their thoughts on the consultation in order to form an official response on behalf of the Committee. Members were told that they were also able to respond to the consultation by themselves if they so wished.

The Director of Legal and Democratic Services asked the Committee whether they would like to respond from a hypothetical general perspective or from a Trafford perspective. It was recommended to the Committee that they respond from a Trafford perspective as that is what they know and had experience of. The Committee were informed that in addition to this response the Legal officers of the Council would formulate their own response to the consultation. Committee Members agreed that they should submit a response from a Trafford Perspective.

The Director of Legal and Democratic Services then went through the consultation questions asking the Members for their thoughts and opinions.

The Committee gave responses to all the questions which were recorded by officers to formulate a Committee response. The exception to this was the section on Councillor Intimidation. The Director of Legal and Democratic Services

**Standards Committee**  
**7.3.18**

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suggested that for this section a short questionnaire should be sent to all Councillors so that the response would reflect the experience of Trafford Councillors. It was agreed that a draft official response was to be sent to all Committee Members for comments prior to submission.

RESOLVED:

- 1) That a short questionnaire be sent to all Councillors regarding the intimidation of Councillors.
- 2) That officers are to collate all responses from the Committee and Councillors in order to formulate an official response to the Consultation from the Committee.
- 3) That the draft response be sent to all Committee Members for comment prior to submission.

**21. STANDARDS AWARENESS TRAINING FOR MEMBERS**

The Principal Solicitor (Corporate and Commercial) informed the Committee that Trafford were looking at a number of providers regarding the training for Councillors. The training will focus on two areas; Conduct and Communications and will cover areas such as interaction with the public and social media. The Committee were told that elements of this training would be included in other training where there was overlap. The Principal Solicitor (Corporate and Commercial) said that a further update would come to the next Committee meeting.

RESOLVED:

- 1) That the update be noted.
- 2) That a further update on standards training be brought to the next Committee meeting.

**22. DATA PROTECTION UPDATE**

The Director of Legal and Democratic Services updated the Committee on the progress of registering all Councillors with the Information Commissioners Office. There had been an excellent level of response with only nine Councillors who still needed to complete the form. The political Leaders were to be informed of their members who had not yet signed up.

The Committee were informed that new data protection regulations were coming into effect from 25 May 2018 which would greatly strengthen a number of aspects including punishments for breaches. The legislation will alter the way that companies deal with individual's data also. The Monitoring officer and the Deputy Monitoring Officer were to look at the impact that the changes will have on the work that councillors do and their relationships with members of the public. An update on these impacts was to be brought to the next Committee meeting.

RESOLVED:

- 1) That the update be noted.
- 2) That an update on the impact of changes to the Data Protection act be brought to the next meeting of the Committee.

*Standards Committee (7.3.18)***23. REPORT OF THE MONITORING OFFICER**

The Director of Legal and Democratic Services updated the committee on the complaints that had been received during the municipal year. Over the course of the year two complaints had been received.

One concerned a member's behaviour, which accused the member of bullying, harassment and possible misuse of position. The complaint had been considered by the Monitoring Officer and Independent Persons and they had concluded that if the matters had occurred, as stated within the complaint, it would have been a breach of the code of conduct. However, it was felt that such a breach would be a minor breach of the code of conduct. On this basis it was decided that an apology from and additional training for the Councillor in question were sufficient measures and that there was no need for a full investigation. It was confirmed that other than to undertake a full investigation, no further sanctions to resolve this issue were available to the Council. The Committee were told that the complainant was not fully satisfied by the outcome.

A Committee Member asked about the complaint process undertaken and why the complaint was not brought to the Committee. In response the Director of Legal and Democratic Services explained the process by which matters are considered looks at the code of conduct and also whether the complaint, if true, would result in a breach the code of conduct. The process then requires consideration of seriousness of any such breaches and also the options available to the Council to resolve the issue. It was re-emphasised that when this complaint was considered the actions of the Councillor, if true, did amount to a breach of the code but that it was decided that the actions amounted to minor breaches of the code and thus the remedy offered was a sufficient measure.

Another Member enquired as to whether this incident would be considered if any further complaints were made about the Councillor in question. The Director of Legal and Democratic Services responded that all previous conduct was taken into account when considering complaints.

The second official complaint which had been received was about the behaviour of one member to another during a public Committee meeting. The complaint was still in the early stages and the Director of Legal and Democratic Services was waiting to review relevant information. Following that the Director of Legal and Democratic Services informed the Committee that the independent person would be consulted.

The Committee were informed that Councillor Sephton had been charged and convicted of a Criminal offence. It was confirmed that following his convictions, he had been disqualified from being a Councillor. It was also confirmed that the Council were awaiting official confirmation that no appeal of the conviction had been made. If the disqualification had occurred at a different part of the year a by-election would have been triggered. However, it was confirmed that the election of Councillor Sephton's replacement would be part of the year's local elections.

RESOLVED:

- 1) That the update be noted.

**Standards Committee**  
**7.3.18**

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The meeting commenced at 6.30 pm and finished at 7.57 pm