



**Service Director – Legal, Governance and
Commissioning**

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Governance and Commissioning

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

STANDARDS COMMITTEE

MONDAY 10 OCTOBER 2022

Nicola Sylvester

01484 221000

Chair

Councillor Jo Lawson

Councillors Attended

Councillor Harry McCarthy

Councillor Mohan Sokhal

Councillor Michael Watson

Councillor Alison Munro

Attendees

Michael Stow – Independent Person

Apologies

Councillor James Homewood and Councillor Martyn Bolt

1 Membership of the Committee

To receive any apologies for absence.

Apologies for absence were received from Councillor Bolt and Councillor Homewood.

2 Minutes of Previous Meeting

To approve the Minutes of the meeting of the Committee held on 15 March 2022 and 25 May 2022.

RESOLVED: That the minutes of the meeting held on 15th March 2022 and 25th May 2022 be agreed as a correct record.

3 Interests

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

No interests were declared.

4 Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

It was agreed that all agenda items would be held in public session.

5 Deputation/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

No deputations or petitions were received.

6 Public Question Time

The Committee will hear any questions from the general public.

No questions were asked.

7 Code of Conduct complaints update

To receive a report detailing complaints received since the last Standards Committee meeting in March 2022.

Contact: David Stickley, Senior Legal Officer.

The Committee received a report which provided an update on complaints that had been received since the previous meeting of the Committee on the 15

March 2022. The Committee was informed that the report looked at complaints received from 1st March 2022 to end of August 2022 and gave a breakdown. The report advised that since 1 March 2022 the Monitoring Officer had received 9 complaints relating to alleged breaches of the Code of Conduct. This figure included three complaints that were made against more than one member of Kirklees Council. There were no complaints relating to Town or Parish Councillors. Of these 9, 5 were not progressed after the initial assessment process. The remaining 4 complaints were currently being investigated before being considered under the initial assessment process.

During consideration of the complaints update, Members of the Committee discussed when they felt it was appropriate to remove any standards decisions from the Kirklees website.

RESOLVED- That the report be received and noted.

8 Cases and News Update

To receive a report setting out news and cases of interest since March 2022.

Contact: David Stickley, Senior Legal Officer.

The Committee received a report which provided an update on matters arising in terms of local government ethics, including relevant case law and decisions of other local authorities or any existing standards boards.

The report also provided an update on the work of the Committee on Standards in Public Life that followed on from the report on 'Ethical Standards in Local Government.

RESOLVED- That the report be received and noted.

9 Update on Actions from March Standards Committee

To receive a report updating on Actions from March 2022 Standards Committee.

Contact: David Stickley, Senior Legal Officer.

The Committee received a report on the actions requested by the Committee at the March 2022 meeting which included:

- (i) That the Monitoring Officer be delegated to draft an amendment to the standards process to introduce a "fast track" process to address repeat complaints and to report to this Committee.
- (ii) That the Monitoring officer works with Town and Parish councils to consider options for increasing involvement at Town and Parish Council level in the Standards process and to report back to this Committee in September with proposals.

- (iii) That this Committee working with NALC and the LGA (as appropriate) to raise the issue of the delay in the government response to the CSPL report write as a Council (or jointly with NALC and/or LGA) to the Minister highlighting the need for a formal response.
- (iv) That work be undertaken with Members and Officers to update and refresh and raise awareness to the Member Officer protocol and the importance of that to the efficient and effective working of the Council.
- (v) That more regular workshop and engagement sessions with Members and Officers to discuss issues of common concern about behaviours are arranged.
- (vi) That further actions and training support be considered including training for Planning Chairs, Case Law, and the new Code of Conduct.
- (vii) That the new code of conduct be emailed to all Members with a requirement of a received and read confirmation.

The Committee noted that:

- (i) An amended version of the Fast Track process had been drafted,
- (ii) Town and Parish Councils had been contacted with options on how they could be involved in the standards investigation process and had been invited to the Standards Committee meeting,
- (iii) A formal response from the Minister had been received by the Committee on Standards in Public Life,
- (iv) Initial plans and discussions had taken place regarding the Member-Officer protocol, members would be kept informed and asked for their involvement,
- (v) Workshops were to take place to allow members and officers to share views on areas of mutual concern,
- (vi) Members training on the Code of Conduct was proposed to take place in Autumn 2022,
- (vii) The new code of conduct had been sent to all members.

RESOLVED:

- (i) That the report be received and noted.
- (ii) That the Fast Track process be noted.
- (iii) That Town and Parish Councils be invited to future Standards Committees.
- (iv) That a link to the Member Officer protocol be circulated to Committee Members.
- (v) That an Officer-Member workshop be arranged on Effective Communication.
- (vi) That the Standards Process Review be updated.
- (vii) That complaints relating to Members who breached the Code of Conduct remained on Kirklees website for a period of 4 years.
- (viii) That complaints relating to Members where no breach to the Code of Conduct was found are not logged on Kirklees website.
- (ix) That Member complaints on Kirklees website are updated every 6 months.