

STANDARDS ADVISORY COMMITTEE

MINUTES OF THE MEETING HELD ON 13 JUNE 2017

AT 4.30 PM

IN THE COUNCIL CHAMBER, WILLITON

Present:

Mr T Evans Chairman

Councillor J Davis

Mr J Gamlin

Councillor P Webber

Councillor N Thwaites

Councillor S O de Renzy-Martin

Mr I Gunn

Councillor P H Murphy

Councillor D J Westcott

Officers in Attendance:

Monitoring Officer (B Lang)

Deputy Monitoring Officer and Meeting Administrator (R Bryant)

Also present : Mr Justin Robinson, County Executive Officer of the Somerset Association of Local Councils

SA1 Apology for Absence

Ms Louise Somerville (Independent Person)

SA2 Welcome and Introductions

The Chairman welcomed everyone to the meeting and Members and officers introduced themselves.

SA3 Appointment of Chairman

RESOLVED that Mr T Evans be appointed Chairman of the Standards Advisory Committee for the remainder of the Municipal Year.

SA4 Appointment of Vice-Chairman

RESOLVED that Mr I Gunn be appointed Vice-Chairman of the Standards Advisory Committee for the remainder of the Municipal Year.

SA5 Minutes of the Meeting held on 14 March 2016

(Minutes of the Meeting of the Standards Advisory Committee held on 14 March 2016 - circulated with the Agenda.)

RECOMMENDED that it be noted that the Minutes of the Meeting of the Standards Advisory Committee held on 14 March 2016 were confirmed as a correct record at the meeting of Council held on 11 May 2016.

SA6 **Declarations of Interest**

No declarations of interest were declared.

SA7 **Public Participation**

No member of the public had requested to speak.

SA8 **Raising Standards : Parish Council Health Checks**

The Chairman introduced Mr Justin Robinson, the County Executive Officer of the Somerset Association of Local Councils (SALC) who gave the Advisory Committee a presentation titled 'Raising Standards : Parish Council Health Checks'.

SALC was now in its 75th year and it currently represented 266 Town and Parish Councils and four Parish Meetings in Somerset.

The key services it provided were support and advice, troubleshooting, training and networking. Current areas for development included sharing good practice, specialist training and the promotion of high standards of governance.

The common problem areas encountered by SALC were:-

- Poor Council/community relations;
- Poor Member relations;
- Poor officer/Member relations;
- Lack of a plan;
- Lack of understanding of legal/ financial responsibilities and the Code of Conduct; and
- Lack of ambition.

SALC was currently planning to offer 'Council Health Checks' in an attempt to overcome the above problems areas.

The Health Checks were in the early stages of development but would draw on elements of existing work that had already proven to be valuable. SALC would act as a critical friend, highlighting both good practice and areas for improvement.

There would be five different options which could be chosen by a Town/Parish Council depending on the nature of the problem. These options were:-

- (1) **Council Policy/Compliance Check** – A desktop exercise or Combined with 1-2-1 new Clerk training; Would ensure that policies

were in place and up to date; Checks of agendas and minutes to ensure compliance with relevant legislation; Assessing the structure of the Council and compliance with the Transparency Code which might lead to referral to the Local Council Advisory Service.

- (2) **Staff Review/Salary Benchmarking Exercise** - Conducted by telephone or 1-2-1 interview; Reviewed hours/salaries/contracts against the work currently undertaken by the Council and its future aspirations; Would look at current member HR management, appraisals and assess training needs; This had proven helpful in diffusing officer/Member tensions in the past.
- (3) **Meeting Observation** - Particular focus on agenda management, public participation, Member engagement, Chairmanship, procedural and Code of Conduct compliance; This was a useful method to help build Council confidence and address compliance issues in a practical way.
- (4) **Personalised Training** - Training for the whole Council and staff or referral to SALC's existing training options; Single Council sessions which provided greater focus on what the Council did and an opportunity to address local concerns/problems or a training Question and Answer session where Members set the agenda. This had proven very effective at addressing poor internal relations; and a Mentoring Scheme was being developed.
- (5) **Council Business Planning** - An informal, facilitated session to take stock of where the Council was and where it wanted to be in 3-5 years' time; This might lead to a Council Work Plan or something larger involving the whole community; This had been tried and tested elsewhere and had been shown to raise aspirations and as a way of re-engaging with the local community.

Mr Robinson concluded his presentation by stating that although the development of the Health Checks were in their early days there had already been some positive outcomes and interest in the scheme from the National Association of Local Council's Improvement and Development Board.

There was a need to further trial aspects of the scheme and then assess how the Councils concerned were operating six months later on. He was hopeful that the approach outlined above would be one Standards Committees would recommend to Town and Parish Councils.

During the discussion of this item the following points were raised:-

- Who on the Town/Parish Council should obtain the legal/financial expertise required? *Ideally, the Clerk to the Council;*
- Was mediation ever used in an effort to resolve issues? *SALC had used this where deemed appropriate. There was a need though for a level of co-operation between the parties;*

- Some people sought election to Parish Councils for the 'wrong' reasons. However, they rarely remained as a Councillor when they realised they could not always get their own way.
- Was there a danger of a Clerk seeking to run a Parish Council? *A strong Chairman and a good HR Policy was the means of preventing this happening. SALC was able to help with the selection of new Clerks and assimilate them into the role;*
- Was it up to the Parish Council to ask SALC for advice/assistance or did it require a referral from a Standards Committee to trigger action? *It was entirely up to a Parish Council to decide whether to seek assistance from SALC. The trial of the 'Health Check' scheme would be actively promoted when a new member of staff took up their position with SALC;*
- Did SALC have any powers of sanction over Parish Councils? *No. If individual Councillors had allegedly breached the Parish Council's Code of Conduct resulting in a complaint being received, this would initially be dealt with by the District Council's Monitoring Officer. Recently, SALC had been 'called in' by the Monitoring Officer to resolve several complaints that had been made at one Parish Council rather than use the formal investigation route. This had proved to be successful.*
- How did a Parish Council become 'Council of the Year'? *This accolade was given to Councils who were particularly innovative. Martock Town Council was a particularly good example of this due to the range of services it provided.*
- A reference was made to the weakness in the Standards Regime relating to Councillors not declaring interests. *It was felt that the lack of sanctions available to Standards Committees ought to be restored. However, Councils were currently stuck with the regime that had been introduced by the Government in 2012.*

RECOMMENDED that Mr Robinson be thanked for his interesting presentation the contents of which would be noted.

SA9

Monitoring Officer's Update

The Monitoring Officer reported on activities undertaken since the last meeting of the Advisory Committee.

It had been quite some time since the Standards Advisory Committee had last met. Part of the reason for this was that very few formal complaints against Councillors had been received. He added he had been able to resolve these complaints without having to resort to the formal procedure.

In recent weeks, complaints had been received about Members of a particular Parish Council which would necessitate an informal meeting of the Advisory Committee to decide on the appropriate course of action to deal with them. This meeting would be arranged in due course.

The Monitoring Officer went on to draw the attention of Members to the letter that had been written by Sedgemoor District Council – with the support of eleven other Councils across the South-West – to the Secretary

of State for Communities and Local Government outlining discontent with the current Standards Regime. The views that had been expressed were strongly supported by the Advisory Committee.

RECOMMENDED that the Monitoring Officer's update be noted.

SA10 **Date of Future Meeting**

- 10 October 2017 at 4.30 pm in the Council Chamber, West Somerset House.

The meeting closed at 5.28 pm

DRAFT