

## SWT Audit, Governance and Standards Committee - 10 August 2020

Present: Councillor Lee Baker (Chair)

Councillors Derek Perry, Simon Coles, Martin Hill, Janet Lloyd, Steven Pugsley, Vivienne Stock-Williams, Andrew Sully, Terry Venner, Alan Wedderkopp (In place of Caroline Ellis) and Loretta Whetlor (In place of Hugh Davies)

Officers: Michele Noad, Alison North, Clare Rendell, Amy Tregellas and Alastair Woodland

Also Present: Councillors Chris Booth, Sarah Wakefield and Brenda Weston

(The meeting commenced at 6.15 pm)

### 17. Apologies

Apologies were received from Councillors H Davies (who was substituted by L Whetlor) and C Ellis (who was substituted by Councillor A Wedderkopp).

### 18. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr L Baker	All Items	Cheddon Fitzpaine & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr D Perry	All Items	Taunton Charter Trustee	Personal	Spoke and Voted
Cllr V Stock-Williams	All Items	Wellington	Personal	Spoke and Voted
Cllr T Venner	All Items	Minehead	Personal	Spoke and Voted
Cllr A Wedderkopp	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted

### 19. Public Participation - To receive only in relation to the business for the

## Extraordinary Meeting

No members of the public had requested to speak on any item on the agenda.

### 20. **SWAP Internal Audit - Independent External Assessment Report 2020**

**Resolved** that the Audit, Governance and Standards Committee noted the content of the report.

### 21. **Draft Annual Governance Statement 2019/20**

During the discussion, the following points were raised:-

- Councillors queried where they could find the Annual Report mentioned on page 35 of the agenda.  
*The Monitoring Officer advised that she would add it to the library section of Mod.Gov for Councillors to access.*
- Councillors queried when they would see the results from the Performance Report.  
*The Director for Internal Operations advised that the scorecard could be brought to the next meeting of the Committee, but that it was normally taken to the Scrutiny Committee and the Executive for debate.*
- Concern was raised on some of the deadline dates stated in the report for work to be carried out on the improvement on public participation and transparency.  
*The Monitoring Officer advised that the work had already been carried out, but that it required sign off by the Constitutional Working Group. She was aware that officers needed to be clearer on why some items were discussed in confidential session and she was keen to get the necessary work signed off and publicised.*
- Councillors queried whether their training schedules had been compiled and when their 1-2-1s would resume.  
*The Monitoring Officer advised that the 1-2-1s were postponed due to the lockdown period caused by the Covid Pandemic, however, officers were due to reschedule them via Zoom virtual sessions, which would help gather the information required to draft a comprehensive training programme for Councillors.*
- Councillors requested sight of the induction packs from the start of the municipal year.  
*The Monitoring Officer advised that they were available on Mod.Gov for Councillors to view and that information was normally added to the system after all the member briefings, so that Councillors had access to all the information.*
- Concern was raised that Councillors would not receive the risk management training by the deadline date stated in the report.  
*The Monitoring Officer understood their concern but advised that action was required if Councillors were expected to act upon recommendations included within the committee reports.*
- Councillors requested clarity on who they should contact for certain queries and what their limitations were as Councillors.

*The Monitoring Officer gave clarification that Councillors should contact either the Member Case Manager or a member of the Governance Team if they were unsure who to contact within the Authority.*

- Concern was raised that officers assumed Councillors knew certain rules and procedures, which they didn't know and that some clarification was required.

*The Monitoring Officer advised that she hoped this would be picked up through the Councillor 1-2-1s when they were carried out.*

- Concern was raised that both Councillors and officers were not aware of what the Corporate Objectives were and how that was fed down from the Chief Executive and Senior Management Team.

*The Monitoring Officer advised that the Chief Executive had carried out several staff briefings during lockdown, which had been recorded and sent out to all staff and uploaded to Sharepoint for staff to access, along with any email communications that had been sent out. The information given to staff was also included in the Councillor weekly newsletter.*

- Councillors suggested that all Councillors, old and new, should be given basic Planning training and advised what their responsibility was as a Ward Member.

*The Monitoring Officer reminded Councillors that training was given during their induction sessions, but that it could be repeated for those that were not able to attend.*

**Resolved** that the Audit, Governance and Standards Committee approved the draft Annual Governance Statement and Action Plan for 2019/20.

## 22. **Consultation on National Model Code of Conduct**

During the discussion, the following points were raised:-

- Councillors supported the draft document and suggested some features to be added in the feedback form.
- Councillors agreed that a national code of conduct would be very helpful for Councillors that were 'twin hatters' and sat on more than one tier of council.
- The detailed feedback sheet would be attached to the minutes.
- The deadline for feedback was Friday 14 August 2020.

## 23. **Information Management Update**

During the discussion, the following points were raised:-

- Councillors appreciated that the organisation required to take action but requested clarification on the information Councillors held on their devices.  
*The Digital Modernisation Programme Officer advised that she would carry out training for Councillors as they would be held to account to the same retention schedule used for personal data.*
- Councillors queried whether the training carried out by officers had been compulsory.  
*The Digital Modernisation Programme Officer advised that the Teams training had been compulsory and that she was now working with*

*individual departments to ensure that officers had been trained in the other areas on data retention. A culture change was required and would need to be embedded within the organisation. They had also tracked who had attended the training so that the information could be fed back to the Directors, so they could follow up with officers and ensure the necessary work was carried out.*

(The Meeting ended at 8.20 pm)

Draft

## **LGA Consultation on Draft Model Member Code of Conduct**

SWT Response (as discussed at the Audit, Governance and Standards Committee last night)

Your name: *Amy Tregellas*

Are you... *Answering on behalf of a whole Council – Somerset West and Taunton Council*

Please indicate your Council type – *District/Borough*

### Application of the Code

Q1. To what extent do you support the proposal that councillors demonstrate the behaviours set out in the Code when they are publicly acting as, identifying as, and/or giving the impression that they are acting as a councillor, including when representing their council on official business and when using social media?

*Answer – to a great extent*

Q1a. If you would like to elaborate on your answer please do so here:

*We felt that this code was easy to understand, well written and succinct and to the point*

Q2. Is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance?

*Answer – Yes*

Q3. Do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense?

*Answer – Personal Tense (“I will”)*

### Specific Obligations

Q4. To what extent do you support the 12 specific obligations (listed on pages 64 and 65 of your agenda pack)?

*Answer – To a great extent for all 12 specific obligations*

Q5. If you would like to propose additional or alternative obligations, or would like to provide more comment on a specific obligation, please do so here.

*Answer – nothing to add*

Q6. Would you prefer to see the obligations as a long list followed by the guidance, or as it is set out in the current draft, with the guidance after each obligation?

*Answer – Each specific obligation followed by its relevant guidance*

Q7. To what extent do you think the concept of ‘acting with civility’ is sufficiently clear?

*Answer – to a great extent*

Q7a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here

*Answer – nothing to add*

Q8. To what extent do you think the concept of ‘bringing the Council into disrepute’ is sufficiently clear?

*Answer – To a great extent*

Q8a. If you would like to suggest an alternative phrase that captures the same meaning, or would like to provide a comment on this concept, please do so here

*Answer – nothing to add*

Q9. To what extent do you support the definition of bullying and harassment used in the code in a local government context?

*Answer – To a great extent*

Q9a. If there are other definitions you would like to recommend, please provide them here

*Answer – nothing to add*

Q10. Is there sufficient reference to the use of social media?

*Answer – Yes*

Q10a. Should social media be covered in a separate code or integrated into the overall code of conduct?

*Answer – Integrated into the code*

Q10b. If you would like to make any comments or suggestions in relation to how the use of social media is covered in the code please do so here

*Answer – nothing to add*

#### Registration and declarations of interest

Q11. To what extent do you support the code going beyond the current requirement to declare interests of the councillor and their partner?

*Answer – Not at all*

Q11a. If you would like to elaborate on your answer please do so here

*Answer – SWT wrote its Code of Conduct in such a way that, as well as making reference to DPs we also include prejudicial interests so we are already picking up wider interests*

Q12. Should the requirement to declare interests be in the main body of the code or in the appendix where the draft model code currently references it?

*Answer – In the main body of the code*

Q12a. If you would like to make any comments or suggestions in relation to how the requirement to declare interests is covered in the code please do so

*Answer – Nothing to add*

Q13. To what extent do you support the inclusion of these additional categories for registration?

*Answer – To a great extent for all 4 categories*

Q13a. If you would like to propose additional or alternative categories for registration, please provide them here

*Answer – nothing to add*

Q14. To what extent do you support the proposed requirement that councillors do not accept significant gifts as set out in obligation 11?

*Answer – To a moderate extent*

Q14a. If you would like to elaborate on your answer please do so here

*Answer – nothing to add*

Q15. The draft code proposes £25 as the threshold for registering gifts and hospitality. Is this an appropriate threshold?

*Answer – No, it should be slightly higher suggestions ranged between £30 and £40*

*Note: will add in at the end that we also feel the amount should be reviewed annually*

Q16. The LGA will be producing accompanying guidance to the code. Which of the following types of guidance would you find most useful? Please rank 1-5, with 1 being the most useful

- Regular updated examples of case law
- Explanatory guidance on the code

- Case studies and examples of good practice
- Supplementary guidance that focuses on specific areas, e.g. social media
- Improvement support materials, such as training and e-learning packages

**Members – as agreed at last night’s meeting please review this list and send me your rankings 1-5**

Q16a. If you would like to suggest any other accompanying guidance please do so here

**Members – please send me any additional comments that you wish to make in respect of this question**

Q17. If you would like to make any further comments about the code please do so:

*Answer –*

- *We feel that the amount for gifts and hospitality should be increased to £30-£40 as it has been £25 for years and doesn’t reflect inflation. We also feel that it should be reviewed on an annual basis*
- *We would also like to make the point that, whilst the law is very specific about Disclosable Pecuniary Interests we have also included Personal and Prejudicial Interests in our current code to cover wider family and friends.*