

## Minutes of a meeting of the Standards Committee held on 19 March 2014 at City Hall, Bradford

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Commenced 14.05  
Concluded 14.35

### PRESENT – Councillors

LABOUR	LIBERAL DEMOCRAT
Farley (Ch)	G Reid
Ferriby	
Ruding	

Also Present: Parish Councillor Bowen and Town Councillor Mitchell

Apologies: Councillor Binney and Mr Shakeel, Independent Person

### Councillor Farley in the Chair

#### 13. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

#### 14. MINUTES

##### Resolved -

That the minutes of the meeting held on 13 November 2014 be signed as a correct record.

#### 15. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.



## 16. MONITORING OFFICER'S REPORT ON COMPLAINTS

The Monitoring Officer reported to the meeting the receipt of any complaint notified to her, the stage that any notified complaint had reached and the final outcome on the consideration of a complaint, where appropriate.

She had identified a trend in complaints received related to Town and Parish Councillors. There seemed to be a view among some Town and Parish Councillors that when the Town or Parish Council had made a decision all members should support it. She confirmed that it was not a breach of the Code of Conduct not to support decisions of the Town or Parish. She added that it was not inappropriate for members to oppose the decision and to support the people who opposed it. She was not sure that this was fully understood by all Chairs and Officers of Parish and Town Councils.

The Chair suggested that it would be beneficial to issue guidance to all Parish and Town Councils to clarify this position.

The Monitoring Officer confirmed that decisions had been sent out in respect of complaints 09/2013 and 11/2013.

### **Resolved –**

**That the City Solicitor provides guidance to all Parish and Town Councils on the code of conduct in relation to a member of the Parish or Town Council disagreeing with a decision of the Town or Parish Council or supporting an opposition group.**

**ACTION: City Solicitor**

## 17. GUIDANCE FOR ELECTED MEMBERS

The Council's Constitution contained various documents which formed the framework within which Members were expected to undertake in their role. In addition, there was a range of legal requirements of which Members must have been aware to ensure they could operate effectively and within the law.

The City Solicitor submitted **Document "C"** which sought the Committee's approval to a proposed guidance document to be provided to Elected Members setting out advice on the framework within which they were required to undertake their different roles.

A discussion took place on the use of the phrase "represent the Council" in paragraph 2.2 (a) (ii), the Monitoring Officer accepted that if a member presented a political view this did not "represent the Council" and she undertook to come up with more appropriate wording.

A member noted that there was no clear guidance on sharing information about an individual between Ward members who were members of the same political group. The Monitoring officer expressed the view that the Information Commissioner's advice on data protection did not reflect an understanding of how Ward members worked with one another. She added that where members in a Ward were in the same political group it could be safe to assume that the public would be agreeable to their data being shared but that this had not been tested with the Information Commissioner.

The member was of the opinion that rather than leave a constituent without representation the reasonable person test should be applied and this be tested by the Information Commissioner as necessary. The Monitoring Officer added that if this was reported to the Information Commissioner it may be considered a technical breach but there would be difficulty in showing any detriment to the complainant. She acknowledged that there may be sensitivity in sharing information between members who were not members of the same political group.

The Monitoring Officer agreed to add a comma between “of” and “the” on the first line of paragraph 2.1 and to amend paragraph 2.9 (v) to reflect the protected characteristics in the Equality Act 2010.

**Resolved -**

- (1) That the Guidance for Elected Members contained in Document “C” be approved.**
- (2) That the final documentation be circulated to all Members of Council.**
- (3) That the final document be circulated to Strategic Directors, Directors, Assistant Directors and Parish and Town Councils.**

**ACTION: City Solicitor**

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Standards.**