

## **Minutes of a meeting of the Standards Committee held on Wednesday, 6 October 2021 in Council Chamber, City Hall - City Hall, Bradford**

Commenced	10.30 am
Concluded	11.15 am

### **Present – Councillors**

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
Lal Ferriby M Slater	Townend	Reid

### **NON VOTING CO-OPTED MEMBERS**

Town Councillors C Whitaker and M Westerman

Apologies: Councillor Ibrar Hussain, Councillor Dale Smith and Mohammed Shakeel  
Independent Person

### **Councillor Lal in the Chair**

#### **1. DISCLOSURES OF INTEREST**

No disclosures of interest in matters under consideration were received.

#### **2. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

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

#### **3. APPOINTMENT OF A COMPLAINTS SUB-COMMITTEE**

The Committee was advised that it is required to appoint a Complaints Sub-Committee. The membership of the Sub Committee will be drawn by rotation from the overall membership of the Committee as far as is practicable. The Sub Committee will comprise three members of the Committee one of whom must be from the same political group as the subject Member (wherever possible), but not all of the Members will be from the same political group. The Chair will be elected from among the membership at the beginning of the meeting, but cannot be from

the same political group as the subject Member.

**Resolved –**

**That a Complaints Sub-Committee be appointed with roles and functions as contained in the resolution of Council made on 10 July 2012 and Article 11 of the Constitution and subject to the Rules of Procedure contained in Part 3 of the Constitution adopted by Annual Council on 18 May 2021.**

ACTION: City Solicitor

**4. LOCAL GOVERNMENT ASSOCIATION MODEL COUNCILLOR CODE OF CONDUCT**

The Assistant City Solicitor (Democratic Services) presented **Document “A”** in which the Committee was requested to consider the Local Government Association (LGA) new Model Councillor Code of Conduct (“the Code”) and decide whether to recommend to Council its adoption with or without amendments to replace the Council’s existing Members’ Code of Conduct or whether to require consultation with Councillors before considering adoption.

The Code was attached as Appendix 1 to Document “A”. This new Code was developed in response to the Committee on Standards in Public Life’s (CSPL) report into Local Government Ethical Standards. The CSPL report included a best practice recommendation for local authorities to adopt a Code of Conduct based on a model to be produced by the LGA. The Code is based on the CSPL best practice recommendations and the expectation is that all councils should adopt it as a minimum, but with provision for additional local variations.

The Code builds on the Nolan principles and details members’ obligations as the minimum standards of conduct. Members were advised that the Code is more detailed than the Council’s current Members’ Code of Conduct (attached at Appendix 3 to Document “A”) and for example, includes specific reference to respect and bullying, harassment and discrimination. The Code requires members within 28 days of becoming a member or re-election or re-appointment to office to register with the Monitoring Officer Disclosable Pecuniary Interests. Under the Council’s current Code where a member is re-elected/reappointed notification is only required of any new Disclosable Pecuniary Interests.

In addition to the requirements regarding Disclosable Pecuniary Interests the Code includes new categories of interests namely Other Registerable Interests and Non-Registerable Interests. Members were referred to Appendix 4 to Document “A” which summarised the differences between the new Code and the Council’s current Code.

Members were asked, to consider whether to include the following matters that are contained in the Council’s existing Code of Conduct if they were to recommend to Council adoption of the Code:

- The mandatory requirement that members complete a training course on

Child Sexual Exploitation (paragraph 21A of the Council's existing Members' Code of Conduct).

- Confirmation that all complaints alleging a failure to comply with the Code will be considered in accordance with the Procedure agreed by full Council (paragraph 22 of the Council's existing Members' Code of Conduct).
- Incorporation of the Member- Officer Relations Protocol and the Members Use of Council Resources including use of Email and Internet Protocol into the Code (paragraph 23 of the Council's existing Members' Code of Conduct) subject to any consequential amendments required to address inconsistencies.
- The provisions regarding granting of dispensations (paragraph 24 of the Council's existing Members' Code of Conduct).

It was noted that the mandatory requirement to complete a training course on Child Sexual Exploitation was a decision made at full Council and Members were in agreement that the matters detailed above which were contained in the Council's existing Code of Conduct be included. Members did not consider further consultation was required.

Members were advised that paragraphs 2.3 and 2.4 of the Council's existing protocol on gifts and hospitality states that the decision is for the member in every case whether or not it is appropriate to accept any gift or hospitality. Paragraph 10.1 of the LGA Code sets out a specific rule to not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence, etc. Paragraph 9.1 of the Council's existing protocol requires members within 28 days of receiving any gift or hospitality over the value of £25 to notify the Monitoring Officer. Paragraph 10.2 of the LGA Code raises this amount to £50. Members were asked to consider whether to maintain the amount at £25 to which they agreed.

It was noted that Calderdale Council has adopted the Code in its entirety. West Yorkshire Combined Authority has also adopted the Code. Leeds Council has adopted the Code with a number of amendments. Wakefield Council has also adopted the Code with a number of amendments. The Co-opted members confirmed that Keighley Town Council and Silsden Town Council have both adopted the Code.

In response to a member question it was confirmed that all members were trained on an annual basis on Child Sexual Exploitation.

It was noted that there was a need for extensive training on the Code which contained a number of differences from the existing code. Members discussed the date from when the new Code should operate and agreed that this should be the beginning of the new municipal year 2022- 23 and that it would be appropriate to take the recommendation to adopt the Code to the 15 March 2022 meeting of Council.

**Resolved -**

- (1) That the Local Government Association Model Councillor Code of Conduct 2020 (“the Code”) be recommended for adoption by Council to be effective from the beginning of the Municipal Year 2022-23 with the following amendments (Amendments (1) (a) to (d) are matters included in the Council’s existing Members’ Code of Conduct and the paragraph numbers refer to the paragraph numbers in the existing Code):
- (a) The inclusion of the mandatory requirement that members complete a training course on Child Sexual Exploitation. (paragraph 21A).
- (b) Confirmation within the Code that all complaints alleging a failure to comply with the Code will be considered in accordance with the Procedure agreed by full Council (paragraph 22).
- (c) The incorporation into the Code of the Protocols on Member-Officer Relations, and Members’ use of Council Resources including use of Email and the Internet as detailed in paragraph 23 of the existing Members’ Code of Conduct subject to any consequential amendments required to address inconsistencies.
- (d) The Provisions regarding granting of dispensations (paragraph 24).
- (e) That in paragraph 10.2 of the Code (Gifts and Hospitality), £50 be replaced with £25.
- (2) That the City Solicitor produces a draft code incorporating the amendments, further consults the Chair of this Committee before it is considered by Council and that consideration is given to taking the recommendation for adoption of the Code to the Council meeting in March 2022.
- (3) Upon adoption of the amended Code by Council, delegated authority be given to the City Solicitor to make any consequential amendments required to the Council’s Constitution including to the Protocols on Member-Officer Relations, Members Gifts and Hospitality and Members Use of Council Resources including Use of E-mail and the Internet in consultation with the Chair of this Committee.
- (4) Upon adoption of the amended Code by Council the City Solicitor write to all Town and Parish Councils within the Bradford District to advise them of adoption of the Code and encouraging them also to adopt the Code if they have not already done so.

ACTION: City Solicitor

## 5. TRAINING

Members were advised that the way in which training had been delivered over the

last year had changed because of the Covid19 pandemic. Some training had been undertaken face to face where permitted and some on line or remotely. Members were asked if they would prefer to continue to receive a mix of training methods going forward. Members were in favour of continuing to receive a mix of training methods which they felt would be beneficial for members as it reflected their different circumstances and training needs. Any training request from members would be referred to Human Resources to arrange the member training.

**Resolved –**

**That members continue to receive a mix of face to face, remote and on-line training.**

ACTION: City Solicitor/Director of Human Resources

Chair

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

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER