

STANDARDS COMMITTEE

Minutes of the meeting held on 7 March 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Mr Peter Tucker (Chair); Councillors J Bayford, Crittenden, Duckworth, Fellows, Ovenden, Quittenden (Minster Parish Council), Michael Clarke (Independent Member of the Standards Committee), Peter Lorenzo (Independent Member of the Standards Committee) and Carolyn Ruston (Independent Member of the Standards Committee)

In Attendance: Councillors Munns, Scobie

1. APOLOGIES FOR ABSENCE

Apologies for absence were given from the following Councillors:

Councillor Austin,
Councillor d'Abbro.

Councillor Munns substituted for Councillor Austin, Councillor W. Scobie substituted for Councillor d'Abbro.

2. MINUTES OF PREVIOUS MEETING

Mr Tucker proposed, Councillor Bayford seconded and members AGREED that the minutes of the meeting held on 20 November 2023 be approved, and signed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. CONTRACT PROCEDURE RULES

Matthew Sanham, Head of Finance and Procurement, introduced the report making the following key points:

- The new procurement act 2023 was anticipated to come into force in October 2024. This would require a number of changes to be incorporated into CSO's.
- A full rewrite of CSO's would be required in the future, due to the number of changes that would potentially be made.
- Guidance on the implementation was considered limited. Therefore, the council had opted for a refresh rather than the full rewrite.
- The refresh had been undertaken to ensure that following a recent review of the procurement process remain fit for purpose during the interim period until October 2024.
- The main changes of significance were: implement changes to the spend thresholds, increase to the values of the thresholds for below threshold contracts and an update to organisational changes in job titles.
- The Constitutional Review Working Party had supported the vision to the CSO's and had referred it to the Standards Committee.

Councillor Duckworth proposed, Councillor Bayford seconded and Councillors agreed that:

“The Standards Committee are asked to support revised content of CSO’s and recommend changes contained to the Full Council.”

5. COUNCILLOR / OFFICER PROTOCOL

Ingrid Brown, Head of Legal and Democracy & Monitoring Officer, introduced the report making the following key points:

- The revised Councillor Officer protocol was a result of the recommendations of the independent monitoring officer.
- The report seeks to set the framework for Councillor Officer relations.
- The structure of the new protocol was slightly different to the old version, but was noted as easy to understand.
- Councillor Officer updated protocol looked at some of the following: the specific role of Councillor and Officers, the guiding principles regarding the relationship between Councillors and Officer, responsibility for decision making under delegated powers, the specific role of delegated officers, specific issues when supporting residents in legal proceedings and Councillor to Councillor expectations in relations to conduct.

Councillors commented and asked the following questions:

- There was some concern regarding annex 1, 5.1, relating to respect for differing political views and values. Councillors noted that this paragraph should be revised against political abhorrent views.
- Questioning was raised regarding whether there would be a review period for the Councillor Officer Protocol.

Ingrid Brown responded to questions and comments with the following key points:

- There was no proposed review period. However, this would be reviewed the same way in which other parts of the constitution were reviewed.

Councillor Duckworth proposed, Councillor Fellows seconded and Councillors agreed to amend annex 1, paragraph 5.1. This would no longer be included, and would be removed.

Councillor Duckworth proposed, Councillor Crittenden seconded and Councillors agreed that:

“It is recommended that Councillors carefully consider the detail of the revised Councillor/Officer protocol and make any recommendations they consider appropriate for Full Council to determine.”

6. REVISED CONSTITUTIONAL CHANGE PROCESS

Nicholas Hughes, Committee Services Manager, introduced the report making the following key points:

- The report asked the standards committee to consider changing the Constitutional Change process from a three stage process to a two stage process. The three stage process was currently Constitutional Review to Standards to Full Council. The proposed two stage process was Constitutional Review to Full Council.
- Key reasons for the change was a significant lead in time for reports and constitutional changes to follow through to Full Council.

- The vast majority of council's in Kent had a two stage process.
- The reduction of a two stage process would streamline the process, freeing up officer and councillor time by not having an additional meeting.
- During the meeting of the Constitutional Review Working Party it was recommended that the council should move from three to two stages, that the Constitutional Review membership should be expanded to make it a committee more of equal size, an annual meeting would be held with a set out work programme and that the name was changed from Constitutional Review Working Party would be changed to the name Constitutional Review Committee.

Councillors commented and asked the following questions:

- Were the independent members part of the Constitutional Review Working Party?
- It was a good idea to have four meetings of Constitutional Review Working Party throughout the year that were scheduled in.
- Questioning was raised regarding how many councils faced challenges with the two stage process at Full Council.

Nicholas Hughes responded with the following points:

- The independent members were committee members of both the Standards Committee and the Constitutional Review Working Party.
- There was no evidence based findings regarding challenges that council's experienced under the two stage process at Full Council. However, it was noted that the majority of council's in Kent used the two stage process.

Councillor Crittenden proposed, Councillor W. Scobie seconded and Councillors agreed to make the following amendment:

"Democratic Services to schedule (4) regular meetings in line with the appropriate council meeting."

Councillor W. Scobie proposed, Councillor Bayford seconded and Councillors agreed that:

"Members are asked to make a recommendation to Full Council amending the Council's constitutional change process from a three stage process (CRWP>Standards>Council) to a two stage process (CRWP>Council)"

7. **CHAIR'S REPORT**

Mr Tucker, the Independent Chair, introduced the Chair's report. It was noted that Councillors should follow the code of conduct, with this being applicable to Councillors use of social media platforms.

Councillors commented and made the following key points:

- There were concerning observations of some Councillors use of social media platforms.
- Training on social media should be mandatory.
- Councillors should be following the code of conduct at all times whilst acting in the capacity of a Councillor.

Ingrid Brown, Head of Legal and Democracy, commented that social media training could not be classified as mandatory. However, it was recommended that all Councillors undertook social media training.

Councillor Duckworth proposed, Councillor Crittenden seconded, and Councillors agreed:

“That members note the report and refer the report to Council.”

8. STANDARDS COMPLAINT STATISTICS

Councillors on the committee noted the standards complaint statistics.

Meeting concluded : 8.06 pm