

**MEMBER CONDUCT COMMITTEE**  
**18TH MARCH 2019**

PRESENT: The Chair (Councillor Tassell)  
The Vice Chair (Councillor Murphy)  
Councillors Bentley, Draycott, Hadji-Nikolaou,  
Rollings and Ranson  
Councillors Ball and Marchant (Parish Members)

Head of Strategic Support  
Democratic Services Manager  
Democratic Services Officer (NC)

APOLOGIES: Councillor Crick (Parish Member)

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

15. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 3rd December 2018 were confirmed as a true record.

16. DISCLOSURES OF PECUNIARY AND PERSONAL INTEREST

No disclosures were made.

17. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions had been received.

18. UPDATE ON COMPLAINTS RECEIVED

Considered a report of the Monitoring Officer providing an update on complaints received about breaches of the Members' Code of Conduct and any issues arising from those complaints (item 5 on the agenda).

The Monitoring Officer drew the Committee's attention to two new cases relating to Borough Councillors where the councillors had made inappropriate comments which failed to recognise the role of the Contact Centre. He also noted that an appeal had been submitted with respect to the decision reached by a recent Member Conduct Panel Hearing that a breach of the Member's Code of Conduct had occurred.

Members of the Committee discussed the process for handling appeals to decisions made by Member Conduct Panels within Charnwood Borough Council and were informed that an appeal was required to be submitted in writing and the Appellant did not have to provide new evidence, as was stated in the Council's Constitution. The

beginning of Purdah would not affect the arranging of an Appeals and Review Committee meeting as normal council business would continue during this period.

It was proposed by Councillor Draycott and seconded by Councillor Rollings to review the appeals process in the Council's Constitution. 6 voted for, none voted against or abstained. The proposal was carried.

*Councillor Hadji-Nikoloau joined the meeting.*

## **RESOLVED**

1. that the current position in respect of complaints about breaches of the Members' Code of Conduct that have been received by noted;
2. that guidance regarding the role of the Contact Centre be circulated to all councillors and also be included as part of the induction programme for new and returning councillors after the election;
3. that a review of the appeals process in the Council's Constitution be added to the Committee's Work programme for the Committee to consider in the new Council Year 2019-20.

## Reasons

1. To keep the Committee informed about complaints.
2. The Committee considered that the role of the Contact Centre, particularly in respect of councillors making initial enquiries, was not clear and that a guidance note explaining the role of the Contact Centre would be beneficial for existing councillors and new and returning councillors after the election.
3. The Committee considered that when an appeal was submitted after a decision had been reached by a Member Conduct Panel it should only be considered valid if there had been a procedural failing in the original Panel Hearing or new evidence was provided. The current process where an appeal can be submitted in writing irrespective of the content of the appeal was potentially wasting officer and councillor time and that the Constitution in relation to the appeals process should be reviewed.

## 19. REGISTER OF MEMBERS' INTERESTS

Considered a report of the Monitoring Officer providing an update regarding the Register of Members' Interests (item 6 on the agenda filed with these minutes).

Members of the Committee were pleased with the increased number of Borough Councillors keeping their Registers of Members' Interests up to date. It was noted that the response rate for Parish Councillors reflected the number of clerks who had responded not the individual Parish Councillors.

**RESOLVED** that the processes for keeping the Register of Members' Interest up to date be noted.

Reason

Under the Localism Act 2011 (sections 29 and 30), the relevant Authorities (Disclosable Pecuniary Interest) Regulations 2012 and the Council's Code of Conduct, Members of the Council are required to disclose their own and partners disclosable pecuniary interests, and other interest.

20. WORK PROGRAMME

Considered a report of the Monitoring Officer enabling the Committee to agree a work programme to plan its future business (item 7 on the agenda filed with these minutes).

**RESOLVED**

1. that the Committee's current work programme be noted and updated in accordance with the decisions taken during the consideration of this item and other items on the agenda;
2. that a summary of the results of the public consultation of the review of local government ethical standards by the Committee on Standards in Public Life be scheduled for the first meeting of the Committee in 2019-20 Council Year;
3. that an email circulated by the Democratic Services Manager to Borough Councillors in February 2019 regarding feedback from the consultation by the Committee on Standards in Public Life be also circulated to Parish Clerks for distribution to Parish Councillors;
4. that an update regarding the Register of Member's Interests be scheduled to the Committee's meeting to be held in December 2019.

Reason

1. To enable the Committee to fulfil its role in promoting and maintaining high standards of conduct by councillor and co-opted members.
2. The Committee considered the information would be beneficial for the new members of the Committee after they had been appointed to the Committee after the election.
3. The Committee considered the information to be beneficial to Parish Councillors.
4. The Committee wished to monitor the situation six months after the election of Borough Councillors.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 24th June 2019 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Member Conduct Committee.