

Minutes of the Democracy and Standards Committee held at 7.00 pm on Monday 8th January, 2024 at the Council Chamber, Corby Cube, Corby, Northants, NN17 1AG

Present: -

Councillor Andy Mercer (Chair)
Councillor Jean Addison
Councillor Wendy Brackenbury
Councillor Robin Carter
Councillor Melanie Coleman
Councillor Emily Fedorowycz

Councillor Matt Keane
Councillor Paul Marks
Councillor Dorothy Maxwell
Councillor Graham Lawman

Officers:

Adele Wylie, Executive Director Customer and Governance
Kamila Coulson-Patel, Chief Lawyer
Carol Mundy, Senior Democratic Services Officer (Committees/Members)
Emma Robinson, Democratic Services Support Officer

The chair welcomed members and the viewing public to the meeting.

A minute's silence was held in memory of Councillor Michael Tebbutt who had recently passed away.

76 Apologies for absence

Resolved to note that apologies for absence were received from Councillors Jelley and Tye.

77 Members' Declarations of Interest (if any)

The chair invited those who wished to do so to make a declaration of interest.

Resolved to note that no declarations were made.

78 Approval of the minutes of the previous meeting

The minutes of the meeting held on 20 November 2023 were received.

Resolved that the minutes of the meeting held on 20 November 2023 be approved as an accurate record thereof.

79 Proposed Revisions to the Constitution - Audit and Governance Committee Terms of Reference

The circulated report of the Chief Lawyer, Kamila Coulson-Patel, was received to update the committee on proposed revisions to the Terms of Reference for the Audit and Governance Committee.

Updates to the Terms of Reference needed to reflect the current CIFPA guidance on local arrangements. These updates had been considered by the Constitutional Working Group and had been recommended to be presented to this committee for consideration prior to them being presented to Council for approval.

The following were appended to the report:

Appendix A Proposed revisions to the Audit and Governance Committee Terms of Reference;

Appendix B Table of Changes.

Members asked if the chair of the Audit and Governance Committee had been made aware of the proposals. It was confirmed that he was aware and was supportive of the changes.

Members also asked if, in relation to internal audit, additional work could be carried out if necessary. The monitoring officer responded and confirmed that the work plan contained additional days that could be allocated as well as the option for consultancy days.

It was proposed by the chair and seconded by Councillor Marks that the recommendations in the report be approved. On being put to the vote this was declared carried.

Resolved that:

- (i) the proposed revisions to the Terms of Reference for the Audit and Governance Committee be noted;
- (ii) it be **Recommended** to the Council meeting on 25 January 2024 that the revised Terms of Reference for the Audit and Governance Committee be approved.

80 Local Government Association - Civility in public life - Debate Not Hate Campaign

The circulated report of the Chief Lawyer was received to update and inform members of the committee of the Local Government Association's 'Debate Not Hate': The impact of Abuse of Local Democracy' report and campaign.

Appended to the report was a copy of the LGA's report which summarised the findings.

Mrs Coulson-Patel presented her report and informed committee that in 2021, the LGA had launched a 'Call for Evidence on Abuse and Intimidation of Councillors', as part of the civility in public life programme.

The findings were used to produce a report and a campaign calling for support from councillors, MPs and organisations to sign the public statement to show support for the 'Debate Not Hate' campaign.

The report of the Chief Lawyer, detailed the findings, themes and a series of recommendations produced by the LGA. It also detailed the local picture making reference to recommendation seven, requesting councillors to sign a public statement.

Members discussed the report and considered that this was a very important campaign. They shared their personal experiences and concerns around their accessibility, and that of their families, to the public with concern around home addresses being available, photographs and personal information. Whilst accepting that there was a need to publicise their roles and the work they did.

Other comments related to the public perception of a councillor, who would always work in the best interest of their constituent, as there appeared to be a trust and respect issue which needed to be improved.

Reference was made to the Seven Principles of Public Life, also known as the Nolan Principles, of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership, which members took seriously.

Comments were also made that in some cases, particularly at council meetings that behaviour could be poor, sometimes due to passionate debate. The member code of conduct needed to be adhered to and further training could be provided on this.

Some threats could be serious and intimidating and some members considered that when complaints were made to the police, little was done. There was also an issue with so called 'keyboard warriors' who would post untrue and harmful accusations on social media, often in ignorance of what was being dealt with or discussed and how such intimidation could affect a councillor's decision making.

Members also raised issues over additional security and the need for 'on call' contact details of officers, who they could ring if they felt they were in danger at a given time and asked if they could have a list of addresses that they should not attend alone. It was also suggested that a generic telephone number be provided for each ward with the caller then pressing a number to get through to one of the ward councillors and that this should *not* be a link to a private phone number and that members should potentially be issued with council phones.

Reference was also made to the safety of town and parish clerks who were not employed by NNC. This is something that would be raised at a future forum.

The chief lawyer and monitoring officer noted the comments made and points of concern raised and stressed that if anyone was in immediate danger they should always call the Police immediately and not contact council officers. Where possible it was also advisable to visit with a fellow ward councillor and let someone know where they were going.

It was proposed by Councillor Lawman that the wording of the recommendation be slightly amended to read as follows:

3.1.2.2 'To commit *and accept* the following:' and that at point a) the following be added 'To support the 'Debate Not Hate' campaign *and accept the LGA's recommendations, in principle*'.

This was seconded by Councillor Coleman and on being put to the vote approved.

The recommendation within the report, with the addition of the above, was put to the vote and declared carried.

Resolved that:

- (i) The work of the Local Government Association (LGA) on the Debate Not Hate Campaign be noted, and that future updates be provided by the monitoring officer on the campaign and civility in public life programme;
- (ii) It be **Recommended** to the council meeting on 25 January 2024, that the Leader of the Council signs the Debate Not Hate Public Statement on behalf of the council and commit and accept the following:
 - To support the 'Debate Not Hate' campaign and accept the recommendations in principal;
 - To work together, across the political groups to promote and uphold high standards of civil behaviour in public and political debate;
 - To establish a reporting mechanism to record and monitor incidents of harassment and abuse;
 - To work with officers to ensure that support is provided to councillors who are experiencing intimidation and abuse;
 - the Democracy and Standards Committee to review this on an annual basis and work with the monitoring officer to address and challenge ongoing issues and key concerns.

81 Code of Conduct - National Learning Case Studies

The circulated report of the chief lawyer was received to inform the committee of the national picture on standards issues affecting local government.

Appended to the report was the speech of Lord Evans, Chair of the Committee on Standards in Public Life, who delivered the speech to the Institute for Government to mark the end of his term of office. The speech referred to the Committee on Standards in Public Life's previous report on Local Government Ethical Standards in 2019.

Reference within the report to standards issues were made in relation to Birmingham City Council and the Section 114 notice issued by the Chief Financial Officer and the investigation undertaken and Cambridgeshire and Peterborough Combined Authority - Dr Nik Johnson.

Following three complaints against him between October 2021 and May 2022 under a breach of Schedule 12A Paragraph 1 and 2 of the LGA 1972. Details of the investigation were contained within the report along with recommendations.

Members discussed the report and considered that often members needed to be provided with more information to ensure openness and transparency. Additional training about confidentiality would also be helpful. There was also genuine concern over what could and could not be said in public debate for fear of offending and that this would cause problems.

The chief lawyer confirmed that there would be member training included in the induction process on all these subjects.

Resolved that:

- (i) It be noted that officers will continue to monitor the progress of matters referred to within the report and update the committee accordingly;
- (ii) No further recommendations were required at the present time.

82 Councillors' Code of Conduct Statistics

The circulated report of the chief lawyer was received to provide an update on the standards of conduct of members and co-opted members of the council, parish and town councils for the period 2023/24.

The report detailed the current position on the number of councillor code of conduct complaints received, dealt with and the resolutions achieved and the responsibility of the committee. The process of how each complaint was dealt with was also provided within the report.

Members asked about the complaint '5-18' regarding an issue with a NNC Councillor. The chief lawyer explained that following complaints received about a discriminatory post made by a councillor. Following the investigation, the conclusion of the recommendation, also agreed by the independent person, was that the councillor remove the post, attend Equality, Diversity and Inclusion training and make a public apology. These sanctions were adhered to and the matter closed.

Some members considered that this had put the council into disrepute, with a lot of hurt towards fellow members, officers and the public.

Members also asked about how the Independent Persons were appointed.

The chief lawyer explained that the council had three, who had previously worked with some of the legacy councils. They were appointed by committee and received training on standards issues from the monitoring officer and by external trainers.

Resolved that:

- (i) the number of complaints received and dealt with, in respect of the Councillors' Code of Conduct be noted;
- (ii) further data, in relation to the number of complaints received and dealt with in respect of the Code of Conduct, be provided to the committee on a six-monthly basis.

83 Close of meeting

The meeting closed at 8.30pm.

Chair

Date.....