

BIRMINGHAM CITY COUNCIL

STANDARDS COMMITTEE 12 DECEMBER 2018

**MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD ON
WEDNESDAY, 12 DECEMBER 2018 AT 1400 HOURS IN COMMITTEE
ROOM 2, COUNCIL HOUSE, BIRMINGHAM**

PRESENT: - Mr Peter Wiseman in the Chair;

Councillor Deirdre Alden, Councillor Adrian Delaney, Councillor Julie Johnson, Councillor Carl Rice, Councillor Paul Tilsley, Sutton Coldfield Parish Councillor Derrick Griffin Steven Jonas and Raymond Tomkinson (Independent Observer).

ALSO PRESENT:-

Rob Connelly, Acting Assistant Director - Governance
Safeena Tonks, Electoral Services Manager, Finance and Governance

APOLOGIES

293 Apologies were received from Professor Stephen Shute and New Frankley Parish Councillor Ian Bruckshaw.

DECLARATIONS OF INTEREST

294 No interests were declared.

MINUTES

295 In response to a query from Councillor Julie Johnson, Rob Connelly, Acting Assistant Director – Governance indicated that the Committee met by monthly

The Minutes of the meeting held on 10 October 2018, having been previously circulated, were agreed as a correct record.

UPDATE ON MEMBERSHIP OF COMMITTEE

- 296 Rob Connelly, Acting Assistant Director - Governance, advised that he was revisiting the job descriptions for full Members which would be produced in the New Year. The recruitment of 3 Lay Members would also take place in the near future.
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ANALYSIS OF THE COMPLAINTS RECEIVED IN 2017/2018

The following report of the City Solicitor was submitted:-

(See document No. 1)

Rob Connelly, Acting Assistant Director - Governance, made introductory comments relating to the report highlighting the breakdown of complaints and the wish to be transparent. The whole process was changing to be more beneficial to Members. He made reference to the number of cases of complaint and indicated that in future details of complaints would be made available to Group Secretaries at an early stage so that they were aware of complaints against Members of their Group.

Councillor Julie Johnson indicated that it would be beneficial for an indication of those complaints which were merely dissatisfaction of the Member.

In response to a comment from Councillor Deirdre Alden Mr Connelly explained that, of the complaints detailed in paragraph 4.10, 4 had been consolidated in to 2 as they related to the same incident/people.

Mr Connelly continued that there had to be a breach of the Councillor Code of Conduct for a complaint to be considered and there was a robust procedure in place to deal with vexatious complaints. He added that Members were notified if a complaint was made against them.

- 297 **RESOLVED:-**

That the analysis and actions taken to resolve the complaints and the ongoing plans to improve the process be noted.

PROPOSED NEW CODE OF CONDUCT

The following Code of Conduct for Members and General Guidance was submitted:-

(See document No. 2)

Rob Connelly, Acting Assistant Director - Governance, made introductory comments relating to the document indicating it was intended to circulate a briefing note and provide training in the near future.

Responding to comments and questions from Members Mr Connelly explained that there were many documents behind the Code of Conduct which would be shared with Councillors.

298 **RESOLVED:-**

That the proposed Code of Conduct be noted.

PROPOSED NEW COMPLAINTS PROCESS

The following procedure for considering complaints alleging a failure to comply with the Members' Code of Conduct for Birmingham City Council was submitted:-

(See document No. 3)

Rob Connelly, Acting Assistant Director - Governance, made introductory comments relating to the document. Responding to comments and questions from Members, he indicated that he could provide backdated information relating to complaints and share information for the benefit of the new Members on the Committee.

The Chair was concerned that the time of 28 days to complete the initial review (paragraph 20 refers) was too long and was capable of being shorter.

298 **RESOLVED:-**

That the proposed New Complaints Process be noted.

OTHER URGENT BUSINESS

A. Council Website

299 Rob Connelly, Acting Assistant Director – Governance, indicated that there had been criticism of the content of the Council's website in respect of Standards. In order to improve the 'Customer Journey' a new Standards page was to be introduced providing details of the Members' Code of Conduct, a question and answer section and the role of the Committee amongst other things. He requested Members have a look at it and comment.

B. Member Training

300 Rob Connelly, Acting Assistant Director – Governance, indicated that there would be further training for Members around the new Members Code of Conduct. It was the intention to undertake the training in small groups.

Councillor Julie Johnson welcomed the training but felt that it should be mandatory as people often did not attend if it was optional. The Chair

requested that Members of the Committee highlight the training to members of their groups.

Councillor Carl Rice made reference to the recent case involving sacked Welsh Government Minister Carl Sargeant who took his own life after allegations of inappropriate conduct towards women. Councillor Rice queried whether there was any guidance arising from the case in how to handle such incidents. He felt that training should be given to help Members who may need to remove others from their post. Mr Connelly indicated that the Committee's Independent Person could be utilised. The Group Secretaries and Whips could give support. It was noted that Leaders had to make hard and unpalatable decisions to individuals at times but there was a need to be mindful of the impact of such decisions.

AUTHORITY TO CHAIRMAN AND OFFICERS

301

RESOLVED:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

At this point in the meeting Rob Connelly, Acting Assistant Director – Governance indicated that he wished to raise a matter that was private. The Chair agreed that the Committee should move into private session.

EXCLUSION OF THE PUBLIC

302

RESOLVED:

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-

(Paragraphs 1 & 4)