

BIRMINGHAM CITY COUNCIL

STANDARDS COMMITTEE
05 November 2020

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD ON THURSDAY 05 NOVEMBER 2020 AT 1400 HOURS (ON-LINE MEETING) B1 1BB

PRESENT: - Mr Peter Wiseman in the Chair;

Councillor Deirdre Alden, Stephen Atkinson, Alastair Cowen, Councillor Neil Eustace, Councillor Julie Johnson, Steven Jonas, Councillor Carl Rice and Councillor Paul Tilsley, Ray Tom.

ALSO PRESENT: -

Raymond Tomkinson, Independent Person
Robert Connelly, Assistant Director Governance and Deputy Monitoring Officer
Dawanna Campbell, Senior Liaison Management Officer
Safeena Tonks, Electoral Services Manager, Finance and Governance
Emma Williamson, Head of Scrutiny Services

1. APOLOGIES

353 Apologies were received from Mr Mohammed Khan and Cllr Derrick Griffin.

2. DECLARATIONS OF INTEREST

354 No interests were declared.

3. MINUTES

355 The Minutes of the public session of the meeting held on 12 February 2020, having been previously circulated, were noted, subject to:

- Page 121 and on page 122: correct "Alistair Cowan" to "Alastair Cowen"
- Page 123 (point 354) second paragraph: amend "was" in the sixth line to "has".

In following up one of the actions, Cllr Rice undertook to circulate the recent scrutiny report on customer services to members of the Committee. The Chairman proposed that this was better left with scrutiny at this point and the Committee agreed.

Commenting on the *Committee On Standards In Public Life - Local Government Ethical Standards Report*, the Chair noted that a response to representations will be forthcoming shortly, along with a draft code, and that could be considered at a future meeting.

4. UPDATE ON COMPLAINTS RECEIVED BY THE MONITORING OFFICER 2020/21

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Robert Connelly, Deputy Monitoring Officer, reported that Suzanne Dodd, had been appointed the new City Solicitor and Monitoring Officer, and who has oversight of member complaints process. The Chairman welcomed her to the post and informed the committee that he intends to meet with her shortly.

Robert Connelly, Deputy Monitoring Officer then gave an update on complaints received. In total, since April 2020, 15 complaints have been received. Of these, 8 had been determined. Two were resubmitted complaints with no further evidence supplied. Another referred to service delivery and another to a councillor's performance in the ward and were not deemed to be a matter for Standards. One related to a failure to disclose matters on the declarations of interest for which no evidence was submitted, and one referred to an allegation of breaching Covid-19 guidelines, albeit not when acting in an official capacity as a councillor; nonetheless they apologised for the breach. Two were general breaches of the code.

The remaining seven are still under consideration. Two involve a councillor's complaint about other councillors' conduct and the relevant groups are involved. Others involved breach of Covid-19 guidance, use of social media, performance in the ward and general breaches.

Members asked for short written summary ahead of any future meetings. Robert Connelly agreed to provide that for future meetings and apologised that he had not had time to do that this time.

In summary, Robert Connelly noted that there is some confusion about what Standards Committee can look at, for example they cannot deal with criminal matters, and the difference in acting in a personal capacity and acting in official an capacity – Standards Committee can only deal with the latter. What is working well is the relationship with the Monitoring Officer and the party groups, and he can speak to Leaders and Whips/Group Secretaries as needed.

5. DEVELOPMENT OF THE LAY MEMBERS OF STANDARDS COMMITTEE

Robert Connelly, Deputy Monitoring Officer, introduced the report and invited comments from members of the Committee.

The role of elected members in the first stage of considering whether a complaint should be investigated, with it being questioned whether they were being excluded. Other members of the committee put forward their views that as this referred to the early stage, a “triage” of complaints, it was more transparent and independent for lay members to be involved at that stage. It was also noted by those who had been on the Committee for some time that previously, much committee time had been spent on dealing with complaints that did not meet any of the guidance and therefore was a waste of time. This process is an independent filtering out of pointless complaints, about which there will be a general update to committee as on this agenda. If there is an investigation going forward, then that would come back as an item to the committee.

Concerns were raised about repeated, vexatious and spurious complaints against members.

It was also noted that all lay members were male, following the recent recruitment process. Robert Connelly said that he was looking at options with regards to this and would report back.

357 **RESOLVED:-**

That the report was agreed.

6. FUTURE AGENDA ITEMS

358 The Chairman outlined two areas he has asked to be brought to the committee: a review of gifts register and review of the declarations of interests.

7. OTHER URGENT BUSINESS

359 No matters were raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

360 **RESOLVED: -**

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

EXCLUSION OF THE PUBLIC

361 **RESOLVED:**

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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, 2 and 3)
