



# Buckinghamshire Council

## Standards and General Purposes Committee

### Minutes

**MINUTES OF THE MEETING OF THE STANDARDS AND GENERAL PURPOSES COMMITTEE HELD ON THURSDAY 10 DECEMBER 2020 IN VIA VIDEO CONFERENCE: ACCESSIBLE TO MEMBERS OF THE PUBLIC AT [HTTPS://BUCKINGHAMSHIRE.PUBLICI.TV/CORE/PORTAL/HOME](https://BUCKINGHAMSHIRE.PUBLICI.TV/CORE/PORTAL/HOME), COMMENCING AT 2.00 PM AND CONCLUDING AT 3.35 PM**

#### **MEMBERS PRESENT**

J Waters (Chairman), H Mordue (Vice Chairman), B Adams, S Adoh, M Appleyard, C Etholen, G Harris, S Lambert, L Smith BEM and M Stannard.

**INDEPENDENT PERSON(S):** T Dobson.

**APOLOGIES:** J Bloom, M Knight, G Moore, A Austin (Independent Person) and S Boyce (Independent Person)

#### **Agenda Item**

#### **1 MINUTES RESOLVED –**

That the minutes of the meeting held on 8 October, 2020, be approved as a correct record.

#### **2 REVIEW OF MEMBER INDUCTION AND TRAINING ON STANDARDS OF CONDUCT**

The Committee received a report that explained that a Member Induction Programme had been delivered from April 2020 when the new Buckinghamshire Council had been established. This training which included Code of Conduct training that had been delivered virtually due to the Covid-19 pandemic.

The code of conduct training had been delivered by Hoey and Associates through a two part training video – 20 minutes each, with accompanying powerpoint slides (Appendix 1 to the Committee report), and a number of scenarios for Members to consider in connection with declarations of interest and Member behaviour. The training had been produced specifically for the Buckinghamshire Council and was available for Members to access in the Members' area of The Source on the Council's intranet. The training had been made available on 4 May and as of 21 October, there had been a 95% completion rate. The webpage with the supporting information had been viewed on 744 occasions.

Democratic Services were planning for Member Induction training following the May 2021

elections and feedback was sought from Members to help inform the content of training and the overall combination of formats for the training. Whilst in person training could be more interactive and colleagues can also learn from each other's experiences, some Members, particularly those who worked, found it helpful to have the online training. Online training materials could also be revisited later on enabling Members to refresh their knowledge.

Members discussed the overall Member Induction programme that had been delivered in May-June 2020 and commented that many of the sessions had involved facilitators reading out powerpoint slides that had appeared on their screens. Members preference was for sessions to be briefer (provide slides in advance of training sessions), with the sessions then being more interactive. It was also commented that some legacy Councils had involved political Group Leaders in introducing training sessions which had helped Members to understand the relevance of the training to their Councillor role.

RESOLVED –

That the report and Members' comments on the 2020 Member Induction programme be noted.

### **3 PROTOCOL ON THE ROLE OF THE MONITORING OFFICER**

The Committee received a report which explained the role and functions of the Monitoring Officer, to support their overview and implementation of effective governance arrangements for the Buckinghamshire council. The purpose of the protocol was to supplement the roles and functions already detailed in the Council's Constitution.

Under Section 5 of the Local Government and Housing Act 1989 the Council was required to appoint an officer to act as the Monitoring Officer (MO) who was responsible for reporting to the Council any matters that were unlawful, amounted to maladministration or created injustice. The MO also had further statutory responsibilities, most notably in relation to standards and ethics.

Although there were many individual functions and responsibilities assigned to the MO both via legislation and the Constitution, they mainly centred around governance, ethics and standards. As the Committee had responsibility for supporting the MO in discharging their role in respect of standards of conduct and behaviour and to receive reports relating to maladministration causing injustice it was considered that the Committee was the appropriate body to approve the Protocol.

The Protocol was intended to support and assist the MO by promoting understanding and effective discharge of the responsibilities and was a reflection and summary of the current arrangements. It was considered that setting this out strengthened the exercise of the Monitoring Officer's role.

Members considered the draft Protocol that was attached as an appendix to the Committee report and agreed that additional information should be included explaining the independence of the MO role and what would happen if, for example, the MO had to report an issue relating to the Chief Executive.

RESOLVED –

That, subject to the change agreed at the meeting, the protocol on the role of the Monitoring Officer be agreed.

#### 4 REVIEW OF SOCIAL MEDIA GUIDANCE FOR COUNCILLORS

Social Media was a key communication tool used by the Council and many Councillors. It was also used by service users and key stakeholders. It had a significant role in the reputational management of the Council and the personal reputation of Members. As such, the Council had developed and adopted a suite of documents giving guidance to staff and Councillors.

The Committee received a report which explained that during the transition period to the new Buckinghamshire Council a set of Social Media standards had been developed and approved alongside a suite of documents setting out the Council's approach to the use of social media, which included advice and guidance for Councillors. Copies of those Standards and the Social Media Policy, Strategy and Guide were attached as appendices to the Committee report.

The Council's general approach to social media and managing its corporate accounts was set out on the Council's public website. This included a set of standards for conduct on social media use indicating that abuse and threatening posts would not be tolerated, together with advertising, 'trolling' and 'spam'. Residents were advised to not use social media for complaints and were directed to the complaints process.

As well as a set of Standards, the Guidance to Councillors is set out in the following the documents:

- **Social Media Strategy** – which outlined in broad terms the aims and objectives of social media use by the Council and set this in the wider context of the Council's Communications and Engagement Strategy. The Strategy encouraged Councillors to use social media and also advised them to read the Strategy alongside the Code of Conduct.
- **Social Media Policy** – which applied to Staff and Councillors and set out a significant amount of detail on social media use including detailed guidance on the use of the corporate social media accounts. This covered topics such as advice on posting; offensive content; misuse and offences; security and privacy; videos and images. Councillors were again reminded of the Code of Conduct and that Councillors who posted content were likely to be seen as acting in their role as Councillors rather than in a private capacity. The Policy emphasised that care needed to be taken when posting content to ensure that confidential information was not disclosed. Tips on content were also given together with a link to the Local Government Association's comprehensive set of policies on how to make the best use of social media, including 'Do's and Don'ts' referred to in the appendices.
- **Social Media Guide** – was a practical introduction to social media with numerous tips and advice on how to use the different social media network.
- **Training on Social Media** – was provided to Members as part of Induction and general development. To date, 66 Councillors have undertaken this training.

Members were informed that inappropriately using or misusing social media could have legal ramifications. Councillors could also face allegations that they had breached the Code of Conduct and be subject to sanctions as a consequence. Clear guidance was important in ensuring that Councillors could use social media safely and effectively.

Councillors considered the social media documentation and commented on the risks in forwarding, re-tweeting or commenting on social media posts. Planning Committee Members who commented on an application could lead to them being accused of pre-determination.

Members requested that an A4 card of Social Media Do's and Don'ts be put together for Buckinghamshire Councillors.

RESOLVED –

That the Council's Social Media guidance and documentation be noted.

## **5 COMPLIMENTS AND COMPLAINTS ANNUAL REPORT 2019-2020**

The Committee received a report and the Council's Compliments and Complaints report for 2019/20. The report detailed compliments and complaints received by the 5 legacy Councils for the period 1 April 2019 to 31 March 2020, to allow Members to maintain an overview of their number and nature.

Whilst the report covered all 5 former councils the information available primarily related to the former Buckinghamshire County Council with some additional high level information from the former District Councils.

The new Buckinghamshire Council welcomed feedback – compliments, comments and complaints from customers – and procedures were now in place to ensure all compliments and complaints received for the new Council could be captured, responded to and reported on in the future. This would also ensure that the Council demonstrated that it was listening to the experiences of its customers, positive or negative, to bring about improvements in services.

Members considered the Annual Report, sought additional information and were informed:

- (i) That statutory processes prescribed how reporting was recorded for Children's and Adult services and how these complaints were investigated.
- (ii) That the annual report included a definition of 'what was a complaint' and information on the complaints process. On occasion, it was difficult to distinguish between what was a complaint and a report of service failure, e.g. missed bin collection.
- (iii) That it would be possible in the future to provide Members with more detail on different Services and complaint areas, as well as reporting to Members in a more timely manner.
- (iv) That Officers or Service areas that received compliments or complaints were aware that they should ensure that the information was also then reported and recorded centrally, although it was acknowledged that this might not always happen.
- (v) That the number of compliments received since April 2020 had increased compared to the previous year, although it was difficult to assess this given the impacts of the Covid-19 impact on reporting.

RESOLVED –

- (1) That the Council's Compliments and Complaints Annual report for 2019/20 be noted.
- (2) That a report on the compliments and complaints received for the first half of the municipal year be reported to the Committee as soon as practicable.

## **6 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN REPORT - PROGRESS REPORT**

The Committee had received a report to the 8 October 2020 meeting which provided a summary of a recent Local Government and Social Care Ombudsman report, published on 24 July 2020, that had found the Council to be at fault for the way in which it had provided home to school transport for 2 children with Special Needs and Disabilities.

Members were informed that the Council had accepted all the findings of the Ombudsman report and had taken steps to complete the recommended actions. A summary of the actions

and action taken by the Council was contained in the Committee report and in the Minutes of that meeting. The Committee had noted the Ombudsman's report and had requested that a further progress report be made to the December 2020 meeting.

The Committee received a further report detailing information in implementing the recommendations required by the Local Government and Social Care Ombudsman's report of 24 July 2020. Members' attention was also drawn to a supplementary agenda that had been published on 4 December, which included a copy of a letter the Council had received from the Local Government and Social Care Ombudsman has now confirmed by letter (dated 27 November 2020) that they were satisfied the Council had addressed all of the recommendations in their maladministration report. As such, the Ombudsman had recorded a compliance outcome of Remedy complete and satisfied. No further action was required by the Council in relation to this case.

Members considered the further report which stated that the outstanding actions at the date of the last report had been actions 6, 8 and 9. These had been addressed as follows:

**Action 6:** Take action to address the Council's apparent lack of suitable transport provision to ensure other children who require home to school transport were not adversely affected.

**Outcome:** Completed. Details of actions taken were included in the Committee report.

**Action 8:** The Council should update its Local Offer on the Bucks Family Information Service to reflect the transport provision available.

**Outcome:** Further to the information reported in October, Members were informed that the Local Offer website content was currently undergoing a complete overhaul as part of a project to design a new microsite for the Buckinghamshire Family Information Service. It was anticipated that this would go live in mid December. The information would be added to and enhanced over time to ensure it remained current and relevant for families.

The Service Director (Transport Services) provided Members with information on the Client Improvement Programme, including that the Council now had 2 strategic transport assessors in post, that SEND provision was currently being re-tendered to improve the quality of the Council's offer, and that the Council was now able to provide personal transport budgets for SEND parents which gave people more flexibility to find the arrangements that best worked for them.

**Action 9:** The Council should provide the Ombudsman with a report confirming the actions it had taken.

**Outcome:** Further to the information reported in October, a further update had been provided to the Ombudsman on 20 November 2020 on the Council's actions in satisfaction of the Ombudsman's recommendations. A final report would be provided in January 2021, in line with the timescales set out in the report.

In addition to the outstanding actions, the Committee had raised additional questions in October in relation to the completion of Action 5 (Review other parents' and carers' mileage arrangements). The Service Director for Education and for Transport Services attended the meeting and informed Members that the circumstances of the 117 other families who were in receipt of 2 way mileage had been reviewed, which had confirmed that there was no evidence that appropriate arrangements were not in place.

RESOLVED –

- (1) That the Children's Services team be thanked for the work they were doing to school transport for parents and children.
- (2) That the further progress made in implementing the recommendations required by the Local Government and Social Care Ombudsman report of 24 July 2020, as well as the confirmation letter of 27 November 2020, be noted.

## **7 BUCKS ELECTORAL SERVICES REVIEW - MEMBERS' WORKING GROUP UPDATE**

The Committee received an update on the work that had been undertaken by the Bucks Electoral Review – Member Working Group (MWG), since the October 2020. The 9 Members of the MWG had been drawn from membership of the Standards and General Purposes Committee, so most Members were aware of the work undertaken.

The MWG had met on 5 occasions since formation in July 2020 and had received information from Officers who have populated the LGBCE's Council size numbers template with statistical / factual information such as the Council's profile (geography, demographics, population and forecast population growth, deprivation and housing costs, electorate forecasts), and on 3 broad aspects relating to the role of Councillors:

- Strategic Leadership.
- Accountability (Scrutiny, Regulation and Partnerships).
- Community Leadership

It was important for the submission to be evidence based as much as possible and to this end all Members had been invited to complete a survey during September-October 2020 to gain an insight into how they undertook their role, their involvement in Council work and the community, and the time commitment. In total, 103 (53%) of Councillors responded to the survey. The last question in the survey had been used to verify to what extent Members felt that an average of approximately 16 hours per week carrying out their community leadership role, responding to casework, attending meetings (including Council/Committee, community, Town and Parish Council) and supporting residents was an accurate reflection of their experience. The responses had indicated that:

- 10% - spend less than 16 hours per week for their Councillor work.
- 40% - spend, on average, about 16 hours per week for their Council work.
- 50% – spent more than 16 hours per week for their Councillor work.

Alongside the statistical / factual information in the Council size numbers template, the MWG had been putting together an Options Paper to clearly explain what the Council believed was the correct number of Councillors to represent the Buckinghamshire Council from 2025 onwards. The Options Paper had been considered by the MWG on Monday 7 December and Officers had been tasked with further updating it discussing it again at the next MWG meeting on 5 January, 2021.

RESOLVED –

That the update and work undertaken by the Member Working Group since 8 October 2020 be noted.

## **8 DELEGATION TO RETURNING OFFICER**

The Committee received a report that explained that Local Authorities were responsible for designating polling districts for elections. Within polling districts the local authority was also

responsible for designating a polling place. A polling place can be a single building or a wider area.

Polling Stations were within polling places, and the Returning Officer was able to designate and change polling stations. The Service Director Legal and Democratic Services had been designated as the Council's Returning Officer.

Responsibility for electoral arrangements was within this committee's terms of reference. The next elections were set for May 2021.

It was explained that although there were statutory requirements to make polling places available there were circumstances when a change to the polling arrangements may still be required at short notice, for example fire, lack of availability. Due to current uncertainties with the pandemic there was also concern regarding Covid restrictions and requirements as regards both availability and inadequate facilities. Committee approval would be required for any change.

Due to the timescales it was recommended that the Committee grant authority to the Service Director Legal and Democratic Services, in consultation with political group leaders, to make any change to a polling place that might be required to negate the need for any special meetings to be called at very short notice. Relevant Ward Members would also be consulted on any such changes in advance and all Members would be informed.

The delegation to the Returning Officer would not affect the statutory requirement to undertake the 4 yearly review of polling places which would come through the Council's decision making process in the normal way and be subject to full consultation, and a report to Members.

RESOLVED –

That the Service Director (Legal and Democratic Services) be authorised, in consultation with political Group Leaders, to make any change to polling places that might be required.

## **9 CONSTITUTIONAL WORKING GROUP (UPDATE)**

The Committee received a verbal update that the Constitution Working Group, comprising the Chairmen and Vice Chairmen of this Committee and the Audit and Governance Committee, had met on 28 October 2020 to discuss a log of issues that Members and Officers had raised over the last few months in relation to the Constitution. Many of the issues raised had been minor in nature whilst others had wider implications.

The Monitoring Officer had authority to make minor amendments and corrections to the Constitution as detailed in Part A paragraph 1.62 of the Constitution. As part of this it was expected that the Constitution would be maintained and kept up to date. It was considered that minor amendments included clarifications, necessary textual revisions to ensure separate sections of the Constitution were consistent, worked together as a whole and reflected any changes to legislation. A report on minor amendments had been reported to, and approved by, full Council on 9 December, 2020.

The Working Group would next be meeting in the New Year to consider what were deemed to be issues with wider implications, e.g. the role of Parish Councils in planning, and to look at the remits and responsibilities of Area Planning Committees / Strategic Sites Committee re. decision-making.

RESOLVED –

That the update on the work of the Constitution Working Group be noted.

**10 WORK PROGRAMME**

The Committee considered their future work programme, that was updated during the course of the meeting.

RESOLVED –

That the future work programme be approved, as follows:

**25 February 2021**

1. Electoral Review: Final submission of Council size numbers to the LG BCE
2. Constitution (updated Member Code of Conduct), if required.
3. Compliments and Complaints Report 2020-21 (Mid Year update)

**8 April 2021**

1. Annual Review of Code of Conduct and Complaints Procedure
2. Standards Complaints Monitoring Report 2020-21
3. LGO Annual Report
4. Bucks Electoral Review: Member Working Group update (if required)
5. Compliments and Complaints Report 2020-21 (Mid Year update, if not reported to 25/2/2021)
6. Draft Work Programme for 2021-22