



Standards and General Purposes Committee minutes

Minutes of the meeting of the Standards and General Purposes Committee held on Thursday 15 April 2021 in Via MS Teams Video Conference, available to the public at <https://buckinghamshire.public-i.tv/core/portal/home>, commencing at 2.00 pm and concluding at 3.09 pm.

Members present

J Waters, H Mordue, S Adoh, M Appleyard, J Bloom, A Collingwood, C Etholen, G Harris, S Lambert, L Smith BEM and M Stannard

Agenda Item

1 Apologies

Apologies were received from G Moore, S Austin, S Boyce and T Dobson.

2 Minutes

RESOLVED –

That the Minutes of the Meeting held on 8 April 2021 be agreed as a correct record.

3 Declarations of Interest

There were no declarations of interest.

4 Code of Conduct Complaints Report 2020-21

The Committee received the report on the review of Code of Conduct Complaints to maintain an overview of the number and nature of the complaints received about Members under the Code of Conduct from October 2020 to April 2021 along with details of other complaints which were in the process or have been concluded. The Appendix to the report showed that the Monitoring Officer had received 34 complaints, although 7 of these relate to the same town or parish council councillor and incident. Fourteen of the complaints related to a Buckinghamshire Council Member, six of which were still active.

The Director of Legal and Democratic Services reported that whilst some complaints covered more than one theme, just under a third of complaints related to behaviour at meetings and interests/bias. Information (disclosure, use or obtaining) and social media accounted for approximately one fifth of the issues and the remaining matters alleged criminal or unlawful behaviour or condoning such behaviour, failure

to represent residents and breaches of COVID rules. He particularly made the distinction of councillors acting in their personal capacity rather than on behalf of the council e.g. if Members were not socially distancing at a personal function this was not relevant under the Code of Conduct.

During discussion the following points were made:-

- Information broken down into themes was appreciated but it would also be helpful to break information down by type e.g. number of complaints relating to social media or under respect. It would also be helpful to have further training on social media. The Director of Legal and Democratic Services reported that the line between acting in a personal capacity and for the Council did get blurred particularly around the use of social media.
- In relation to Parish Councils complaints could be raised by the public or clerks around bullying or harassment. This could sometimes be difficult to deal with to know the difference between bullying and a robust leadership style. Analysing the difference was an important part of the process. It was also important to investigate the accuracy of the complaint and whether the Member made the comment in error and had later corrected the mistake.
- It was important to allow freedom of expression (Article 10 of the European Convention). There were limits to this e.g. if someone was inciting hatred but Members should also be free to express opinions. This was an important balancing exercise.
- A suggestion was made that there should be a consistent level of training on the code of conduct with Buckinghamshire councillors and parish/town councillors. The Director of Legal and Democratic Services reported that he had met with the Chief Officer of Bucks and Milton Keynes Association of Local Councils to discuss training for Members. The challenges were the costs of training and whether training for areas such as equalities should be mandatory. Code of conduct training was mandatory for Buckinghamshire Councillors and many Members were also dual hatters. A comment was made that not every Member was a member of BMKALC but a number of Parish/Town Councils belonged to the Society of Local Clerks who provided in-house training. Reference was also made to the Town and Parish Charter which most Parish Councils had adopted which referred to improving standards in public life. Conferences were being put on for parish councillors as part of the Charter and training could be a part of this. Also with the use of online meetings this would also be another good forum to train all Members so that they had the same level of understanding. The Director of Legal and Democratic Services reported that improvements could be made on training and support; there were a number of contested parish/town council elections on 6 May 2021 and this could be used as an opportunity to provide consistent training. Another Member commented that some new councillors could slip through the net with by-elections or co-option and it was important to ensure that there was adequate training for all. The Director of Legal and Democratic Services reported that an induction programme would be set up for new councillors and that code of conduct training would be

mandatory which would be closely monitored. Some Members would not be able to sit on certain Committees if they had not undertaken the relevant training. Members noted that some Councils only give Members half their allowance until they have undertaken training to ensure there was a high take up.

- Another suggestion was made that it would be helpful to give Parish Councils training on planning matters to specifically relate it to issues that they may face such as how to make relevant objections at Buckinghamshire Council Area Planning Committees. Planning was an important issue for Parish/Town Councils and effective training on this area would help improve standards. As Parish/Town Councils could ask for applications to be called-in it was important that training was given on relevant reasons for consideration.

RESOLVED that the report and comments be noted in relation to dealing with complaints against councillors for the period October 2020 to April 2021.

5 Public Health and COVID Secure Measures for Local Elections

The Committee received a report on the public health and COVID secure measures that would be put in place for the delivery of the Unitary, Parish and Police and Crime Commissioner Elections scheduled for 6 May 2021. A huge amount of work had been undertaken to ensure that the elections would be held safely and securely. All Government and Electoral Commission guidance was being adhered to, and work had also been undertaken with colleagues in Public Health. There were a high number of contested Parish Council elections and in addition two Neighbourhood Planning Referendums.

A number of control measures were being implemented to limit any possible transmission of the virus which included minimising contact between individuals and maintaining social distancing, cleaning hands thoroughly and regularly, wearing of face coverings at all times, enhanced cleaning of surfaces and provision of hand sanitisers, PPE and screens for all polling stations and the count and keeping occupied spaces well ventilated. Lateral flow tests were available but not mandatory.

During discussion the following points were noted:-

- The count would be undertaken on a two phase approach, with half of the number of wards being verified in phase 1 and the remaining number of wards being verified in the second phase. This enabled candidates and agents to be present in a safe environment. Candidates would be sent information on how the phasing would work.
- There would be plenty of spare pencils at the polling station if residents did not bring their own.
- Face covering would be mandatory inside all polling stations and screens would also be in operation inside polling stations. Detailed signage and markings inside polling stations would also be displayed, with 'greeters' also managing the numbers inside a polling station at any one time, including

keeping any queues to a minimum and in line with social distancing requirements. Signage would be introduced to provide clear messaging about the flow of a polling station and social distancing. People would still be able to vote without a mask.

- Concern was made about tellers and the importance of making it clear what the rules were and that they abided by them. The Director of Legal and Democratic Services reported that they had ensured that there would be sufficient people to staff polling stations. Tellers have no legal standing and it would be easier to influence their behaviour with regard to COVID guidelines inside the polling station rather than outside. There would be posters displayed with COVID guidelines. Guidance would be issued to the Presiding Officers on tellers and posters would be displayed on what they can and can't do.
- There would be less count teams to abide with social distancing. Face masks should be worn within the count venues, unless there were exceptions and spares would be supplied.

RESOLVED that the measures in place for delivering the May 2021 elections be noted.

6 Work Programme

The Committee considered the Work Programme and noted the following items for the meeting on 7 July 2021.

7 July 2021

1. LGO Annual Report
2. Compliments and Complaints Report 2020-21 (End of Year)
3. Bucks Electoral Review (Update) + Member Working Group arrangements
4. Constitution Working Group (Update)
5. Draft Work Programme for 2021-22

7 October 2021

No agenda items, as yet

RESOLVED – That the Work Programme be noted.