

Agenda 17 i.

Milly Southworth

From: Simon Mansell <Simon.Mansell@cornwall.gov.uk>
Sent: 11 November 2021 13:03
To: Simon Mansell
Subject: FW: Monitoring Officers Meeting

formation Classification: CONTROLLED

Dear all

As Chairman of the Standards Committee at Cornwall Council I wanted to update you on the work that has been done by the Committee recently and provide you with information on other matters which may be of interest to Towns and Parishes, it would be appreciated if this could be shared with your members.

Should you have any questions on anything in this update please do not hesitate to let me know or to email corporate&infogov@cornwall.gov.uk and one of the Corporate Governance Team will respond to your queries, you can also use this email address at any time should you need advice on the Code of Conduct.

- In March this year Cornwall Council accepted the recommendations of the Standards Committee to update the Code of Conduct that is used by the Council and the changes that were proposed were to ensure that these reflected the recommendations from the Committee on Standards in Public Life. The Cornwall Association of Local Councils has recommended to Towns and Parishes that these amendments are adopted by Town and Parish Councils, with a few minor amendments to ensure the Code is a better fit with your own governance arrangements.
- As you may be aware it has been the stated intention of Government for some time that they will reinstate suspensions for breaches of the Code of Conduct, as well as making changes to what interests should be registered and the removal of making it a criminal offence for failing to register an interest. It is hoped that the consultation on this will start in the near future and if we hear about this we will of course let you know. Once the changes are in place it is most likely that the Code of Conduct will require further amendments and once these are known we will consult with you on this.
- In dealing with Code of Conduct complaints the Monitoring Officer received 192 complaints in the year 2020 – 2021 and we have received 93 complaints so far this year. Disrespect is by far the highest reason given for submitting a complaint last year and this with 56 of the complaints submitted this year mentioning disrespect and a large number of these complaints brought by a Councillor about another Councillor. Yet of the complaints considered this only 8 have found that a member has been disrespectful. Personal remarks directed towards you may well be disrespectful however, when debating matters and when engaging on Council business other members are entitled to be critical and to challenge your views without this been seen as disrespectful. We have been made aware that some Councils are now adding the Nolan Principles to their agendas, others are reminding their members at the start of the meeting and this may be a useful way to reduce complaints about your members.
- Virtual Code of Conduct training was undertaken this year and one of these sessions was recorded and placed online. <https://www.youtube.com/watch?v=qal-LRkwinE> at some point it is hoped to get back to delivering face to face training but before this it is intended to record further session and place these online. At the moment, based on complaints, these will focus on disrespect and declaring interests but, if you have any specific points about the Code you would like to see covered please let us know.
- Officers have been asked quite often since the elections in May when a member may be disqualified and the grounds for disqualification are set out at section 80 of the Local Government Act 1972 <https://www.legislation.gov.uk/ukpga/1972/70/section/80> . However, it seemed prudent to make you

aware of a Private Members Bill which is currently going through the House is the Local Government (Disqualification) Bill, <https://bills.parliament.uk/bills/2911>. Whilst this is a Private Members Bill we are advised it has Government support and it is likely to come into being fairly quickly and we will of course advise you when it looks like these new provisions may come into law.

As always, if you have any questions about the Code and in particular if you should declare an interest at a meeting please ask in advance of the meeting. Advice on the Code of Conduct is free of charge and better to ask in advance, than to then be the subject of a complaint. Also, if you are thinking of making a complaint please get in touch with a member of the team first.

Regards

Councillor Paul Wills
Chairman Standards Committee
Cornwall Council

This e-mail and attachments are intended for above named only and may be confidential. If they have come to you in error you must take no action based on them, nor must you copy or show them to anyone; please e-mail us immediately at enquiries@cornwall.gov.uk. Please note that this e-mail may be subject to recording and/or monitoring in accordance with the relevant legislation and may need to be disclosed under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. Security Warning: It is the responsibility of the recipient to ensure that this e-mail and any attachments are virus free. The Authority will not accept liability for any damage caused by a virus.