

**MINUTES** of a **MEETING** of the **STANDARDS COMMITTEE** held on 11 December 2024 at 5.15 pm

**Present**

**Councillors**

A Glover (Chair)  
E Buczkowski (Vice-Chair), J Buczkowski,  
F J Colthorpe, G Czapiewski, M Fletcher,  
L Taylor, N Woollatt and D Wulff

**Apologies**

**Councillor(s)**

**Also Present**

**Councillor**

B Holdman

**Also Present**

**Officer(s):**

Stephen Walford (Chief Executive), Maria De Leiburne ( Director of Legal, People and Governance (Monitoring Officer) and Laura Woon ( Democratic Service Officer)

**Councillor**

**Online**

J Lock

**14 APOLOGIES AND SUBSTITUTE MEMBERS**

There were no apologies received.

**15 PUBLIC QUESTION TIME**

None received.

**16 MINUTES**

The minutes of the previous meeting were **APPROVED** as a true record and signed by the Chair.

**17 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

No interests were declared under this item.

**18 CHAIR'S ANNOUNCEMENTS**

The Chair had no announcements to make.

## 19 **AMENDMENTS TO THE CONSTITUTION**

The Committee **NOTED** the amendments to the constitution.

## 20 **DISCLOSURE BARRING SYSTEM (DBS) WORKING GROUP**

The Committee had before it, a report \* from the Director of Legal, HR & Governance (Monitoring Officer) on the Disclosure Barring Service (DBS) for working group report.

The Director of Legal, HR & Governance (Monitoring Officer) outlined the content of the report with particular reference to the following:

- This was an update to Cabinet Members on the outcomes of the Standards Working Group who considered DBS checks for Members.
- The Working Group consisted of Cllrs Luke Taylor (Leader), James Buczkowski (Cabinet Member for Finance, Risk & Governance) and Andrea Glover (Chair of Standards Committee).
- The outcomes were in the report and the Safeguarding guidance notes and DBS checks was included.
- An update to the report on the financial implication were now £21.50 It had increased, therefore to carry out the DBS checks it would be via a third party provider with a total cost of £38.48.
- The cost for 42 members would be a total of £1616.16.

The following was discussed:

- There was a lot of discussion around the different parts and of the validity of conducting DBS checks and no actions taken from central government on Councillors to have a DBS Check.
- The most important part was trust from the electorate and for them to feel safe and secure when present with a Councillor.
- Within 2.6 of the report following consultation with the Head of Paid Service and Safeguarding Lead (where safeguarding issues), the Head of Paid Service would discuss the matter with the relevant member in consultation with Leader of the relevant Political Group and advice provided on any steps that should be taken. What about ungrouped members.
- Would the Chair of the Council not be a relevant person to consult with for those members that were ungrouped?
- The DBS to be transferable to other activities members were involved in.
- What would happen given that there was no legislation or government procedure, if the councillor just simply refused to submit the DBS or did not authorise it being shared with the group leader. What would happen?
- The code of conduct was based on legislation and/or government guidance, whereas the DBS was not.
- The Council should write to government to mandate enhanced DBS Checks.
- Would the DBS be published in the public domain and the risks this would have.

- The legislation stated 'you cannot stand for election' if you had been convicted of a crime within the past five years.
- What would the values be to the Council if Councillors had a DBS check?
- The DBS check would be a small part of the guidance and procedures in regards to safeguarding Councillors.
- This would be a safeguarding measure for the residents.

It was therefore **RESOLVED** the Standards Committee recommend to Full Council that:

- a) DBS checks are mandatory for all Members from May 2027 onwards;
- b) That any member can voluntarily have a DBS check from January 2025 until May 2027 when they become mandatory;
- c) The Head of Housing & Health is delegated to make any necessary changes to the Corporate Safeguarding Policy and related DBS policy in conjunction with the Cabinet member for Quality of Living, Equalities and Public Health;
- d) This Council write to government to ask for enhanced DBS Checks for all Councillors in the future.

(Proposed by the Chair)

Note: \* Report previously circulated.

Note: \*\* P Colthorpe voted against.

Note:\*\*\* N Woollatt Abstained from voting due to not being at the start of the debate.

## 21 **GOVERNMENT CONSULTATION - ENABLING REMOTE ATTENDANCE AND PROXY VOTING AT COUNCIL MEETINGS**

The Committee had before it, a report \* from the Director of Legal, HR & Governance (Monitoring Officer) outlining the Government Consultation, enabling remote attendance and proxy voting at Council meeting.

The Director of Legal, HR & Governance (Monitoring Officer) outlined the content of the report with particular reference to the following:

- 'Enabling remote attendance and proxy voting at local authority meetings', with the consultation closing on the 19 December 2024.
- This consultation seeks views on the detail and practical implications of allowing remote and hybrid attendance at local authority meetings.
- The possible introduction of proxy voting for those occasions when an elected member, due to personal circumstances, may be unable to attend even remotely. For example, during maternity, paternity or adoption leave.
- The Standards committee to debate and review ahead of the response being submitted after it would be presented to Full Council next week.

The following was discussed:

- The Motion 563 from the 19th of May 2020.
  - a) This Council resolved to hold all member briefings and working/advisory groups (where practicable) remotely in the future which would aid the

reduction of carbon emissions and provided significant savings on Members travel expenses.

b) This Council agreed to lobby central Government requesting that Regulation 5 of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel meetings) (England and Wales) Regulations 2020 be extended past May 2021 and be formed into new legislation allowing Members to have the option to attend any meeting of the Council either in person or remotely.

- Members that were present when meetings were online and had the flexibility to keep their function as a Councillor.
- Measures that would be in place for those attending and distractions that may take place with meetings being held online.
- The option for hybrid meetings rather than just online, the engagement from members in a room.
- Full Council to remain in person only for Councillors to come together.
- Question 5 of the consultation and the figures that had been put forward.
- That remote attendance at meetings was generally welcomed across the committee.
- The Members of the Committee did not wish to see a return to fully remote meetings.
- The role of Chair should be in person for meetings.
- Further discussions would be required on how the Council might implement the changes.
- Setting rules around attendance of meeting online or if they were not to attend similar to the rules around sending substitutes to meeting.
- Physical presents of members, officers and Members of the public present.
- On occasions where a person was unwell, should they be attending meetings at all, even remotely?
- Remote meetings would be helpful in cases of inclement weather (flooding, snow etc) and would allow the meeting to still take place and that attendance and voting would be recognised.
- The Standards Committee expressed concerns over this particular proposal, with the governance of the proposal being of significant concern.
- A lack of clarity of how proxy voting would work when amendments were moved at a meeting, for example;
- Whether the use of proxy voting could be seen as predetermination.
- If the responses to the consultation from the discussion the evening be circulated to members of the Committee first before it goes to Full Council.

It was therefore **RESOLVED** the Standards Committee recommend to Full Council that:

1. That the Council **NOTED** the Government Consultation.
2. The Director of Legal, People & Governance (Monitoring Officer) be delegated to respond to the Government with the Councils response.

(Proposed by the Chair)

Note: \* Report previously circulated.

## 22 COMPLAINTS

The Committee **NOTED** a verbal update from the Director of Legal, People and Governance (Monitoring Officer) which provided an update on complaints received.

The following was highlighted:

- Since the last standards committee on the 19th of June, the Monitoring Officer had received two code of conduct complaints regarding 3 town and parish Councillors and 8 in total of code of conduct complaints regarding three district Councillors.

The following was discussed:

- The concerns on the benefit on the numbers of complaints.
- Were there any themes of reoccurrence or issues with certain Councils?
- To have a better understanding at the next meeting of those complaints upheld and this information not to be in the public domain.

## 23 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

The Committee requested that the following be on the agenda for the next meeting:

- The Code of Conduct Complaints appeal procedures.
- Guide to making a complaint about a Councillor review.
- Protocol of good practice.
- The regular reporting of complaints to have further details, those upheld and if any common themes.
- To Review the Scheme of Delegation on Committees and Advisory Group including the terms of reference, but not the Policy Development Group.

(The meeting ended at 18.36)

**CHAIR**

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## Question 1

Please tick all that apply - are you responding to this consultation as:

a) an elected member – if so please indicate which local authority type(s) you serve on

- Town or Parish Council
- District or Borough Council
- Unitary Authority
- County Council
- Combined Authority / Combined County Authority
- Fire and Rescue Authority
- Police and Crime Panel
- Other local authority type - please state

b) a council body – if so please indicate which local authority type

- Town or Parish Council
- **District or Borough Council**
- Unitary Authority
- County Council
- Combined Authority / Combined County Authority
- Fire and Rescue Authority
- Police and Crime Panel
- Other local authority type - please state

c) a member of the public

d) a local government sector body – please state

## The proposal for remote attendance

The government intends to legislate to give local authorities the flexibility to allow elected members to attend formal council meetings remotely. We believe that this modernising measure of providing broad flexibility to enable remote attendance will have the dual positive impacts of diversifying the representation of those willing and

able to stand for elected office and enhance the resilience of local authorities in the face of local or national emergencies.

The intent is that this legislative change would give local authorities the flexibility to allow members to attend remotely.

### Question 2

Do you agree with the broad principle of granting local authorities powers to allow remote attendance at formal meetings?

Yes/No

If you answered No to the above question please go directly to question 4.

<b>MDDC</b>	<b>Yes</b>
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### Question 3

If you answered Yes to the above question, do you think that there should be specific limitations on remote attendance?

Please tick all the options below that correspond with your view and use the free text box for any other comments.

a) Any formal meeting allowing remote attendance should have at least two thirds of members in physical attendance.

b) Members should only be able to attend council meetings remotely in exceptional circumstances, such as those who are medically or physically able to attend, or for reasons of local or national emergencies.

c) There should be no limitations placed upon councils with regard to setting arrangements for remote attendance of council meetings, up to and including full remote attendance.

d) [Free text box]

<b>MDDC</b>	<b>C, however, the council would probably seek to put in place local conventions that may include items such as requirements for the Chair to be present in the room and that the hybrid option should always be available rather than fully remote. We may also consider rules around members not attending physically for a prescribed consecutive amount of meeting as per substitution rule, in</b>
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	<b>order to continue to be accessible for members of the public. However, we believe this should be a matter for councils and subject to local review as required.</b>
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**Question 4**

If you are an elected member can you anticipate that you personally may seek to attend some of your council meetings remotely?

- yes
- no
- I am not an elected member

**Question 4a N/A**

If you answered No please use the free text below  
[Free text box]

**Question 4b [Not applicable to Officers]**

If you answered Yes, could you indicate below which of the following options best describes your likely pattern of attending meetings remotely

- very occasionally
- from time to time
- regularly but not always
- all the time

**Question 5**

If you are responding to this consultation on behalf of a council as a whole, what proportion of the council's current elected members are likely to seek to attend council meetings remotely over the course of a year?

- less than 10%
- more than 10% but less than 50%
- more than 50% but less than 90%
- most of them 90% to 100%

<b>MDDC</b>	<b>More than 50% but less than 90%</b>
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**Question 6**

The government recognises that there may be cases in which it is necessary for councils to hold meetings fully remotely. Do you think there should be limitations placed on the number of fully remote meetings councils should be able to hold?

- a) Councils should be able to allow full remote attendance at up to half of council meetings within a twelve-month calendar period.
- b) Councils should only have the flexibility to change a meeting from in-person to online, or vice versa, due to unforeseen and exceptional circumstances.
- c) Councils should not have the flexibility to conduct fully remote meetings to ensure there is always an in-person presence.
- d) [Free text box]

<b>MDDC</b>	<b>B, Councils should only have the flexibility to change a meeting from in-person to online, or vice versa, due to unforeseen and exceptional circumstances (in the normal spirit of keeping the public informed and public access etc).</b>
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**Question 7**

Do you think there are there any necessary procedural measures that would help to ensure a remote or hybrid attendance policy is workable and efficient?

Please tick all the options that correspond with your view and use the free text box for any other comments.

- a) Councils should be required to publish a list of attendees joining the meeting remotely and give notice if a meeting is being held with full remote attendance.
- b) Councils should be required to ensure that standard constitutional arrangements are followed for hybrid and fully remote meetings.
- c) Councils should be required to make arrangements to ensure restricted items (where a council decision is taken in private to protect confidentiality) are managed appropriately and to require remotely attending members to join from a private location.
- d) Other [Free text box]

<b>MDDC</b>	<b>B, C, D This Council would consider adopting similar rules to those of substitution, if members did not attend physically for a consecutive amount of meetings.</b>
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### Question 8

Do you think legislative change to allow councillors to attend local authority meetings remotely should or should not be considered for the following reasons?

Tick all the statements below that apply to your point of view.

<b>Should be considered because</b>	<b>Should not be considered because</b>
It is a positive modernising measure.	Councillors should be physically present at all formal meetings.
It would likely increase the diversity of people willing and able to stand for election in their local area, making councils more representative of the communities they serve	It could lead to a significant number of councillors habitually attending remotely and ultimately reduce the effectiveness of councils
Councils would be more resilient in the event of local or national emergencies which prevent in-person attendance	It would be more difficult for councillors to build personal working relationships with colleagues, and engage with members of the public in attendance at meetings.
Free text box – please state any other reasons	Free text box – please state any other reasons

<b>MDDC</b>	<b>All of ‘<i>Should be considered because</i>’</b>
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### Question 9

In your view, would allowing councillors to attend formal local authority meetings remotely according to their needs particularly benefit or disadvantage individuals with protected characteristics, for example those with disabilities or caring responsibilities?

Please tick an option below:

- it would benefit members
- it would disadvantage members
- neither

Please use the text box below to make any further comment on this question.

[Free text box]

<b>MDDC</b>	<b>It would benefit members</b>
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### Proxy voting

Proxy voting is a form of voting whereby a member of a decision-making body may delegate their voting power to another representative to enable a vote in their absence.

It is possible some members may find that, due to their personal circumstances, they are temporarily unable to participate in meetings even if remote attendance provisions are in place. Provisions for proxy voting could provide additional flexibility to those who really need it on a time-limited basis, allowing affected members to indirectly exercise their democratic duty, participate in their local authority's governance, and ensure that their views are taken into consideration. In the context of local authorities, the representative would have to be another elected member of the local authority.

### Question 10

In addition to provisions allowing for remote attendance, do you consider that it would be helpful to introduce proxy voting?

- yes
- no
- unsure

MDDC	No
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### Question 11

If yes, for which of the following reasons which may prohibit a member's participation in council meetings do you consider it would be appropriate?

Please select all that apply:

- physical or medical conditions
- caring responsibilities
- parental leave or other responsibilities
- other [Free text box]

MDDC	N/A
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**Question 12**

Are there circumstances in which you feel proxy voting would not be appropriate?

[Free text box]

<p><b>MDDC</b></p>	<p>Proxy voting is not considered appropriate. If what is being suggested by the proposals on proxy voting is for a councillor to appoint another councillor to attend and vote in the way that he/she is instructed to do so by the original member then that would seem entirely inappropriate and go against the principles of councillors coming to the decision with an open mind. If that isn't the case and the proxy would have free reign to vote as they see fit, then we already have a substitution scheme that allows members to appoint a fellow councillor to attend in their place and vote. Consideration also needs to be given to those committees where specialist training is given to members to allow them to sit eg; planning, licensing. Any proxy/substitution scheme should not override the need for members who are sitting on those committees to be appropriately trained.</p> <p>The Council is not supportive of proxy voting. The introduction of remote meetings should negate the need for Proxy voting.</p> <p>The issues that would arise if the Proportionality and Political balance was not balanced correctly. To have a ruling in place similar to Members being substituted for example Members shall ONLY attend no more than two consecutive meeting remotely.</p>
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**Question 13**

If you think proxy voting is appropriate, are there any limitations you think should be placed upon it?

[Free text box]

MDDC	N/A.
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