

Governance Committee

5 September 2013

Present: Councillor D Corkey (in the Chair)
Councillors J Allan, C Johnson, F Lott, P Mason, J McLaughlin,
J O'Shea and L Spillard.

Also Present: Mrs S Gardner (Independent Person)

GC15/09/13 Apologies for Absence

Apologies for absence were received from Mr G Clark (Independent Person).

GC16/09/13 Appointment of Substitute Members

There were no substitute Members reported.

GC17/09/13 Declarations of Interest

The following declarations of interest were made:

Councillor L Spillard declared a non-registerable personal interest in her own application for dispensation and she withdrew from the meeting during consideration of her application.

Councillor J O'Shea declared a non-registerable personal interest in his own application for dispensation and he withdrew from the meeting during consideration of his application.

Councillor J Allan declared a non-registerable personal interest in his own application for dispensation and he withdrew from the meeting during consideration of his application.

Councillor F Lott declared a non-registerable personal interest in his own application for dispensation and he withdrew from the meeting during consideration of his application.

GC18/09/13 Minutes

Resolved (1) that the minutes of the Extraordinary Governance Committee meeting held on 15 July 2013 be confirmed;
(2) that the minutes of the Governance Sub-Committee held on 30 July 2013 be noted.

GC19/09/13 Action Plan and Work Programme

The committee received an update on the action plan and work programme for 2013/14.

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The Governance Committee was responsible for promoting high standards of conduct by Members and Co-opted Members of the Council. The work programme would be monitored by the committee at each meeting and the progress of the identified actions would be reported in the Annual Report in May 2014.

The committee was informed that progress had been made on all actions since the June meeting.

The new Chief to be invited to the next meeting of the Governance Committee as a part of the ongoing dialogue between the Committee, Members and relevant officers relating to ethical governance and ethical standards.

The e-learning module in relation to the use of social media being developed was nearing completion.

Following discussions with other Authorities, North Tyneside Council had been requested to facilitate training to the Independent Persons on their role in relation to ethical governance and the Code of Conduct for Members. The Monitoring Officer would initiate a programme for delivery of the training in consultation with the Council's Independent Persons.

Resolved (1) to note the update on the committee's work programme and action plan; (2) that the Monitoring Officer invites the new Chief Executive to the next meeting of the Governance Committee; and (3) that the Monitoring Officer organises a programme for delivery of the training to the Independent Persons on their role.

GC20/09/13 Update on Complaints received under the Code of Conduct for Members

The committee received an update on the complaints the Authority had received since the introduction of the current Code of Conduct for Members on 1 July 2012.

Since the Code's introduction the Authority had to date received 17 complaints. The Authority's Local Arrangements for dealing with complaints against Members required that a local assessment process was undertaken by the Chief Executive, in consultation with the Independent Persons, the representatives nominated by each Political Group and the Head of Law and Governance. The purpose of the local assessment process was to determine whether a complaint should:

- i. be referred for investigation; or
- ii. be referred to the Monitoring Officer for informal action; or
- iii. have no further action taken.

The complainant and the subject member of a complaint were advised of the outcome of the Local Assessment Process as well as the representatives nominated by each Political Group.

Of the 17 complaints received: 2 had been referred for investigation; 5 were referred to the Monitoring Officer for informal action; and no further action was taken with respect to 10 complaints.

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Of the two complaints referred for investigation, one had been investigated, and the final report of the Investigating Officer had been referred to the Governance Sub-Committee for a hearing. Arrangements to hear the complaint were being made. The other complaint referred for investigation in July 2013, would be allocated to an Investigating Officer shortly unless the complaint could be resolved informally.

Of the five complaints referred to the Monitoring Officer for informal action all were now complete. The informal actions taken by the Monitoring Officer in relation to these complaints had ranged from seeking an apology from the subject member of a complaint, to giving advice about the use of social media.

The 17 complaints had covered a variety of issues but the most common paragraph of the Code of Conduct identified by complainants had related to a failure to treat an individual with respect. Complaints had been received from the public, however, the majority of which had been submitted by Members against other Members.

The Committee was requested to consider, in the light of its statutory role to promote and maintain high standards of conduct by Members, whether further advice and guidance should be provided to Members in relation to the obligations placed on Members by the Code of Conduct, and the opportunities available to Members to resolve issues without referring them as a complaint under the Code of Conduct. These opportunities could include, for example, referring an issue to a senior officer, a Group Leader or other Group representative or the Mayor.

During discussion Members noted that the majority of complaints made since the new standards regime was introduced were from Members about other Members and only a small number had been made by members of the public. The Committee therefore requested that further advice and guidance from the Monitoring Officer should be provided to all Members of the opportunities available to resolve issues in a less formal way without referring them as a complaint under the Code of Conduct; and that alternative means of resolving such issues informally should be explored prior to the use of a formal complaint.

Resolved (1) to note the update on the complaints received under the Code of Conduct for Members;

(2) that the Monitoring Officer provide further advice and guidance to all Members of the opportunities available to resolve issues in a less formal way without referring them as a complaint under the Code of Conduct, and explores alternative means of resolving such issues informally prior to the use of a formal complaint.

GSC21/09/13 Dispensations – Appointments to Outside Bodies

The Governance Committee received a report on applications received from a number of Councillors, seeking dispensation in accordance with Section 33(2)(e) of the Localism Act 2011. The dispensations sought would enable the Councillors to speak and vote on any item of business at any Authority meeting in which they had a registerable interest by virtue of their appointment by the Authority to outside bodies. A copy of the application letters seeking dispensation were submitted to the Committee.

Resolved that the applications received by Councillors for dispensation in respect to the registerable interests as set out below be granted for a period of up to 4 years:-

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| Councillor L Darke | Tyne and Wear Archives and Museums Joint Committee (Substitute). |
| Councillor T Mulvenna | Tyne and Wear Integrated Transport Authority Equality and Diversity Working Group; Tyne Port Health Authority. |
| Councillor G Bell | North Tyneside Citizens Advice Bureau; North Tyneside Veterans Committee; Joint Street Lighting PFI Project Committee (Substitute); Tyne and Wear Trading Standards Joint Committee (Substitute); North Tyneside Health and Well-being Board. |
| Councillor R Glindon | Joint Street Lighting PFI Project Committee; North Eastern Purchasing Organisation; North Eastern Purchasing Organisation – Executive Sub-Committee; Pensions Committee; Station Developments Limited; Tyne and Wear Development Company (Directors); Tyne and Wear Economic Development Joint Committee. |

Councillor L Spillard declared a non-registerable personal interest in her own application for dispensation and she withdrew from the meeting during consideration of her application.

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| Councillor L Spillard | North Eastern Purchasing Organisation (Substitute); North Tyneside Health and Well-being Board; The Percy Hedley Foundation Governors. |
| Councillor J Harrison | Joint Street Lighting PFI Project Committee; Joint Tyne and Wear Local Access Forum; Tyne and Wear Housing Partnership; Tyne and Wear Fire and Rescue Authority. |
| Councillor A Cowie | Joint Committee for the North of England Open Air Museum (The Beamish Joint Committee) Tyne and Wear Trading Standards Joint Committee; Newcastle Airport Consultative Committee. |
| Councillor M Green | Association of North East Councils; Tyne Port Health Authority; Tyne and Wear Trading Standards Joint Committee; Tyne and Wear Integrated Transport Authority. |

Councillor J O'Shea declared a non-registerable personal interest in his own application for dispensation and he withdrew from the meeting during consideration of his application.

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| Councillor J O'Shea | Association of North East Councils; British Resorts and Destinations Association; Local Government Association Assembly; Local Government Association Urban Commission; Tyne and Wear Integrated Transport Authority Scrutiny Advisory Committee; Tyne and Wear Integrated Transport Authority Bus Strategy Working Group; North Eastern Purchasing Organisation – Audit Sub-Committee; North Tyneside Health and Well-being Board. |
| Elected Mayor, Norma Redfearn | Association of North East Councils; Local Government Association Assembly; North East Regional Employers Organisation; Association of North East Councils Leaders and Elected Mayors Board; LA7 Leadership Board; Newcastle Airport Local Authority Holding Company; North East Local Enterprise Partnership; North East local Transport Body; North East Regional Employers Organisation Executive Committee; Tyne and Wear Leadership Group; North Tyneside Strategic Partnership Executive; North Tyneside Health and Well-being Board; Northumbria Police and Crime Panel. |
| Councillor S Graham | Local Government Association Assembly; Standing Advisory Council on Religious Education; Tyne and Wear Archives and Museums Joint Committee (Substitute); Tyne and Wear Trading Standards Joint Committee. |
| Councillor I Grayson | Standing Advisory Council on Religious Education (Chair); Kettlewell Education Foundation; North Tyneside Learning Trust; North Tyneside Trading Company; Tyne Gateway Trust. |
| Councillor C Gambling | Safer North Tyneside Partnership Board; Northumbria Police and Crime Panel; Tyne and Wear Fire and Rescue Authority. |
| Councillor K Conroy | Longbenton Partnership Board. |
| Councillor D Lilly | Standing Advisory Council on Religious Education; Station Developments Limited. |

Councillor J Allan declared a non-registerable personal interest in his own application for dispensation and he withdrew from the meeting during consideration of his application.

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| Councillor J Allan | Association of North East Councils; Local Government Association Assembly; Tyne and Wear Integrated Transport Authority Local Transport Plan Working Group; Newcastle Airport Local Authority Holding Company (Alternate). |
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Councillor F Lott declared a non-registerable personal interest in his own application for dispensation and he withdrew from the meeting during consideration of his application.

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| Councillor F Lott | Association of North East Councils; North East Local Transport Bode (Substitute); Tyne and Wear Development Company (Directors); Tyne and Wear Economic Development Joint Committee; Tyne and Wear Integrated Transport Authority. |
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