

**BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**  
**STANDARDS COMMITTEE**

Minutes of the Meeting held on 16 January 2024 at 6.00 pm

Present:-

Cllr V Ricketts – Chair

Cllr A Chapmanlaw – Vice-Chairman

Present: Cllr S Armstrong, Cllr E Connolly, Cllr M Haines, Cllr B Nanovo, and  
Cllr O Walters

Also in Mr P Cashmore and Mr I Sibley  
attendance:

15. Apologies

There were no apologies for absence.

16. Substitute Members

There were no substitute members.

17. Declarations of Interests

There were no declarations of interest.

18. Confirmation of Minutes

**RESOLVED that the minutes of the meeting held on 03 October 2023  
be confirmed as a correct record.**

19. Public Issues

The following three statements were received from Mr McKinstry:

Statement 1.

Because they were reported to full Council, we know the identities of the non-compliant councillors in Complaints 97, 141 and 146; and we know, therefore, that the Chair of the Children's Services Overview and Scrutiny Committee, Cllr Bobbie Dove, has had two bullying allegations upheld against her and failed to undertake anti-bullying training. This in my view is an outrageous situation and the councillor should consider her position.

It strikes me, meanwhile, that besides the annual ballot, BCP's Constitution makes no provision for challenging an incumbent Chair. This Committee might therefore seek a Constitutional amendment, whereby a motion of no confidence could be brought against a Chair (or indeed any Committee member) for Code of Conduct breaches, and/or non-compliance with

sanctions. This is an excellent suggestion, as it would fortify the Standards regime while preserving committee autonomy.

Statement 2.

Regarding paragraph 22: is reporting non-compliance to Council having the desired effect? It could certainly do with strengthening. I well remember the shock in the public gallery last November, when three such reports were presented to full Council: the councillors weren't named orally, debate was prohibited, and the entire business concluded in 40 seconds. This was particularly galling since Cllr Bagwell had spent over a year failing to apologise for disrespectful conduct. Naming councillors in the chamber, specifying breaches, and incorporating those details into the minutes, would prove a stronger deterrent against non-compliance and poor behaviour generally. On the subject of chamber protocols (and unrelated to the above complaints), any apologies to full Council should be run past this Committee first, to weed out any misleading statements, and obviate tokenism.

Statement 3.

Finally, last year I contacted all county, district and unitary authorities in England, asking how many councillor complaints were determined in the year ending March 2023. This Council's figure - 61 - is the second highest among the 104 councils that replied, surpassed only by East Riding of Yorkshire District Council (532 complaints - although 512 related to the same incident). Hampshire Council had 26 complaints; Dorset, 12; and Southampton, Bedford and Tameside Councils, zero. Paragraph 24 describes BCP's "significant increase in complaints" as a "trend". In fact, the "61" figure relates only to the year ending March 2023 (see Paragraph 10), and separate evidence suggests an astronomic decrease since then. This is clear from the papers for November's scrutiny meeting, p. 31 - "**Few complaints have been made about individual councillors since the elections in May**" - and I wanted to place that on the Standards Committee's records this evening.

Janie Berry, Director of Law and Governance responded as follows:

I take on board the comments that have been made in the three public statements and I do think there is merit in the Standard's Committee's undertaking a review of the procedures which support the Code of Conduct. In my experience, it is essential that the Standards Committee upholds the absolute highest standards of ethical governance. Ensuring that all councillors here at BCP adhere to the Nolan Principles as you would expect if you stood in the shoes of a member of the public. For extremely exceptional circumstances, in my opinion, where code of conduct complaints have been upheld, the decision should be placed in the public domain. They should be reported in a prominent place on the Council's website because that meets the expectations and standards of correct ethical governance. It also meets the government's expectations of people like myself, the Head of Paid Service, the Section 151 officer and the Head

of Internal Audit accessing the best value and the governance framework of the Council. Failure to meet the demands of transparency could be seen as a significant issue for the Council's Annual Governance Statement, if there are repeated concerns over time.

In Summary, as the Monitoring Officer I accept that I am very new, but I have significant experience in supporting Standards Committees in achieving good governance. I do feel that it would be timely for the Committee to consider a review of the procedures, learn from past experiences and learn from the incidents that have been reported to you by a member of the public. It may be that you do not need to make any changes, but I do think it would be timely for the Committee to undertake the review to assure yourselves that you have all the mechanisms and the toolkit available to conduct your roles here whilst holding up the best standards of ethical governance to the maximum possibility that you have without feeling strangled.

20. Code of Conduct Complaints - Review

The Head of Democratic Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

This report provided Members with an update on complaints regarding alleged breaches of the Code of Conduct against Councillors received or concluded since the last report to the Committee in October 2023.

The Committee reviewed the table of complaints setting out, in each case, the nature of the complaint and, where applicable, the Monitoring Officer's assessment, the decision of the Chair and the current status of the complaint.

The Committee considered the Code of Conduct Complaints Review and made the following comments:

- The Committee was advised that the deadlines and timeframes for responses from Members would be included in the reports going forward. It was confirmed to the Committee that the subject Member of a complaint had fourteen days to respond to the complaint once they had been informed.
- In response to a query raised regarding the three months given for gathering extra information, the Committee was advised that three months was the timeframe traditionally given to Members. Although it could sometimes assist in information gathering and the closing of complaints, it was advised that the timeframe could be considered as part of the review.
- In response to a query raised regarding the possible delay in dealing with code of conduct complaints during the transition between monitoring officers, the Committee was advised that the transition only affected two complaints and the complainants were informed of the delay as well as the process.

**RESOLVED that the outcome of concluded complaints and the progress of those still outstanding be noted.**

Voting: Unanimous

21. Annual Report on Code of Conduct Complaints

The Head of Democratic Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

This report provided a summary of the complaints received and determined which were made against Councillors for alleged breaches of the Code of Conduct.

The Committee considered the report and made the following comments:

- The Committee was advised that the complainant type marked as 'other' in the report referred to members of the public that were representing an organisation when lodging a Code of Conduct Complaint.
- In response to a query raised regarding the increase in Code of Conduct Complaints made by members of the public, the Committee was advised that there has not been a change in how the complaints are dealt with or how the process was advertised. Although, some of the complaints that were included in the report related to the same incident that was reported by multiple parties. The Committee was advised that the increase could be due to social media-related complaints, as well as the pre-election period last year which may have heightened aspects of political sensitivity leading to complaints.
- The Committee acknowledged those members of the public engaging with the Code of Conduct Complaints process and highlighted how positive it was.
- In response to a query raised regarding the increased workload for Democratic Services as a result of the increase in Code of Conduct Complaints, the Committee was advised that the complaints were managed by the Monitoring Officer and the Deputy Monitoring Officer. This was to ensure confidentiality throughout the process and to make sure Democratic Services Officers were not affected by these complaints in their day-to-day job roles.
- In response to a query raised regarding the procedure to identify subject Councillors at Full Council and whether it would be considered as part of the review, the Committee was advised that this would be included as part of the review. The review would not be restricted and would allow the Committee to share any ideas they would like included as a part of the review.

It was proposed, seconded and unanimously agreed to amend Recommendations as follows:

**That:**

b) A review of standard procedure be commenced as soon as possible. Aiming for implementation for the new municipal year. And to formally offer our thanks to the independent person for their work and support on the Standards Committee.

**RESOLVED that**

- a) the annual report on code of conduct complaints be reviewed and any areas for further work be identified for inclusion in the work programme.
- b) A review of standard procedure be commenced as soon as possible. Aiming for implementation for the new municipal year. And to formally offer our thanks to the independent person for their work and support on the Standards Committee.

Voting: Unanimous

The meeting ended at 6.38 pm

CHAIR