

**BOROUGH OF KETTERING**  
**STANDARDS ADVISORY COMMITTEE**

**Meeting held: 9<sup>th</sup> October 2017**

**Present:** Julie Miller (Independent Member - Chair)  
Phil Carter (Independent Member)  
Lloyd Landry (Independent Member)  
Councillor Ruth Groome  
Councillor Cliff Moreton  
Councillor Jonathan West

**Also Present:** Mike Sawford (Independent Member)  
Anne Ireson (Administrator)

**17.STA.01 APOLOGIES**

Apologies were received from Stuart Kilpatrick (Independent Member).

The Committee were very saddened to learn of the recent death of Stuart's wife. The Chair asked that a letter of condolence be sent to Stuart on behalf of the Council.

**17.STA.02 MINUTES**

**RESOLVED** that the minutes of the meeting of the Committee held on 27<sup>th</sup> February 2017 be approved and signed by the Chair as a correct record.

**17.STA.03 DECLARATIONS OF INTEREST**

None.

**17.STA.04 REVIEW OF MEMBERS' ALLOWANCES**

A report was submitted which considered the process for the review of the Scheme of Members' Allowance. The report sought the Advisory Committee's endorsement to the appointment of members to the

Independent Review panel and agreement of the contents of the Briefing Pack.

Discussion was held on the issue of requiring Councillors to undergo a Disclosure and Barring Service (DBS) check and registration of Councillors under the Data Protection Act. In discussion, the Committee recommended that DBS checks for councillors, upon election, should be required.

Members of the Advisory Committee expressed concern about data held on Councillors' own IT equipment and it was noted that there was currently no mechanism for such content to be monitored. It was felt that there could be a potential risk for councillors if such personal data was accidentally or unintentionally shared. It was agreed that further guidance was needed on this issue, but that it would be useful to draw a parallel with the requirement for registration for MPs.

The Advisory Committee considered that there was a case to exercise austerity in respect of any increases to members' allowances, bearing in mind public perception should members be awarded a pay rise when officers had not had the same opportunity for their salaries to be reviewed in this way. However, it was noted that senior Councillors who were also Portfolio Holders needed to spend considerably more time on Council duties than other members and this should be taken into account. In addition, it was felt that there was a need to attract more people to put themselves forward for nomination, and that members' allowances needed to be fair for all councillors, some of whom may be in a better financial position than others. Members of the Advisory Committee welcomed the current scheme where annual increases were linked to officers' salary increases.

The timetable for the review was noted. The Committee was advised that the third member of the Independent Review Panel had not yet been identified, but that it was hoped this would be done shortly.

**RESOLVED** that:-

- (i) the appointment of Professor Steve Leach as Chair of the Independent Review Panel and Mrs Sue Watts as a representative of the voluntary sector be endorsed; and
- (ii) the Briefing Pack for the Independent Review Panel be approved.

**17.STA.05 DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT  
CONSULTATION ON DISQUALIFICATION CRITERIA FOR  
COUNCILLORS AND MAYORS**

It was noted that the Government had recently issued a consultation document on updating disqualification criteria for local authority members by adding sexual and some antisocial behaviour offences to the criteria for disqualification.

The Advisory Committee considered the document, noting the current disqualification criteria and the government's detailed proposals.

The deadline for submission of comments was 8<sup>th</sup> December 2017.

During the debate on the responses to the questions in the consultation document, members queried the process by which candidates for election were required to reveal details about past convictions and offences. It was understood that much of the checking process would be carried out by political parties, but there was an element of dependence on honesty by candidates in disclosing such information.

Whilst it was acknowledged that minor offences carried out a number of years prior to election should not be required to be disclosed, as this was felt to be too draconian, the Committee felt that by requiring all councillors to undergo a DBS check upon their election any serious offences would be disclosed through this process. There was a need to determine whether the councillor should pay for their own checks or whether the Council should pay.

Following debate, the following conclusions were put forward by the Advisory Committee in response to the consultation:-

- Q1. The Committee agreed that an individual who was subject to the notification requirements set out in the Sexual Offences Act 2003 (ie on the Sex Offenders Register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor.
- Q2 The Committee did not agree that an individual who was subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority mayor of a combined authority, member of the London Assembly or the London Mayor. However the Committee felt that it did not have enough information about how this Order was applied to individuals in other circumstances or cases.

- Q3 The Committee agreed that an individual who had been issued with a Civil Injunction (made under Section 1 of the Antisocial Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under Section 22 of the Antisocial Behaviour Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor.
- Q4 The Committee did not agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only antisocial behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor.
- Q5 The Committee felt it did not have enough information to comment on the effect the proposals may have on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010.
- Q6 In response to this question, the Committee felt that all councillors should be required to undergo a Disclosure and Barring Service check upon their election as a legal requirement.

The Chair asked members to submit any additional comments they may wish to make to the Committee Administrator by Friday, 13<sup>th</sup> October 2017.

**RESOLVED** that the above responses to the consultation be submitted to the Department for Communities and Local Government on behalf of the Council.

#### **17.STA.06 SUE LYONS**

The Committee was advised that Sue Lyons, Head of Democratic and Legal Services and Monitoring Officer, had now left the authority. Martin Hammond was currently acting as a temporary Monitoring Officer until a new member of staff had been appointed. The Committee noted that the recruitment process was currently underway.

*(The meeting started at 7.00 pm and ended at 7.50 pm)*

Signed .....  
Chair

AI