

Public Forum

Value & Ethics Sub- Committee

15 April 2024



1. Members of the V&E Sub Committee

Questions

Number	Name
1	Mike Oldreive
3	Joanna Booth

Statements

Number	Name
1	Mike Oldreive
2	Suzanne Audrey



Mike Oldreive.

Here are my questions for V&E on Monday:

“Post Meeting Clarification Note. Mike Oldreive - Supplementary Question 1 – This was withdrawn under Committee Procedure Rule CMR9.5 – under the category of offensive”

(This is not a correct record of my question, nor of Ms Rollason’s response. She did answer and she told me to “make a complaint”. The Chair made no comment on my supplementary question - and Ms Rollason’s response silenced everyone. I couldn’t respond, as a member of the public.)

How is this correct under the Council’s constitution ?

The rejection of Supplementary Questions is covered by CMR9.7, which states that **the Chair** may reject a supplementary question on any of the grounds in CMR9.5.

CMR9.5 Scope of questions, statements and petitions

The chair in consultation with the proper officer may reject a question, statement or petition if it:

- *is not about a matter for which the committee has a responsibility;*
 - *is defamatory, frivolous or offensive, or*
 - *requires the disclosure of confidential or exempt information*
- Rejected questions will be resent to the questioner and include reasons for rejection.*

CMR9.7 Supplementary questions

A questioner who has put a question in person may also put without notice, one supplementary question to the chair. A supplementary question must arise directly out of the original question or the reply. The chair may reject a supplementary question on any of the grounds in CMR9.5 (scope of questions) above

Q1: Can Democratic Services confirm that the Chair was consulted about all statements and questions from myself that have been censored or withdrawn from V&E, before I was notified of their withdrawal?

On what legal or Constitutional basis can Democratic Services censor public questions and statements without the involvement of the Chair?

Response

Questions and supplementaries have been dealt with in accordance with CMR 9.

Q2: Can the Chair confirm that he has acted in accordance with the Constitution?

Does the Chair consider my supplementary question from the last meeting to be offensive, and on what grounds?

Why did he not speak up at the meeting?

Response

The Chair of the V&E is not able to attend today’s meeting but has responded to the question stating that he acted in accordance with the Constitution.

Kindest regards
Mike Oldreive

Joanna Booth.

Hi Democratic Services,

I don't know if I am within the time limit for questions for Values and Ethics on the 15th of April. Just in case though, I have the following.

To V&E cllrs and chair:

I note that the monitoring officer has provided a new complaints procedure that is now legally compliant and aligns in places with best practice from the LGA. That is a very positive step after nearly two years of requesting this to happen. I believe it only happened because members of the public began paying attention and asking, repeatedly, for change.

Q1. Rejected on basis that it is not a matter for which the Sub-Cttee has responsibility.

Q2. As regards the updated complaints procedure, while I commend the changes, which are now legally compliant, I note with worry the power of officers to dismiss complaints as vexatious or from persistent complainers.

How can members have better sight of complaints judged to be dismissed?

Where is the counterpart for 'persistent complainers' toward councillors who persist in behaviour that makes them the subject of complaints?

Response

The updated complaints procedure for approval today, has been amended in accordance with the input from the V&E Sub-Committee. The Sub-Committee will continue to receive annual updates on complaints.

If it's too late to send in questions, please include this as a statement. I will try to attend but just in case, I would like to have a written reply too.

All the best,
Joanna

Joanna Booth
Journalist

Here is my statement for Monday:

Firstly I'd like to thank members for changing the Member complaints process so that it more closely reflects LGA and Legal Services Board guidance on gagging orders/NDAs/confidentiality. It's a shame that

- The original policy was ever included in the draft (and put into practice during 2022 by the Head of Legal & Monitoring Officer, when it was never reflected in any actual policy at that time).
- It's taken 6 months of consistent public engagement to bring this about.

I want to raise my concerns about the recording of minutes for the last meeting.

I do not accept the minutes as they stand. The Head of Legal responded to me and said " This is the nature of a complaint against me! You need to make a complaint". This was a response to my question and should be documented.

No one said they were offended. The Chair did not intervene. I'm aware that the public can't " answer back" to responses, so I didn't say anything.

After making a complaint about a councillor in July 2022, I have experienced :

- A refused complaint , on the grounds of "political motivation" – with no evidence or justification provided, on the basis of agreement with a third party who was unlawfully appointed to the complaints process by Head of Legal/Monitoring Officer
- a decision that took nearly 6 months to reach, with no explanation of delays
- councillors & public misled in V&E Public Forum by the Monitoring Officer who told me " I fundamentally misunderstood the legislation"- only to receive an email a day later confirming that he had appointed IPs unlawfully
- no one at V&E or elsewhere in the Council has ever publicly acknowledged the unlawful appointments and the failings of the members complaints process
- 1 statement censored and another withdrawn
- gaslighting by Democratic Service staff, who refuse to provide answers as to why my statements were "offensive, defamatory or frivolous" and persistently ignore emails
- no response from the Chief Executive, Stephen Peacock when I raised concerns about unlawful appointments of IPs
- staff refusing to provide details of professional qualifications and memberships of professional bodies
- handling of my complaint the subject of an LG Ombudsman's report that required the Council to amend its process.

I fail to see how anyone responsible for values and ethics can find any of this acceptable.

Members of the public have a right to ask questions. Members and councillors may find them difficult or uncomfortable, but that does not mean that they are "offensive".

Why would I have any faith in making a complaint about Ms Rollason , or any faith in the process or that it would be fair?

Members of V&E should commission an independent review of all member complaints undertaken over the last 3 years to restore public confidence in the system. A wider review of the Council's culture in terms of public service and relationships should also be considered, with Nolan Principles at the core.

Thanks

Mike Oldreive

I would like to submit the following short statement to Values and Ethics Committee, 15 April. I regret I am unable to attend the meeting as I will not be in Bristol. I hope the meeting goes well.

Best wishes, Suzanne Audrey

Statement: International travel and hospitality, members register of interest

With regard to international travel and hospitality, I note that some of this has now been included in the relevant registers of interests. I am also aware that some is missing, and may never be properly recorded. In addition, it is not possible to cross-check the data for the outgoing administration as the international travel data on the council website is only available to January 2023 i.e. data for over a year are not currently available. Given the confusion over this, it looks as if the training and monitoring relating to members' registers of interest is insufficient. I hope this can be improved under the new committee system.