



Telford & Wrekin
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

STANDARDS COMMITTEE

Date **Tuesday 9th February 2016** Time **6.00pm**
Venue **Meeting Room G3 & G4, Ground Floor, Addenbrooke House,
Ironmasters Way, Telford, TF3 4NT**

Enquiries Regarding this Agenda:

Democratic Services	Phil Smith	01952 383211
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Lead Officer	Jonathan Eatough - Assistant Director: Legal, Procurement & Commissioning	01952 383200

Committee Membership: Councillors **M J Smith (Chair)**, **R J Sloan (Vice-Chair)**, S Barnes, A J Burford, N A M England, R T Kiernan, C P R Mollett and P J Scott

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix **A**
To confirm the minutes of the meeting of the Standards Committee held on 7th July 2015.
4. **Standards Update from the Monitoring Officer** Appendix **B**
The report of the Assistant Director: Legal, Procurement & Commissioning and Monitoring Officer

STANDARDS COMMITTEE**Minutes of a meeting of the Standards Committee held on
Tuesday, 7 July 2015 at 6.00pm in Meeting Room G2, Addenbrooke House,
Ironmasters Way, Telford, TF3 4NT**

PRESENT: Councillors M J Smith (Chair), R J Sloan (Vice-Chair), S Barnes, A J Burford, N A M England, C P R Mollett and P J Scott

ST-01 APOLOGIES FOR ABSENCE

Councillor R T Kiernan.

ST-02 DECLARATIONS OF INTEREST

None.

ST-03 MINUTES

RESOLVED – that the minutes of the meeting of the Standards Committee held on 20 January 2015 be confirmed and signed by the Chair.

ST-04 STANDARDS UPDATE FROM THE MONITORING OFFICER

The Deputy Monitoring Officer gave the apologies of the Monitoring Officer for his absence and presented the report on his behalf.

Complaints:- There had been no formal complaints since the publication of the report. Advice and information continued to be available to elected Members, members of the public and officers of borough and parish councils via the Monitoring Officer and Deputy Monitoring Officer.

Training:- As requested by this Committee, the Monitoring Officer and Deputy Monitoring Officer had presented a training session on 18 May 2015 as part of the post-election Member induction process. 14 Members had attended, nine of which were newly elected. Members welcomed the provision of training but acknowledged that the intensity of the induction programme could be over-whelming and it was not always possible for members to juggle busy diaries to accommodate specific dates. At the request of Members, it was agreed that the Deputy Monitoring Officer would discuss arrangements for a further training session in the autumn with the Member Services Officer. The internal training session lasted approximately 45-60 minutes with questions and the session would not be dependent on numbers. The Committee encouraged all Members to attend.

DPI Forms:- The Deputy Monitoring Officer reported that there were six outstanding DPI forms all other Councillors had returned their forms.. The Deputy Monitoring Officer described the legal obligations regarding submission of the form within 28 days of appointment. The Committee agreed that a reminder should be sent to the Councillors who had not yet submitted their forms. With regard to Town and Parish Councils, it was not possible at this stage to say how many were missing in total but

seven Councils had not submitted any forms at all. It was possible that the clerks were collecting forms to submit all together. All DPI forms would be publicly available via the Borough Council's website.

Code of Conduct Complaint Procedure:- The Deputy Monitoring Officer outlined the current complaints procedure. He informed the Committee that at the last meeting, Members had debated whether or not the Monitoring Officer should advise Members when a complaint was received regardless of whether it was dealt with under the Monitoring Officer's discretion and not referred to the Committee. Members considered that it was important for all Members to receive notification of complaints against them. It was considered that this was normal practice in other complaint systems and that disclosure reflected the Council's values. It would also allow the subject of the complaint to reflect on their behaviour accordingly. Members agreed that the disclosure should apply to borough and parish and town councillors. Members were unanimously in support of the changes outlined in Appendix 2 to the report.

Terms of Reference:- The Deputy Monitoring Officer informed the Committee that it was good practice to review the Terms of Reference on an annual basis but no changes were recommended.

RESOLVED –

- (a) that the contents of the report be noted;**
- (b) that the Code of Conduct complaints process be updated to include the suggested amendments made at Appendix 2 of the report;**
- (c) that no changes be made to the Terms of Reference of the Standards Committee.**

The meeting ended at 6.28pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL**STANDARDS COMMITTEE – 9th FEBRUARY 2016****STANDARDS UPDATE FROM THE MONITORING OFFICER****REPORT OF ASSISTANT DIRECTOR: LEGAL, PROCUREMENT AND COMMISSIONING****1. PURPOSE**

To update the Committee on matters relating to the ethical framework since the last Standards Committee meeting and to address issues relating to training and recent developments at a national level.

2 RECOMMENDATIONS - that the Committee :-**2.1 Note the contents of the report;****2.2 Provides guidance to the Monitoring Officer in relation to any further work that the Committee considers appropriate to promote good governance and the ethical framework in relation to the matters highlighted in the report.****3. SUMMARY**

3.1 The Monitoring Officer provides an update to the Committee on work undertaken in relation to the ethical framework and particularly issues relating to; complaints received, training and the role of the Independent Person.

4. PREVIOUS MINUTES

4.1 Standards Committee – 20th January 2015

5. INFORMATION

5.1 The Monitoring Officer provides updates on the following matters since the last meeting of this Committee on 7th July 2015.

Complaints

There have been four formal complaints received since the last meeting on 7th July 2015.

Time Period	Number of complaints	Complaints against Borough Councillors	Complaint against Parish/ Town Councillors	Outcome: No Further Action	Outcome: Further action/ Investigation/ongoing
8 th July 2015– 14 th January 2016	4	2	2	1	3

Regarding the complaints against borough councillors; one complaint related to the use of social media and was not referred for investigation and the second complaint has only recently been received at the time of preparing this report and is therefore still outstanding.

The complaints against Parish Councillors were; a complaint against a Councillor regarding comments they had made which was resolved informally by the Monitoring Officer providing guidance to the Councillor concerned and a further complaint which is currently being addressed by the Monitoring Officer at this stage.

As previously reported the Monitoring Officer and Deputy Monitoring Officer have again continued to give advice and information to elected members, members of the public and officers from both the Borough and Parish Councils on Code of Conduct matters.

Training

As requested by this Committee, further Code of Conduct training for Borough Councillors took place on 30th September 2015. This was to allow those Councillors who were unable to attend the induction training on ethical standards matter which had been held on 18th May 2015.

The training covered the Code of Conduct, DPI's, the complaints process and issues relating to pre-determination and bias. The Monitoring Officer and Deputy Monitoring Officer delivered the training and 3 Borough Councillors attended, together with one Independent Person. The Monitoring Officer seeks views from the Committee on the issue of training and whether any further work needs to be done.

In the absence of the Independent Persons, the Deputy Monitoring Officer attended the regional Independent Person seminar entitled “The Role of the Independent Person”, held at Sandwell Council offices on 11th December 2015. The seminar covered the latest developments for the role of the Independent Person particularly related to their new role in the procedure for the potential dismissal of senior officers. The seminar also provided case studies and gave the opportunity for Independent Persons from different authorities to give details of their experience in the role. The Deputy Monitoring Officer will arrange to meet with Mr Tebbutt and Mr Humphries to disseminate the information provided at the seminar.

The Monitoring Officer seeks views from the Committee regarding the Independent Person role and how to develop skills, learning and a greater involvement in work of the Council. Invitations to Standards Committee and other meetings to observe proceedings and scheduled meetings with the Monitoring Officer are a couple of examples of new procedures that could be implemented. It should be noted that the Independent Person role is an unpaid voluntary position and maintaining a good working relationship with the IP’s is a benefit to the organisation.

The Committee on Standards in Public Life

In December 2015 the Committee on Standards in Public Life published a document entitled “Ethical Standards for Providers of Public Services – guidance”. A link to the document is below for Committee members to view

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/481535/6.1291_CO_LAL_Ethical_standards_of_public_life_report_Interactive_2_.pdf

The aim of the document is to promote ethical standards for those organisations that provide public services whether it is in-house or provided externally by contractors.

The document does include suggested measures which includes showing “Evidence of leadership commitment to ethical standards”, and asks “What is the tone from the top and how is this lived out throughout the organisation? What are the values and behaviours this organisation is encouraging and discouraging?”. Included in the guidance are case studies relating to the public sector including local government.

The document is presented to this Committee for information and also for views as to whether any follow up action is required.

5.5 Equal Opportunities

No implications

5.6 Environmental Impact

None

5.7 Legal Comment

The statutory requirements for a Code of Conduct and ethical framework for Councillors is set out at part 1, chapter 7 of the Localism Act 2011.

The record of complaints set out above relate to formal written complaints received by the Monitoring Officer on behalf of this Committee. Complaints are dealt with by the Monitoring Officer in accordance with his delegated powers.

Training for Councillors and the Independent Person(s) on the ethical framework is not compulsory but is recommended.

5.8 Links with Corporate Priorities

The work of the Committee contributes to the Council's co-operative values of openness and honesty, fairness and respect and ownership.

5.9 Opportunities and Risks

Risks relating to this particular report are low provided statutory provisions are followed.

5.10 Financial Implications

Costs associated with the administration and responsibilities of the Standards Committee are met from within the Legal Services revenue budget, which includes the costs of standards investigations and the provision of training. Any variations will be reported, as appropriate, as part of the financial monitoring process.

As well as the completion of DPI forms, Councillors of Telford & Wrekin Council are also required to complete and return a *Related Party Declaration* form each year (which will be requested annually by Corporate Finance). This is so that any relevant disclosures are included in the Council's published Statement of Accounts which is audited by external auditors.

6. WARD IMPLICATIONS

No ward specific implications

7. **BACKGROUND PAPERS**

The Localism Act 2011

Report prepared by Jonathan Eatough, Monitoring Officer, telephone 01952 383200 and Matthew Cumberbatch, Legal Services Manager, telephone 01952 383255