

Standards Committee

Thursday 22 January 2015 at 4.00 pm

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

Membership

Councillors. Bryan Lodge (Chair), Penny Baker, Ben Curran, Alan Law, Mary Lea, Pat Midgley, Vickie Priestley and Colin Ross.

Co-opted Members

Mr John Atkinson, Mr Alan Casbolt, Mr Edward Fleming and Councillor Malcolm Glover.

PUBLIC ACCESS TO THE MEETING

Each local authority is required to draw up and adopt a Code of Conduct for its members. The main role of the Standards Committee is to promote and maintain high standards of conduct throughout the City Council and Parish and Town Councils in its area and to help members to follow the Code of Conduct. This Committee operates outside the main Council structures and the Chair and Deputy Chair are independent from the Council.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Standards Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last.

If you require any further information please contact Dave Ross in Democratic Services on 0114 273 5033 or email dave.ross@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**STANDARDS COMMITTEE AGENDA
22 JANUARY 2015**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**
Members to declare any interests they have in the business to be considered at the meeting.
- 5. Appointment of Deputy Chair**
To appointment a Deputy Chair of the Committee.
- 6. Minutes of Last Meeting**
To approve the minutes of the meeting of the Committee held on 4 June 2014.
- 7. Update on Standards Complaints**
Report of the Monitoring Officer/Interim Director of Legal and Governance.
- 8. Revised Procedure for Dealing with Standards Complaints**
Report of the Monitoring Officer/Interim Director of Legal and Governance.
- 9. Member Development Programme**
Report of the Interim Director of Legal and Governance.
- 10. Work Programme**
Report of the Interim Director of Legal and Governance.
- 11. Dates of Future Meetings**
To note that meetings of the Committee will be held on 11 March and 24 June 2015 at 2.00 p.m.

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Standards Committee

Meeting held 4 June 2014

PRESENT: Councillors Bryan Lodge (Chair), Penny Baker, John Campbell,
Alan Law, Mary Lea, Pat Midgley, Vickie Priestley and Colin Ross.

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1. APPOINTMENT OF CHAIR

Resolved: That Councillor Bryan Lodge be appointed Chair of the Committee.

2. TO FIX DAY AND TIME OF MEETING

Resolved: That meetings of the Committee be held as and when required on dates and times to be determined by the Chair.

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Standards Committee Report

Report of: The Monitoring Officer/Interim Director of Legal and Governance

Date: 22 January 2015

Subject: Update on Standards Complaints

Author of Report: Dave Ross, Democratic Services

Summary:

The report provides information on the complaints considered under the Procedure for Dealing with Standards complaints in 2014/15.

Recommendations:

The Committee is asked to note the contents of the report.

Background Papers:

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO Cleared by:
Legal Implications
/NO Cleared by:
Equality of Opportunity Implications
NO Cleared by:
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
Not applicable
Relevant Cabinet Portfolio Leader
Councillor Ben Curran
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
No

UPDATE ON STANDARDS COMPLAINTS

1.0 INTRODUCTION

- 1.1 The report provides information on the complaints considered under the Procedure for Dealing with Standards Complaints during 2014/15.
- 1.2 The Procedure was adopted by the Council in July 2012 to meet the requirements of the Localism Act 2011 to promote high standards of Member Conduct, adopt a Code of Conduct and introduce a process for investigating complaints. The Council also appointed three Independent Persons to assist the Monitoring Officer and Standards Committee in dealing with complaints.
- 1.3 The Committee reviewed the Procedure and Code of Conduct at its meeting on 24 July 2013 and proposed no changes. The Procedure and Code of Conduct are attached as appendices A and B.
- 1.4 There is a separate report on the agenda for this meeting proposing a revised Procedure for Dealing with Standards Complaints.

2.0 SUMMARY OF COMPLAINTS

- 2.1 The Monitoring Officer considers complaints relating to potential breaches of the Members' Code of Conduct in consultation with one of the three Independent Persons.
- 2.2 13 complaints were considered during the year which included two from 2013. Eight have been concluded and 3 are being investigated. The outcome and status of all the complaints is set out below:-

Case Reference	Complainant	Council	Status/Outcome
2013.13	Member of the public	Sheffield	Not referred for investigation
2013.18	Community organisation	Sheffield	Not referred for investigation
2014.01	Community organisation	Sheffield	Referred for Investigation
2014.02	Member of the public	Sheffield	Further information not received (superseded by 2014.09)
2014.03	Community organisation	Sheffield	Referred for Investigation
2014.04	Member of the public	Sheffield	Not a Standards matter
2014.05	Councillor	Stocksbridge	Apology offered
2014.06	Councillor	Stocksbridge	Did not represent a breach
2014.07	Member of the	Sheffield	Written complaint not received

	public		
2014.08	Community organisation	Sheffield	Pending
2014.09	Member of the public	Sheffield	Pending
2014.10	Member of the public	Sheffield	Awaiting further information
2014.11	Trade Union	Sheffield	Referred for Investigation

3.0 LESSONS LEARNED

3.1 The learning from dealing with the complaints during the year has been incorporated into the proposed revised Procedure for Dealing with Standards Complaints.

4.0 RECOMMENDATION

4.1 The Committee is asked to note the contents of the report.

Monitoring Officer/Interim Director of Legal and Governance

PROCEDURE FOR DEALING WITH STANDARDS COMPLAINTS

Complaints

- 1 Allegations of breaches of the Code of Conduct should be made in writing to the Monitoring Officer (MO) by any Elected Member, Officer, and partner of the Council or resident of Sheffield.
- 2 The MO will decide if this allegation is a potential breach of the code. If the matter complained of does not constitute a potential breach of the code the MO will inform the complainant.
- 3 If the MO believes there may be a potential breach of the Code they may take the following actions in consultation with the Independent Person without determining if an actual breach has taken place:-
 - Take such steps as they think appropriate to prevent a future breach of the Code including training, guidance, introducing or amending policies/protocols.
 - Ask the Whips to address the issue raised within their political parties or with an individual Member.
 - Mediate between the parties involved to resolve the issues.
 - Obtain further information from the complainant or other relevant individual/body.
- 4 The MO, after taking the above steps as appropriate, will decide, in consultation with the Independent Person, if the matter should be investigated.
- 5 The MO will take into account when deciding if the matter should be investigated :-
 - The seriousness of the allegation.
 - The effectiveness of the remedies available.
 - If a significant amount of time has elapsed since the events which are the subject of the complaint.
 - The benefits of an independent consideration of the allegation.
 - If the allegation relates to a cultural or recurring issue relating to standards within the Council.

- If the matter should be dealt with by some other method, e.g. police investigation.
 - If complaints have been made about the Member relating to similar issues in the past.
 - The impact on the complainant or reputation to the Council caused by the conduct.
 - If the complaint appears to be trivial or vexatious or is part of a series of complaints from the complainant.
 - The conduct occurred during political debate or could be regarded as a political expression of views or opinion
- 6 It is expected that only a minority of potential breaches will be referred to the Standard Committee.

Procedure for Investigations

7. If the matter is to be investigated, the complainant and subject of the complaint will be informed by the MO. The Elected Member will be given full details of the allegation and have 14 days to submit a response, witness statements and any relevant information. The Member will be asked to express a preference for a written or oral hearing should the matter be referred to the Standards Committee.
8. The MO will supply the complainant with copies of any documents produced in accordance with paragraph 3 or 7 above. The complainant may provide a written response and further evidence if they choose to do so. They must respond within 14 days of receipt of the information. The MO or Independent Person may advise and assist either party with the written information to be supplied.
9. The Independent Person and the MO will consider the complaint and responses to decide if any further information should be obtained by the MO or if an internal or independent investigation is required on all or any aspect of the complaint.
10. The MO in consultation with the Independent Person shall decide when the investigation process set out in 7 to 9 above is complete and if evidence of a breach is found. If no evidence is found no further action will be taken and the MO will inform the complainant.
11. Where the investigation finds evidence of failure to comply with the Code of Conduct, the MO, in consultation with the Independent Person, may attempt a local resolution, avoiding the necessity of a hearing by identifying other appropriate remedial action. It would only be appropriate for the MO to agree a local resolution after consultation with the Independent Person and subject to a summary report for

information being submitted to the Standards Committee.

Standards Committee

12. If evidence of a breach is found on investigation and the matter cannot be resolved, the MO will refer the matter to the Standards Committee. The Standards Committee will meet within two months of the referral to consider the allegation and make clear findings as to the facts on the matter and whether, in its opinion, a breach of the Code of Conduct has occurred. This decision will be made upon the papers submitted if the Member agrees. If the member does not agree to a paper consideration he/she will be asked to attend the Standards Committee to give oral representations and present their evidence. The Member may, with the consent of the Committee obtained prior to the meeting, present witnesses.

The Committee will meet in public unless the Chair decides all or some of the meeting should be held in private subject to the Access to Information requirements. The MO will attend the meeting and can provide advice to the Committee.

13. The Committee shall decide if a breach of the Code has taken place and what sanction, if any, it should recommend. The Committee will give reasons for its decision.
14. The MO will inform the complainant and the Member of the outcome in writing within 7 days.
15. The findings and decision of the Standards Committee will be publicly available on the Council's website and copies will be supplied to the MO, Chief Executive and Member concerned, Leaders of the political party concerned, the Whips and the complainant.

Remedies

16. If the Standards Committee finds a breach of the Code has occurred they may make any of the following recommendations and may specify to whom they wish them to be directed:
 - Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council or Shadow Portfolio responsibilities
 - Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
 - Instructing the Monitoring Officer to arrange training for the member;

- That policies/procedures are amended;
- That a briefing/information note be issued;
- That an apology be given;
- That the member is censured in writing and a copy of the letter is published on the Council's website.

Appeals

17. It is not intended that an Appeal procedure would be used as a matter of course. If, however, the Standards Committee Chair and MO agree that the nature of the decision may have a significant impact on the member against whom findings are made or has important implications for the Council as a whole, they may allow an appeal to the Standards Committee of another authority with whom a reciprocal agreement exists. The views of one of the IPs not involved in the case would be taken into account in any appeal. If no suitable Committee is available the appeal will be dealt with by the Council's Chief Executive.

Reports

18. A bi-annual report will be presented to Members of the Standards Committee on the complaints received and how they were dealt with. An annual report will be prepared for Council in relation to all Standards Complaints.

July 2013

SHEFFIELD CITY COUNCIL – MEMBERS’ CODE OF CONDUCT

Introduction

This Code applies to members of this authority when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code. Members include all Elected Members and co opted members.

The Code sets out the standards which are required of all members of the authority in carrying out their duties, and in their relationships with the Council and its officers.

Members are a representative of this authority and the public will view you as such, therefore your actions impact on how the authority as a whole is viewed and your actions can have both positive and negative impacts on the authority.

This Code is based upon the following principles of public life which each member should comply with:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

This Code does not cover matters under the Localism Act 2011 where criminal sanctions will apply.

1. General Obligations

1.1 When acting in your role as a member of the authority you:

- (a) Must treat others with respect.
- (b) Must not conduct yourself in a manner which is contrary to the Council’s duty to promote and maintain high standards of conduct of members.
- (c) Must not bully or intimidate any person
- (d) Must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where -
 - (i) You have the consent of a person authorised to give it;
 - (ii) You are required by law to do so;
 - (iii) The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) The disclosure is –
 - (A) reasonable and in the public interest;
 - (B) made in good faith and in compliance with the reasonable requirements of the authority; and
 - (C) you have consulted the Monitoring Officer prior to its release.
- (e) Must not prevent another person from gaining access to information to which that person is entitled by law.
- (f) Must not conduct yourself in a manner which would reasonably be regarded as bringing your authority into disrepute.

- (g) Must not use your position to improperly confer or secure an advantage or disadvantage to yourself or any other person.
- (h) Must be clear when communicating with the media or speaking in public that you do not give the impression you are acting in an official capacity when you are acting in a personal capacity.
- (i) Must comply with the Protocol for Member/Officer Relations and respect the impartiality and integrity of the authority’s statutory officers and its other employees.

1.2 When using or authorising the use by others of the resources of the authority you:-

- (a) Must act in accordance with the authority’s reasonable requirements including the requirements of the authority’s ICT policy and the policies listed at appendix A, copies of which have been provided to you and which you are deemed to have read;
- (b) Must make sure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) Must have regard to any applicable Code of Publicity and take into account the guidance issued to Members on the use of social media.

2. Interests

2.1. *Disclosable Pecuniary Interests (DPI)*

You must -

- (a) comply with the statutory requirements to register, disclose and withdraw (to include leaving the room) from participating in respect of any matter in which you have a DPI.
- (b) ensure that your register of interests is kept up to date at least annually.
- (c) make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

2.2 *Other Interests*

2.2.1 In addition to the requirements relating to DPIs, if you attend a meeting at which any item of business is to be considered and you are aware that you have a personal interest in the matter which does not amount to a DPI you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.

2.2.2 You have a personal interest where –

- (a) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority’s administrative area, or
- (b) it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

(“Meeting” means any meeting organised by or on behalf of the authority, including –

- any meeting of the Council, or a Committee or Sub-Committee of Council;
- any meeting of the Cabinet and any Committee of the Cabinet;
- in taking a decision as a Ward Councillor or as a Member of the Cabinet.)

(Note: A request for a dispensation to participate in the business of the authority where a Member has a Disclosable Pecuniary Interest must be submitted in writing to the Monitoring Officer in accordance with the guidance issued to Members on Declarations of Interests.)

2.3. *Gifts and Hospitality*

2.3.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the authority.

2.3.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

2.3.3 This duty to notify the Monitoring Officer does not apply where the gift is accepted on behalf of the Council and does not apply to the role of Lord Mayor.

3. Bias

3.1. Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you are not prohibited from participating in a decision in your political role as member. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

3.2. When making a decision, you must consider the matter with an open mind and on the facts before the meeting at which the decision is to be taken.

4. Equalities

4.1 Members must ensure that they adhere to all related legal requirements, such as the Race Relations Act, Sex Discrimination Act, Disability Discrimination Act and the Human Rights Act.

4.2 Members must promote equality and inclusion by providing an environment free from harassment, discrimination, and victimisation and bullying and by treating people with respect, regardless of their age, disability, gender, race, religion/ belief, sexual orientation or marriage/ civil partnership status.

4.3 Members must act in accordance with the Council’s Equality Policy and Single Equality Scheme and the Council’s Harassment, Discrimination, Victimisation and Bullying Policy.

4.4 Members must have regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations.

APPENDIX A

LIST OF POLICIES

- Sheffield City Council Electronic Communications Policy
- Members’ ICT Usage Policy



Standards Committee Report

Report of: Monitoring Officer/Interim Director of Legal and Governance

Date: 22 January 2015

Subject: Revised Procedure for Dealing with Standards Complaints

Author of Report: Dave Ross, Democratic Services

Summary:

Following a recent review, a draft revised Procedure for Dealing with Standards Complaints has been developed that incorporates both the City and Joint Parish and Town Councils' Procedures and provides greater clarity of the process for the complainant and Member who is the subject of the complaint.

Recommendations:

1. That Members comment on the draft Revised Procedure for Dealing with Standards Complaints;
 2. With the inclusion of any additional revisions arising from this meeting, the Committee recommends to Full Council the adoption of the Revised Procedure and the establishment of Consideration and Hearing Sub-Committees of the Standards Committee and that the Constitution is amended accordingly;
 3. The revised Procedure is referred to the Parish and Town Councils for consideration; and
 4. The Interim Director of Legal and Governance is requested to review the operation of the new Procedure in 12 months' time.
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Background Papers:

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO Cleared by:
Legal Implications
NO Cleared by:
Equality of Opportunity Implications
NO Cleared by:
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
None
Relevant Cabinet Portfolio Member
Councillor Ben Curran, Cabinet Member for Finance and Resources.
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

REVISED PROCEDURE FOR DEALING WITH STANDARDS COMPLAINTS

1.0 INTRODUCTION

1.1 Following a recent review, a draft revised Procedure for Dealing with Standards Complaints has been developed that incorporates both the City and Joint Parish and Town Councils' Procedures and provides greater clarity of the process for the complainant and Member who is the subject of the complaint.

2.0 BACKGROUND

2.1 Arising from the requirements of the Localism Act 2011, the Council at its meeting on 4 July 2012 approved the Procedure for Dealing with Standards Complaints. The Parish and Town Councils also approved a separate Joint Procedure.

2.2 The meeting of the Standards Committee on 24 July 2013 reviewed the City Council Procedure and the Members' Code of Conduct and proposed no changes.

2.3 The current Procedure is based on the Monitoring Officer, in consultation with the Independent Person, taking steps to mediate and resolve issues with only the more serious matters being investigated and referred to the Standards Committee.

2.4 Since the new Standards arrangements were introduced in July 2012, 21 complaints were received in 2013 and 11 in 2014. One hearing was arranged in 2013 but the complaint was withdrawn and the hearing cancelled. Only three complaints have been referred for investigation and these are due to be completed shortly.

3.0 REVISED PROCEDURE

3.1 The Procedure has been reviewed in light of the learning from the complaints that have been dealt with over the last year and comparison with other local authorities' procedures. The views of the Independent Persons and the Parish and Town Councils were also sought.

3.2 The aim is to provide greater clarity for the complainant and Member on the process and ensure that complaints are dealt with in a timely manner. The main proposed changes and features of the revised process are:-

- Having one Procedure for complaints relating to the City, Parish and Town Councils and Co-opted members.
- Providing a complaint form that will include the opportunity for the complainant to indicate any remedy they are seeking in submitting the complaint. This will assist with the assessment of the complaint.
- Asking the Member to submit a statement of fact in response to

the complaint at the start of the process. Again this will assist with the assessment of the complaint.

- The Leader of the relevant political Group, Group Whip and Chair of the Standards Committee will be informed that a complaint has been received.
- Where necessary, seeking or clarifying information from both parties earlier in the process.
- Including timescales for each stage of the process.
- Clarifying the process for an investigation.
- Having a Consideration Committee to consider investigation reports. This is to build in more Member involvement in the process.
- A Hearing Sub-Committee comprising three Councillors and one non-voting co-opted Independent Member.
- Providing both parties with information on the pre-hearing process and procedure at a hearing.
- There is no right of appeal.

3.3 Members are asked to comment on the draft revised Procedure that is attached at Appendix A. The original Procedure is attached at Appendix B.

4.0 LEGAL IMPLICATIONS

4.1 As the Procedure is included in the Constitution, any changes would require approval at Full Council. The revised Procedure would also need to be approved by the Parish and Town Councils.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no financial implications.

6.0 RECOMMENDATIONS

6.1 That Members comment on the draft Revised Procedure for Dealing with Standards Complaints;

6.2 With the inclusion of any additional revisions arising from this meeting, the Committee recommends to Full Council the adoption of the Revised Procedure and the establishment of Consideration and Hearing Sub-Committees of the Standards Committee and that the Constitution is amended accordingly;

6.3 The revised Procedure is referred to the Parish and Town Councils for consideration; and

6.4 The Interim Director of Legal and Governance is requested to review the operation of the new Procedure in 12 months' time.

Monitoring Officer/Interim Director of Legal and Governance

SHEFFIELD CITY COUNCIL - PROCEDURE FOR DEALING WITH COMPLAINTS REGARDING CITY, PARISH AND TOWN COUNCILLORS AND CO-OPTED MEMBERS

1. Introduction

1.1 Under the Localism Act 2011, the Council has duty to promote and maintain high standards of conduct for its elected and co-opted members and have arrangements in place to deal with complaints.

1.2 This Procedure sets out how the Council will deal with a complaint alleging a breach of the Members' Code of Conduct by:-

- Sheffield City Councillors or co-opted members of the Council
- Bradfield Parish Councillors
- Ecclesfield Parish Councillors
- Stocksbridge Town Councillors

(In this Procedure the term 'Member' is used to describe a Councillor or Co-opted Member)

1.3 In dealing with complaints we will be fair to both the complainant and Member and progress matters in accordance with the timescales set out in the Procedure. Complaints will be handled in the strictest confidence at all times.

2. Monitoring Officer

2.1 Gillian Duckworth, Interim Director of Legal and Governance, is the Council's Monitoring Officer. This is a statutory role, responsible for ensuring that the Council, its Members and officers carry out their functions in a lawful and ethical manner. The role includes supporting the Standards Committee and the three Independent Persons in dealing with complaints alleging a breach of the Members' Code of Conduct.

3. Independent Persons

3.1 The Council appoints Independent Persons from outside the Council to assist the Monitoring Officer and Standards Committee in considering complaints. Sheffield currently has appointed three Independent Persons - Stuart Carvell, Marvyn Moore and David Waxman.

3.2 The Independent Person must be consulted at various stages in the complaints process and also before the Standards

Committee makes a finding as to whether a member has failed to comply with the Code of Conduct and decides on action to be taken in respect of a Member.

4. Making a Complaint

4.1 Complaints alleging a breach of the Members' Code of Conduct should be made in writing using the complaint form and sent to Gillian Duckworth, Monitoring Officer, Sheffield City Council, Town Hall, Sheffield S1 2HH or email gillian.duckworth@sheffield.gov.uk. The complaint form is available from:-

- Website - www.sheffield.gov.uk/standardscommittee
- Email - committee@sheffield.gov.uk
- Phone - 0114 273 5033

4.2 If you need advice or assistance in submitting a complaint please contact Dave Ross in Democratic Services (email dave.ross@sheffield.gov.uk or phone 0114 273 5033).

4.3 Details of the complaint, including the name of the complainant, will be shared with the Member. The complainant can request on the complaint form that their identity is kept confidential. Requests for confidentiality will be considered by the Monitoring Officer, in consultation with the Independent Person.

4.4 Anonymous complaints will not be considered.

5.0 Acknowledging the Complaint/Informing the Member

5.1 The Monitoring Officer will acknowledge receipt of the complaint in writing within 5 working days and provide the complainant with a copy of this Procedure and the Code of Conduct.

5.2 The Member will be informed in writing within 5 working days that a complaint has been made about them. This will include the name of the complainant and details of the complaint. They will also receive a copy of this Procedure and the Code of Conduct. To assist the Monitoring Officer in assessing the complaint, the Member will be invited to submit within 10 working days a written statement of fact in response to the complaint.

5.3 The Monitoring Officer will also inform the Leader of the relevant political Group, Group Whip and Chair of the Standards Committee that a complaint has been received and provide a summary of the complaint.

5.4 Where a complaint relates to a Parish or Town Councillor, the

Monitoring Officer will also inform the Clerk of that Council of the name of the Member and details of the complaint. The Clerk will also be kept informed of the progress and the outcome of the complaint.

6. Assessment by the Monitoring Officer

6.1 Before assessment of the complaint, it may be necessary for the Monitoring Officer to request further information or clarification from the complainant and/or Member.

6.2 The Monitoring Officer, in consultation with the Independent Person, will consider the complaint, any remedy sought by the complainant, any written statement of fact submitted by the Member and any other information obtained. In assessing the complaint, the Monitoring Officer will take into account:-

- The seriousness of the allegation.
- The effectiveness of the remedies available.
- If a significant amount of time has elapsed since the events which are the subject of the complaint.
- If the allegation relates to a cultural or recurring issue relating to standards within the Council.
- If the matter should be dealt with by some other method, e.g. police investigation.
- If complaints have been made about the Member relating to similar issues in the past.
- The impact on the complainant or reputation to the Council caused by the conduct.
- If the complaint appears to be trivial or vexatious or is part of a series of complaints from the complainant.
- Whether the conduct occurred during political debate or could be regarded as a political expression of views or opinion.

6.3 Following consultation with the Independent Person, the Monitoring Officer will then consider if the allegation constitutes a potential breach of the Code of Conduct and take one of the following courses of action:-

- (1) Take no action or
- (2) Take other action through informal resolution or

(3) Refer the matter for investigation

6.4 The complainant and the Member will be informed in writing within 5 working days of the outcome and the reasons for the decision.

6.5 Where a complaint is not referred for investigation, the Monitoring Officer will seek to deal with the matter within 8 weeks.

7. Informal Resolution by the Monitoring Officer

7.1 Where the Monitoring Officer has decided to take other action this will seek to resolve the complaint informally and without determining if an actual breach of the Code has taken place. Both the complainant and Member will have to agree to the outcome of any informal resolution.

7.2 The Monitoring Officer, in consultation with the Independent Person, may take any of the following actions:-

- Take such steps as they think appropriate to prevent a future potential breach of the Code including training, guidance and introducing or amending policies/protocols.
- Ask the Whips to address the issue raised within their political parties or with an individual Member.
- Mediate between the parties involved to resolve the issues.
- Seek an apology from the Member.
- Any other action capable of resolving the complaint.

7.3 The complainant and Member will be informed in writing of the outcome of any informal resolution within 5 working days. The Chair of the Standards Committee and relevant Group Leader and Group Whip will also be informed that the complaint has been resolved.

7.4 Where a complaint relates to a Parish or Town Councillor, the Monitoring Officer will also inform the Clerk of that Council that the complaint has been resolved.

7.5 Where it has not been possible to agree an informal resolution, the Monitoring Officer, in consultation with the Independent Person, will refer the matter for investigation and inform the complainant and Member within 5 working days.

8. Investigation

- 8.1 If a complaint has been referred for investigation, the Monitoring Officer, in consultation with the Independent Person, will appoint a person to undertake the investigation and this may be either a Council Officer or an outside agent, depending on the complexity and subject of the complaint.
- 8.2 The Investigating Officer will inform the complainant and Member of the process and proposed timescale of the investigation. The investigation may involve interviewing both parties and possibly other witnesses, together with reviewing any relevant documentation or paperwork.
- 8.3 The Investigating Officer will prepare a draft report on the outcome of the investigation and provide the complainant and Member with a copy for review and comment.
- 8.4 The Investigating Officer will submit a final version of the report to the Monitoring Officer that will make a finding that either (a) there has been a failure to comply with the Code of Conduct or (b) there has not been a failure to comply with the Code of Conduct. The final report will also be sent to the complainant and Member.
- 8.5 The Monitoring Officer will submit the Investigating Officer's report to the Consideration Sub-Committee.
- 8.6 An investigation will be completed within 12 weeks of a referral by the Monitoring Officer. The Consideration Committee will meet within one month of the final report being submitted to the Monitoring Officer.

9. Consideration Sub-Committee

- 9.1 The Sub-Committee will consider the Investigating Officer's report and, after taking the views of the Independent Person into account, can:-
- (a) take no action where there is no evidence of a failure to comply with the Code of Conduct or
 - (b) take no action where there is no evidence of a failure to comply with the Code of Conduct but make a recommendation to the authority with a view to promoting and maintaining high conduct of standards in general (e.g. proposed changes to internal procedures or training for Members) or
 - (c) ask the Monitoring Officer, where possible, to seek a local resolution to the complaint or

(d) refer the matter to a Standards Committee Hearing.

9.2 The complainant and Member will be informed in writing within 5 working days of the outcome and the reasons for the decision.

10. Local Resolution

10.1 Where the investigation finds evidence of failure to comply with the Code of Conduct, the Monitoring Officer, in consultation with the Independent Person, may attempt a local resolution, avoiding the necessity of a hearing, and take any of the following actions:-

- Take such steps as they think appropriate to prevent a future potential breach of the Code including training, guidance and introducing or amending policies/protocols.
- Ask the Whips to address the issue raised within their political parties or with an individual Member.
- Mediate between the parties involved to resolve the issues.
- Seek an apology from the Member
- Any other action capable of resolving the complaint

10.2 Both the complainant and Member will have to agree to the outcome of any local resolution.

10.3 The Monitoring Officer will inform the complainant and Member in writing within 5 working days of the outcome of any agreed local resolution.

10.4 If a local resolution has not been possible, the Monitoring Officer, in consultation with the Independent Person and Chair of the Standards Committee, will refer the matter to a Standards Committee Hearing and inform the complainant and Member in writing within 5 working days.

11. Standards Committee Hearing

11.1 The Standards Committee Hearing Sub-Committee comprises 3 Councillors and 1 non-voting co-opted Independent Member.

11.2 The Sub-Committee will meet within two months of a referral by the Consideration Sub-Committee to consider the allegation and Investigating Officer's report and make clear findings as to

the facts of the matter and whether a breach of the Code of Conduct has occurred.

- 11.3 The Hearing Sub-Committee will meet in public unless it decides that all or part of the meeting should be held in private in accordance with the Access to Information Procedure Rules in the Council's Constitution.
- 11.4 In advance of the Hearing there will be a pre-hearing process to allow matters at the Hearing to be dealt with more fairly and economically.
- 11.5 The complainant and Member will be given the opportunity to attend the Hearing and present witnesses. The Monitoring Officer, Investigating Officer and Independent Person will also attend. The procedure at the Hearing will include:-
- Making findings of fact
 - Deciding if there has been a breach of the Code of Conduct
 - Consider the remedies/sanctions available if there is a finding that the Member has breached of the Code of Conduct
- 11.6 Full details of the pre-hearing and hearing process are set out in the Procedure at Hearings. The Member and complainant will be provided with a copy of the Procedure.
- 11.7 A Finding of No Breach of the Code of Conduct
- 11.7.1 If the Sub-Committee finds that the Member did not breach the Code of Conduct no further action will be taken in respect of the complaint. However, the Sub-Committee can make a recommendation to the authority with a view to promoting and maintaining high standards of conduct in general (e.g. proposed changes to internal procedures or training for Members).
- 11.8 A Finding of a Breach of the Code of Conduct
- 11.8.1 If the Sub-Committee finds that a breach of the Code of Conduct has occurred they may make any of the following recommendations and may specify to whom they wish them to be directed:-
- Recommending to the Member's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council or Shadow Portfolio responsibilities.

- Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities.
- Instructing the Monitoring Officer to arrange training for the member.
- That policies/procedures are amended.
- That a briefing/information note be issued.
- That an apology be given.
- That the Member is censured in writing and a copy of the letter is published on the Council's website.
- Take no action where it is not considered appropriate in the circumstances to impose a sanction.

11.9 The Monitoring Officer will inform the complainant and the Member of the outcome from the Sub-Committee hearing in writing within 5 working days.

11.10 The findings and decision of the Sub-Committee will be also be available on the Council's website and copies will be supplied to the Chief Executive, Leaders of all the political Groups and the Group Whips.

11.11 Where the matter relates to a Parish or Town Councillor, the Clerk of that Council will be informed of the outcome of a Hearing.

12. Appeals

12.1 There is no right of appeal for the complainant or Member against a decision of the Monitoring Officer, Consideration Sub-Committee or Hearing Sub-Committee.

12.2 If the complainant feels that the Council has failed to deal with their complaint properly, they can make a complaint to the Local Government Ombudsman.

13. Reports

13.1 A quarterly report will be presented to meetings of the Standards Committee on the complaints received and how they were dealt with. An annual report will also be submitted to Full Council with a summary of all Standards Complaints.

14. Data Protection

- 14.1 Complaints will be handled in the strictest confidence at all times. We will ensure that any information received as part of the handling of the complaint is disclosed only to those who can demonstrate a valid need to know it. However, when a complaint is considered at a Standards Committee Hearing then any information will be dealt with in accordance with the Access to Information Procedure Rules in the Council's Constitution.
- 14.2 Complaints records will be stored safely and securely.

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PROCEDURE FOR DEALING WITH STANDARDS COMPLAINTS

Complaints

- 1 Allegations of breaches of the Code of Conduct should be made in writing to the Monitoring Officer (MO) by any Elected Member, Officer, and partner of the Council or resident of Sheffield.
- 2 The MO will decide if this allegation is a potential breach of the code. If the matter complained of does not constitute a potential breach of the code the MO will inform the complainant.
- 3 If the MO believes there may be a potential breach of the Code they may take the following actions in consultation with the Independent Person without determining if an actual breach has taken place:-
 - Take such steps as they think appropriate to prevent a future breach of the Code including training, guidance, introducing or amending policies/protocols.
 - Ask the Whips to address the issue raised within their political parties or with an individual Member.
 - Mediate between the parties involved to resolve the issues.
 - Obtain further information from the complainant or other relevant individual/body.
- 4 The MO, after taking the above steps as appropriate, will decide, in consultation with the Independent Person, if the matter should be investigated.
- 5 The MO will take into account when deciding if the matter should be investigated :-
 - The seriousness of the allegation.
 - The effectiveness of the remedies available.
 - If a significant amount of time has elapsed since the events which are the subject of the complaint.
 - The benefits of an independent consideration of the allegation.
 - If the allegation relates to a cultural or recurring issue relating to standards within the Council.

- If the matter should be dealt with by some other method, e.g. police investigation.
 - If complaints have been made about the Member relating to similar issues in the past.
 - The impact on the complainant or reputation to the Council caused by the conduct.
 - If the complaint appears to be trivial or vexatious or is part of a series of complaints from the complainant.
 - The conduct occurred during political debate or could be regarded as a political expression of views or opinion
- 6 It is expected that only a minority of potential breaches will be referred to the Standard Committee.

Procedure for Investigations

7. If the matter is to be investigated, the complainant and subject of the complaint will be informed by the MO. The Elected Member will be given full details of the allegation and have 14 days to submit a response, witness statements and any relevant information. The Member will be asked to express a preference for a written or oral hearing should the matter be referred to the Standards Committee.
8. The MO will supply the complainant with copies of any documents produced in accordance with paragraph 3 or 7 above. The complainant may provide a written response and further evidence if they choose to do so. They must respond within 14 days of receipt of the information. The MO or Independent Person may advise and assist either party with the written information to be supplied.
9. The Independent Person and the MO will consider the complaint and responses to decide if any further information should be obtained by the MO or if an internal or independent investigation is required on all or any aspect of the complaint.
10. The MO in consultation with the Independent Person shall decide when the investigation process set out in 7 to 9 above is complete and if evidence of a breach is found. If no evidence is found no further action will be taken and the MO will inform the complainant.
11. Where the investigation finds evidence of failure to comply with the Code of Conduct, the MO, in consultation with the Independent Person, may attempt a local resolution, avoiding the necessity of a hearing by identifying other appropriate remedial action. It would only be appropriate for the MO to agree a local resolution after consultation with the Independent Person and subject to a summary report for

information being submitted to the Standards Committee.

Standards Committee

12. If evidence of a breach is found on investigation and the matter cannot be resolved, the MO will refer the matter to the Standards Committee. The Standards Committee will meet within two months of the referral to consider the allegation and make clear findings as to the facts on the matter and whether, in its opinion, a breach of the Code of Conduct has occurred. This decision will be made upon the papers submitted if the Member agrees. If the member does not agree to a paper consideration he/she will be asked to attend the Standards Committee to give oral representations and present their evidence. The Member may, with the consent of the Committee obtained prior to the meeting, present witnesses.

The Committee will meet in public unless the Chair decides all or some of the meeting should be held in private subject to the Access to Information requirements. The MO will attend the meeting and can provide advice to the Committee.

13. The Committee shall decide if a breach of the Code has taken place and what sanction, if any, it should recommend. The Committee will give reasons for its decision.
14. The MO will inform the complainant and the Member of the outcome in writing within 7 days.
15. The findings and decision of the Standards Committee will be publicly available on the Council's website and copies will be supplied to the MO, Chief Executive and Member concerned, Leaders of the political party concerned, the Whips and the complainant.

Remedies

16. If the Standards Committee finds a breach of the Code has occurred they may make any of the following recommendations and may specify to whom they wish them to be directed:
 - Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council or Shadow Portfolio responsibilities
 - Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
 - Instructing the Monitoring Officer to arrange training for the member;

- That policies/procedures are amended;
- That a briefing/information note be issued;
- That an apology be given;
- That the member is censured in writing and a copy of the letter is published on the Council's website.

Appeals

17. It is not intended that an Appeal procedure would be used as a matter of course. If, however, the Standards Committee Chair and MO agree that the nature of the decision may have a significant impact on the member against whom findings are made or has important implications for the Council as a whole, they may allow an appeal to the Standards Committee of another authority with whom a reciprocal agreement exists. The views of one of the IPs not involved in the case would be taken into account in any appeal. If no suitable Committee is available the appeal will be dealt with by the Council's Chief Executive.

Reports

18. A bi-annual report will be presented to Members of the Standards Committee on the complaints received and how they were dealt with. An annual report will be prepared for Council in relation to all Standards Complaints.

July 2013



Standards Committee Report

Report of: Gillian Duckworth, Interim Director of Legal & Governance

Date: 22 January 2015

Subject: Member Development

Author of Report: Gillian Duckworth
x4018

Summary: To develop a policy and programme of Member Development which is overseen, monitored and reviewed by the Standards Committee.

Recommendations:

1. To approve the principle of the Standards Committee widening its role with regard to Member development;
2. To request that the Interim Director of Legal & Governance develops a policy and programme for Member development in accordance with the principles outlined in this report and in consultation with the Cabinet Member for Finance and Resources; and
3. To recommend to Full Council, amendment of the Standards Committee terms of reference to take the additional responsibilities into account.

Background Papers: Member Development Strategy 2010-12

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
YES/NO Cleared by:
Legal Implications
YES/NO Cleared by:
Equality of Opportunity Implications
YES/NO Cleared by:
Tackling Health Inequalities Implications
YES/NO
Human rights Implications
YES/NO:
Environmental and Sustainability implications
YES/NO
Economic impact
YES/NO
Community safety implications
YES/NO
Human resources implications
YES/NO
Property implications
YES/NO
Area(s) affected
Relevant Cabinet Portfolio Leader
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
YES/NO
Press release
YES/NO

MEMBER DEVELOPMENT

1.0 INTRODUCTION

- 1.1 As a result of budget reductions in 2011 the post of Member Development officer was deleted as a saving for the Democratic Services budget. The budget for training however was not deleted and since then has been used as training requirements have been identified.
- 1.2 The team have continued to provide Member development such as induction and training associated with specific committee roles, however there has not been any structure or plan as to how the budget should be used.

2.0 SUMMARY

- 2.1 To develop a policy and programme of Member development which is overseen, monitored and reviewed by the Standards Committee

3.0 MEMBER DEVELOPMENT PROGRAMME

Why do we need a Member Development programme?

- 3.1 Elected members in present day local government are expected to have a wide range of skills and knowledge and the Council wants to ensure that its Members are provided with the support they need to be a well-regarded Ward Councillor, Scrutiny or Regulatory Committee member, Committee/LAP Chair, Opposition Group Leader, Cabinet Member, Shadow Cabinet Member, Cabinet Adviser, or even Leader of the Council.
- 3.2 Recent developments in the law and practice have emphasised the need for elected Members to be properly trained, for example, the Public Sector Equality Duty and its impact on decision making and the recommendations arising from the recent report on Child Sexual Exploitation issues in Rotherham.
- 3.3 Members currently receive support from their respective political groups. This development programme will be designed to complement the support given by the groups.

Who will set the programme?

- 3.4 The Standards Committee already has within its terms of reference:

“Advising, training or arranging to train Councillors, Co-opted Members

and Representatives on matters relating to the Members' Code of Conduct".

- 3.5 The proposal is to extend the terms of reference to include setting, promoting, maintaining and monitoring an annual Member Development programme. This could be by way of a sub-committee tasked with the specific remit.
- 3.6 A draft programme will be developed by the Interim Director of Legal and Governance in consultation with the Cabinet Member for Finance and Resources, whose portfolio includes responsibility for Member development, and will be submitted to the Committee in due course for approval.
- 3.7 It is proposed that the programme will be divided between:
1. General Core Development (which will include matters such as induction, code of conduct, corporate parenting and safeguarding, including the recommended additional training arising from the recent assessment of Child Sexual Exploitation services in Sheffield);
 2. Specific Core Development (which will include Planning & Licensing and will be core for those Members undertaking those duties); and
 3. Optional Development (which will include skill development on matters such as chairing skills for Committee/LAP Chairs, effective questioning (i.e. for scrutiny members), media skills and public speaking (i.e. for Cabinet Members, Lord Mayor and Group Leaders) and (for all Members) IT skills, social media skills).

The Committee is invited to offer any further suggestions as to what should be included in the programme.

- 3.8 In terms of the optional development, the following were agreed in 2011 as the priorities for the use of Member development resources:-
- Support Members' ICT needs
 - Support leading Members to meet the responsibilities and expectations of their role (above aspirational development activities), with priority in the order of Leader, Cabinet Members, Leader & Deputy of the opposition group(s), Chairs of Committees, Shadow Cabinet Members & Cabinet Advisers, Backbench Members.

The Committee is invited to consider whether these priorities have changed or remain appropriate.

- 3.9 The restructure of Democratic and Member Services has provided an opportunity to reintroduce the administration of a programme for Member

Development. Paul Robinson, Head of Democratic Services will administer the programme. However, the resource available to dedicate to this is less than in 2010 and therefore I do not intend to replicate the strategy that was developed then but will use it to develop a programme that delivers the required training with the minimum administration.

- 3.10 In order to encourage Members to engage with the programme, the proposal is for the Standards Committee to identify priorities, develop a programme, oversee, monitor and review the programme.

4.0 RECOMMENDATIONS

- 4.1 To approve the principle of the Standards Committee widening its role with regard to Member development.
- 4.2 To request that the Interim Director of Legal & Governance develops a policy and programme for Member development, in accordance with the principles outlined in this report and in consultation with the Cabinet Member for Finance and Resources.
- 4.3 To recommend to Full Council, amendment of the Standards Committee terms of reference to take the additional responsibilities into account.

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Standards Committee Report

Report of: Interim Director of Legal and Governance

Date: 22 January 2015

Subject: Work Programme

Author of Report: Dave Ross, Democratic Services

Summary:

The report provides details of a proposed work programme for the Committee

Recommendations:

That the Committee:-

(a) considers the Work Programme and identifies any further items for inclusion;
and

(b) approves the work programme.

Background Papers:

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO Cleared by:
Legal Implications
NO Cleared by:
Equality of Opportunity Implications
NO Cleared by:
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
NONE
Relevant Cabinet Portfolio Leader
Cabinet Member for Finance and Resources
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

WORK PROGRAMME

1. Purpose of Report

1.1 To consider an outline work programme for the Committee and to identify any further items for inclusion.

2. Work Programme

2.1 It is intended that there will be at least four general meetings of the Committee during the year with additional meetings arranged to deal with any Standards complaints as necessary.

2.2 The work programme is based around the attached terms of reference and will be developed during the year. There is a separate report on the agenda proposing that Member Development is included in the Committee's remit and the Work Programme will be amended to reflect any such changes that are approved.

2.3 An outline programme is set out below and Members are asked to identify any further items for inclusion.

Date	Items	Officer
11 March 2015	To review: <ul style="list-style-type: none"> • Members' Code of Conduct • Protocols relating to Councillor and Officer Behaviour • Procedures relating to Gifts and Hospitality 	Gillian Duckworth/Jason Dietsch/Dave Ross
	Annual Standards Report to Council	Dave Ross
	Work Programme	Dave Ross
	Update on Standards Complaints	Dave Ross
24 June 2015	Annual training session on the Code of Conduct etc.	Gillian Duckworth
	Work Programme	Dave Ross
September 2015	Annual Report on Complaints to the Ombudsman	Jenny Callaghan
	Work Programme	Dave Ross
	Update on Standards Complaints	Dave Ross
December 2015	Review of the Whistleblowing Policy	Gillian Duckworth

	Work Programme	Dave Ross
	Update on Standards Complaints	Dave Ross
March 2016	Annual Standards Report to Council	Dave Ross
	Work Programme	Dave Ross
	Update on Standards Complaints	Dave Ross
	To review: <ul style="list-style-type: none"> • Members' Code of Conduct • Protocols relating to Councillor and Officer Behaviour • Procedures relating to Gifts and Hospitality 	Gillian Duckworth/Dave Ross
June 2016	Annual training session on the Code of Conduct etc.	Gillian Duckworth
	Work Programme	Dave Ross

3. **Recommendation**

3.1 That the Committee:-

- (a) considers the Work Programme and identifies any further items for inclusion; and
- (b) approves the work programme.

Interim Director of Legal and Governance

Appendix - Standards Committee Terms of Reference

- (a) Promoting and maintaining high standards of conduct by Councillors, Co-opted Members Representatives on Committees and Sub-Committees.
- (b) Assisting Councillors, Co-opted Members and Representatives to observe the Councillors' Code of Conduct.
- (c) Advising the Council on the adoption or revision of the Councillors' Code of Conduct and Protocols relating to Councillor and Officer behaviour.
- (d) Monitoring the operation of the Councillors' Code of Conduct.
- (e) Advising, training or arranging to train Councillors, Co-opted Members and Representatives on matters relating to the Members' Code of Conduct.
- (f) Discharging the functions of, hearing complaints against Councillors concerning the Members' Code of Conduct referred to them by the Monitoring Officer.
- (g) The exercise of the above functions in relation to the Parish Councils wholly or mainly in its area and the Members of those Parish Councils.
- (h) Advising the Council on the adoption and revision of its Whistle-blowing Policy and monitoring the operation of that Policy.
- (i) Monitoring and reviewing procedures relating to gifts, hospitality and personal interests, for Councillors and officers.
- (j) Monitoring the Council's response to complaints to the Ombudsman.
- (k) Undertaking such other functions as the Council may delegate to the Committee.

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