

Audit and Standards Committee

Thursday 25 March 2021 at 5.00 pm

To be held as an online video conference. To access the meeting, click on the 'View the Webcast' link below

The Press and Public are Welcome to Attend

Membership

Councillors Sioned-Mair Richards (Chair), Simon Clement-Jones (Deputy Chair), Angela Argenzio, Adam Hurst, Mohammed Mahroof, Josie Paszek and Dianne Hurst.

Independent Co-opted Members

Alison Howard.

PUBLIC ACCESS TO THE MEETING

The Audit and Standards Committee oversees and assesses the Council's risk management, control and corporate governance arrangements and advises the Council on the adequacy and effectiveness of these arrangements. The Committee has delegated powers to approve the Council's Statement of Accounts and consider the Annual Letter from the External Auditor.

The Committee is also responsible for promoting high standards of conduct by Councillors and co-opted members.

A copy of the agenda and reports is available on the Council's website at <http://democracy.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.

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If you require any further information please contact Sarah Cottam in Democratic Services on 0114 273 5033 or email sarah.cottam@sheffield.gov.uk.

**AUDIT AND STANDARDS COMMITTEE AGENDA
25 MARCH 2021**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of the Press and Public**
To identify items where resolutions may be moved to exclude the press and public.
- 4. Declarations of Interest** (Pages 5 - 8)
Members to declare any interests they have in the business to be considered at the meeting.
- 5. Minutes of Previous Meeting** (Pages 9 - 14)
To approve the minutes of the meeting of the Committee held on 18th February 2021.
- 6. Progress Report of the External Auditors**
Verbal report of the External Auditors Ernst and Young.
- 7. Universal Credit Update** (Pages 15 - 26)
Report of the Director of Finance and Commercial Services
- 8. Members Code of Conduct and Training** (Pages 27 - 50)
Report of the Director of Legal and Governance
- 9. Work Programme** (Pages 51 - 56)
Report of the Director of Legal and Governance.
- 10. Dates of Future Meetings**
To note that meetings of the Committee will be held at 5.00 p.m. on:-

Thursday 15th April 2021
Thursday 10th June 2021
Thursday 29th July 2021

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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 Audit and Standards Committee in relation to a request for dispensation.

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

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SHEFFIELD CITY COUNCIL

Audit and Standards Committee

Meeting held 18 February 2021

PRESENT: Councillors Sioned-Mair Richards (Chair), Simon Clement-Jones (Deputy Chair), Angela Argenzio, Adam Hurst, Mohammed Mahroof, Dianne Hurst and Howard (Independent Co-Opted Member)

Also in attendance was David Waxman (Independent Person)

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1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillor Josie Paszek and Jo Cairns (Independent Person)

2. EXCLUSION OF THE PRESS AND PUBLIC

- 2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest made.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the meeting of the Committee held on 21st January 2021 were approved as a correct record.

5. CHALLENGES FACING EXTERNAL AUDIT NATIONALLY

- 5.1 Dave Phillips (Head of Strategic Finance) presented the report which gave details of the current challenges in delivering external audit (EA) by all audit providers across the public sector.
- 5.2 The challenges included increased regulatory requirements, shorter timetables, lower resources and the impact of Covid. The impact of the resources meant more pressure on local authority staff and mitigation would be required.
- 5.3 Dave Phillips introduced Janet Dawson who had recently taken over as the Council's partner at Ernst and Young (external auditor).
- 5.4 Janet informed Committee that they were currently working through the Redmond Report to see what would be put into place. There were a limited number of

providers and less investment due to a reduction in fees and complex reporting requirements. There was a need for qualified staff.

5.5 Discussions were underway to understand the fee regime and tenders going forwards. Talks were also underway with CIPFA about what needed to be reported and Ernst and Young were working closely with key stakeholders.

5.6 **RESOLVED:-** That the report be noted.

6. UPDATE ON THE ANNUAL AUDIT PROGRESS

6.1 Janet Dawson informed Committee that she had taken over as the Lead Partner for Sheffield City Council at Ernst and Young and was currently reviewing files and trying to ensure a seamless transfer. It was hoped to report back to the Audit and Standards Committee in April.

6.2 Hayley Clark (Ernst and Young) explained that a review process was currently underway to ensure that the new Lead Partner was comfortable with the previous audit. A small team would come back in March to close down queries on the audit. There was a need to check the financial statement and a query on fixed assets.

6.3 It was hoped that all accounts work would be completed in time for the meeting on 15th April and it was hoped to bring the delegations to the meeting to be held on 18th March 2021.

6.4 Councillor Mohammed Mahroof commented that external audit was under many pressures and there were concerns regarding fixed asset valuations for councils which were out of step.

6.5 Dave Phillips noted that the auditors had spent a lot of time on fixed asset valuations, especially Heart of the City II. The project was being well managed and could be slowed down, or even paused and was a mix of office, retail, hospitality and housing.

6.6 Councillor Simon Clement-Jones asked what the risks were for not getting the audit signed off by the deadline. Dave Phillips explained that the consequences were small and mainly reputational. It may cause lenders to be less willing to lend to the council. There were many other councils in the same situation. The biggest risk was in catching up next year.

6.7 Janet Dawson agreed and explained that the external auditors would look at priority audits first, with continuity of staff. It was hoped to take a more digital approach if the Council and its systems allowed.

6.8 The Chair suggested that a letter be sent to the LGA to ask them to make representation to the Government outlining the concerns regarding the current national situation with regard to external audit.

6.9 **RESOLVED:-** That (1) the update be noted; and

(2) the Assistant Director of Finance draft a letter to the LGA outlining the concerns regarding the current national situation with regard to external audit.

7. INTRODUCTION OF KATE JOSEPHS, CHIEF EXECUTIVE

7.1 The Chair welcomed Kate Josephs, the new Chief Executive of Sheffield City Council, to the meeting.

7.2 Kate Josephs welcomed the opportunity to speak to the Committee and the work done so far on the Members Code of Conduct and the willingness of Members to reflect on the new Model Code published by the LGA.

7.3 At the heart of the model code was a connection to the Nolan Principles which rang true at Sheffield City Council.

7.4 It was important that the Code continuously reminded Members of the adherence to the principles and would enable Members to call out with kindness where those principles were not being upheld.

7.5 Kate also welcomed a commitment to training from Members which would also help to build relationships.

8. MODEL CODE OF CONDUCT AND CODE OF CONDUCT TRAINING FOR MEMBERS

8.1 Gillian Duckworth, Monitoring Officer, presented the report and explained that although the Council's current Code of Conduct had only recently been approved by Council, the LGA had now published a Model Code of Conduct which councils could use.

8.2 The current code, along with the model code were attached to the report so that Members could compare. The LGA Model Code had also been sent to the Council's Independent Persons for them to review and their comments were included within the report.

8.3 David Waxman (Independent Person) commented that there were a number of complaints around the use of social media and noted that whilst the code was signed by Members, there were a number of supplements which should also be signed. The Model Code would also benefit from referring to Members and Co-Opted Members throughout.

8.4 Councillor Adam Hurst felt that £50 limit for gifts and hospitality was too high and the Chair explained that the current Sheffield City Council limit was £10, in line with officers, and that it should remain at that level.

8.5 Councillor Angela Argenzio stated that she preferred the wording in the first

person used in the model code as it felt more positive. The model code was very similar in substance to the Council's code, but the SCC code section was stronger on bullying. It was important that the Members Code reflected the Officer Code. Guidance was needed on the new challenges of broadcasting meetings and social media and training was required on how to keep yourself safe.

- 8.6 Councillor Dianne Hurst agreed that the wording in the first person was good and it felt like an affirmation.
- 8.7 The Chair agreed that personal safety training for Members was important, as was working in a political environment training for Members. Councillor Angela Argenzio agreed and also felt that officers should be reminded to treat all Members the same and provide the same information to all Members regardless of political party.
- 8.8 Kate Josephs, Chief Executive, said that as an organisation of 8,000 officers, a strong robust offer of training needed to be available. If officers were not being impartial, Members needed to let the Chief Executive know.
- 8.9 Gillian Duckworth, Monitoring Officer, reminded Members that there were links to the LGA training offer to Members via their Office 365 accounts. The LGA had training and support regarding Councillor Safety. This could also be raised with the Group Whips to look at providing to Members.
- 8.10 The Chair noted that there was a need for councillors to develop skills as well as represent people. There were merits on both codes and officers should look at finding the best bits from both codes and use the style of the LGA Model Code. Gifts and Hospitality should stay at £10.
- 8.11 **RESOLVED:-** That officers compare the Sheffield City Council Code and the LGA Model code and bring a new version back to the next meeting of the Audit and Standards Committee for consideration.

9. ANNUAL OMBUDSMAN COMPLAINTS REPORT 2019/20

- 9.1 The Chair reminded Members that this Ombudsman Annual Report was for the year 2019/20 and as such would not include the 2 Ombudsman Public Reports from 2020.
- 9.2 Paul Taylor (Head of Customer Services) apologised for the lateness of the report which was due to the impact the pandemic had had on customer services and that for the first time, there were 2 annual reports. It was hoped to bring the 2020/2021 report to Committee in December. The Ombudsman had been very understanding of the pressures facing councils during the pandemic.
- 9.3 Jenny Callaghan, Operations Manager, informed Committee that the Council had dealt with over 2000 formal complaints during the 2019/2020 year and only 143 complaints had been escalated to the Local Government Ombudsman and 58 to the Housing Ombudsman. This was a reduction on the previous year.

- 9.4 The service areas with the largest numbers of complaints were Adult Social Care, Housing and Neighbourhoods. The majority were concluded without formal investigation.
- 9.5 Only 29% of Local Government Ombudsman complaints had been responded to within the time limit of 20 days, however, the situation with the Housing Ombudsman was more positive, even though the time limit was only 15 days.
- 9.6 The Local Government Ombudsman had made only 1 public report in 2019/20 which was around blue badges and the failure to carry out face to face mobility assessments. The Council had showed learning and changed procedures before the report was published.
- 9.7 £20,017 had been paid out in compensation. This was comparable with other local authorities and the Council had a 100% compliance rate with recommendations and orders.
- 9.8 There were added challenges this year due to the pandemic and this had impacted on response times. The department had been trying to proactively make contact with those responsible for supplying information and response times had been discussed at EMT. A self assessment of complaint handling had been carried out and this was published on the website.
- 9.9 A new complaint module was being built in the Customer Relations Management (CRM) system which would provide an opportunity to relaunch guidance and training for officers.
- 9.10 Councillor Adam Hurst requested that a report on general complaints to the Council be brought to Committee and asked how informal complaints to the Council were recorded. Paul Taylor said that an opportunity to bring a report on general complaints would be welcomed. There was an inconsistency on how informal complaints were recorded and it may be necessary to revisit. Jenny Callaghan informed Committee that Housing and Repairs kept records of informal complaints which could be built on.
- 9.11 Councillor Angela Argenzio expressed disappointment that departments were poor at submitting evidence on time and there was a need to look for solutions. The Council should be aiming to receive no complaints and it was disappointing that those who were the most vulnerable were facing the most difficult complaints. The website also did not make it easy to complain.
- 9.12 Paul Taylor explained that the complaints project gave an opportunity to review the complaints system in place. There had been a delay in refreshing the website, but this would be done in the next few months. Digital Services had also been under pressure.
- 9.13 Councillor Simon Clement-Jones noted that Education Healthcare Plans (EHC) featured frequently in the Ombudsman complaints and there was also anecdotal evidence that they were quite difficult to access and requested a report to the next

Committee on EHC's and lessons learned.

9.14 The Chair asked whether Members and the public would be asked to comment on the new complaint process. Paul Taylor agreed that it would be really helpful. The mapping had been completed and it was now necessary to look at ease of use. A report could be brought back to Committee.

9.15 **RESOLVED:-** That (1) the report be noted;

(2) A report on Education Healthcare Plans be submitted to the next meeting of the Audit and Standards Committee.

10. WORK PROGRAMME

10.1 The next meeting of the Audit and Standards Committee would look at:

Education Healthcare Plans
Universal Credit Update
Member Code of Conduct
Progress on Code of Conduct Training
An Update from Ernst and Young

10.2 It would be requested that the Whistleblowing Policy Update be brought to the next meeting of Committee, if possible.

10.3 **RESOLVED:** That (1) the work programme be noted; and

(2) changes to the work programme be made as detailed above.

11. DATES OF FUTURE MEETINGS

11.1 Future meetings of the Audit and Standards Committee would be held on:

Thursday 18th March 2021
Thursday 15th April 2021
Thursday 10th June 2021
Thursday 29th July 2021



Audit and Standards Committee Report

Report of: Director of Finance and Commercial Services

Date: 25th March 2021

Subject: Update on Universal Credit

Author of Report: Cat Arnold – Policy and Improvement Officer

Summary: An update on Universal Credit (UC) was last brought to this Committee in January 2020. The Committee requested that a further update be provided at a future meeting. Appended to this report is the update on Universal Credit.

Recommendations:

That the Audit & Standards Committee note the information set out in the report.

Background Papers: Detailed information about Universal Credit can be found at www.sheffield.gov.uk/universalcredit and www.understandinguniversalcredit.gov.uk.

Information about the support available to people during the pandemic can be found at www.sheffield.gov.uk/home/your-city-council/coronavirus-hub/support-for-people

Information for people who are facing redundancy can be found at www.sheffield.gov.uk/redundancy

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
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

Universal Credit Update

1. Purpose of Report

- 1.1 To provide the Committee with an update on Universal Credit.

2. Universal Credit Update

- 2.1 This report sets out: the background to UC including the issues faced by claimants before Covid-19; what has happened to UC since the pandemic; how the city and SCC has responded to UC; information about Council Tax Support and Council Housing; the poverty and income impacts of Covid-19 (including UC); and forthcoming issues. Please see appended report.

3. Recommendation

- 3.1 That the Audit & Standards Committee note the information set out in the report.

Tim Hardie
Director of Finance and Commercial Services

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Universal Credit Update

Audit and Standards Committee 25th March 2021

1.0 INTRODUCTION

- 1.1 An update on Universal Credit (UC) was last brought to this Committee in January 2020. The Committee requested that a further update be provided at a future meeting.
- 1.2 'Full Service' UC has now been in operation in Sheffield for over 24 months. Over the last year the Covid-19 pandemic has seen the number of claimants for UC increase substantially. However, it also means that the impacts of UC are now difficult to distinguish from the wider impacts of the crisis.
- 1.3 This report sets out: the background to UC including the issues faced by claimants before Covid-19; what has happened to UC since the pandemic; how the city and SCC has responded to UC; information about Council Tax Support and Council Housing; the poverty and income impacts of Covid-19 (including UC); and forthcoming issues.

2.0 BACKGROUND

- 2.1 Detailed information about Universal Credit can be found at

www.sheffield.gov.uk/universalcredit and
www.understandinguniversalcredit.gov.uk.

Information about the support available to people during the pandemic can be found at

www.sheffield.gov.uk/home/your-city-council/coronavirus-hub/support-for-people

Information for people who are facing redundancy can be found at

www.sheffield.gov.uk/redundancy

2.2 What is Universal Credit and what were the issues before Covid-19?

The Department for Work and Pensions (DWP) started to roll out 'Full Service' UC in Sheffield in November 2018¹. It is the Government's intention that UC will replace all working age income-related benefits (Income Support, income-related Employment and Support Allowance, income-based Jobseeker's Allowance, Housing Benefit and Tax Credits), but not Council Tax Support which continues to be claimed separately through a different process.

- 2.3 The default position with UC is **one monthly payment to a household**, including housing costs, **paid in arrears**. People then pay their rent, bills and other costs from that payment. UC is applied for and managed **online**. Different arrangements can be made for vulnerable people, although evidence suggests that these do not always work smoothly.

¹ 'Full Service' differs from a prototype version of UC called 'Live Service': Sheffield had the latter for some time, with around 3,700 in the city claiming it. All claimants on Live Service were transferred to Full Service at the end of 2018.

- 2.4 New claims for the old benefits (often known as ‘legacy benefits’) listed above now require an application instead for UC. Some claimants of legacy benefits who have a change of circumstances must also now claim UC. The DWP call this process ‘natural migration’. At some point in the future, the DWP will contact all working-age people still on legacy benefits to notify them that their award will be ending and to invite them to apply for UC. This process is called ‘**managed migration**’ and a date has not yet been set for it. It seems unlikely that it will happen soon given the substantial increase in claimants since the pandemic started.
- 2.5 As reported in the last update to this Committee, some people, particularly those who are more vulnerable, have struggled with aspects of Universal Credit. For example, a Citizens Advice report from February 2019 states that²:
- The wait for an initial payment still leaves half of the people they help unable to keep up with bills, rent or going without essentials.
 - 7 in 10 (70%) of the people they see on Universal Credit who take out advances are also getting into arrears on bills or rent.
 - Debt problems are more common for the people they help with Universal Credit than those claiming legacy benefits, with 24% of people they helped also seeking debt advice.
 - Only 45% of people they helped last year who were in work before claiming Universal Credit were paid monthly.

3.0 What has happened to Universal Credit since the Covid-19 pandemic?

- 3.1 The DWP increased UC by £20 a week at the beginning of the pandemic. It has recently announced in the Budget that this uplift will continue for another six months, although there are now concerns about the financial cliff edge that will households face going into the coming winter³. The DWP also suspended conditionality during the pandemic to focus on getting money to claimants; it has been reintroduced gradually since then.
- 3.2 The impacts of lockdown have led to a significant increase in the numbers of people claiming UC in the city. According to DWP figures, on 7 February 2021, there were **49,420 people in the city** on UC. This is roughly double the number of claimants at the beginning of the pandemic, and contrasts with the last figure reported to this Committee of 16,604 people the end of September 2019.
- 3.3 There is a detailed report on the national changes to UC since the pandemic here:
<https://commonslibrary.parliament.uk/research-briefings/cbp-8999/>
- 3.4 As noted in the report, whilst there are many issues with UC, in particular the initial 5-week wait for payment, if UC had not been in place at the beginning of the pandemic, the situation is likely to have been far worse as the legacy system would not have been able to cope with the massive rise in claims and workload.
- 3.5 Although we do not have a breakdown of the numbers, anecdotal evidence suggests that the new claimants comprise both people already on legacy benefits whose circumstances changed due to

² <https://www.citizensadvice.org.uk/about-us/our-work/policy/policy-research-topics/welfare-policy-research-surveys-and-consultation-responses/welfare-policy-research/managing-money-on-universal-credit/>

³ <https://www.jrf.org.uk/press/jrf-responds-chancellors-spring-2021-budget>

lockdown and therefore needed to apply for UC, and those who were new to the welfare system who lost their job or reduced their work hours.

- 3.6 The extremely rapid increase in claims meant that waiting times to apply for UC was very long in March and April 2020, and people had to wait for money, increasing the already huge difficulties of lockdown. Waiting times reduced as the DWP redeployed staff into UC processing and the DWP have continued to recruit new staff to meet the increased workload.

4.0 What has been done in Sheffield to respond to Universal Credit?

- 4.1 A **Universal Credit Partnership** was set up in May 2018 to coordinate the city's activity on UC, bringing together key representatives from Sheffield City Council, DWP and voluntary, community and faith organisations to share knowledge and create links between the different strands of activity around UC⁴, for example, developing communications and an information sheet (available here www.sheffield.gov.uk/universalcredit). Prior to Covid it had been agreed to stretch out the meetings of the Partnership due to UC becoming business as usual and the managed migration date being unknown.
- 4.2 The pandemic meant that the focus for all the organisations involved moved primarily to Covid-response so the Partnership has not met over the last year, but some members have kept in touch to discuss UC issues as they've arisen. UC has also been part of discussions of the Supporting Vulnerable People Group, an informal group that came together in the first days of lockdown to keep up to date on how vulnerable people in the city were being supported and make links to help support that work. This included people from across SCC along with Citizens Advice, Shelter, DWP, Police and the ACP. It has continued to meet weekly and then fortnightly.
- 4.3 Citizens Advice Sheffield provide a **Help to Claim service (Freephone 0800 1448 444)**, funded nationally by DWP to support people up to their first successful payment. Citizens Advice Sheffield also provides support to those managing their existing UC claim, a service made possible by SCC grant funding. Their advice line has recently been changed to a freephone number **0808 278 7820**. The current DWP contract runs until April 2021 and, although it is expected to continue, there has not yet been confirmation either of funding or of funding levels.
- 4.4 Locally, the Sheffield DWP Partnership team has worked very closely with partners and claimants to support them during the pandemic. For example, some claimants such as rough sleepers do not have access to a bank account and therefore need payment of UC in cash. During the first lockdown this became particularly difficult due to many PayPoint outlets being closed, so the DWP Partnership team liaised closely with Framework (the main organisation supporting rough sleepers), finding PayPoints near job centres that were still open and ensuring that vulnerable people had the money they needed as quickly as possible. Job centres have remained open – although mostly by appointment and on reduced hours – for vulnerable claimants throughout the pandemic.

⁴ Organisations represented include: Sheffield City Council, DWP, Citizens Advice Sheffield, Housing Associations, Manor & Castle Development Trust, ZEST, SOAR, Sheffield Credit Union, Shelter, Church Action on Poverty, CCG, and Sheffield Food Bank Network.

5.0 Internal SCC co-ordination

- 5.1 The internal SCC UC Operational Group, chaired by the Head of Commercial Business Development, pulls together the key services most impacted by UC to coordinate organisation-wide activity, including the production of a data dashboard on UC impacts. This group has continued to meet periodically over the last year, and UC impacts continue to be collected. However, the impacts of UC both on SCC and the city have now been overtaken by the wider impacts of the pandemic, so it seems likely that this UC-specific work will be incorporated into wider work in the longer term.

6.0 Council Housing and Universal Credit

6.1

SCC tenants claiming UC - at 1.3.21									
Jan-20	Feb-20	Mar-20		Apr-20	May-20	Jun-20	Sep-20	Dec-20	Feb-21
6,266	6,615	7,365		8,009	8,211	8,422	8,948	9,495	9,832
16.3%	17.3%	19.2%		20.9%	21.5%	22.1%	23.7%	25.2%	26.1%

The figures above reflect that over 1 in every 4 tenants are now claiming Universal Credit. Prior to Covid (March 20) the average monthly increase was approximately 360 tenant per month moving to UC, however March and April saw a period of volatility and this number increased to around double that amount.

- 6.2 Since May, however, the rate at which tenants are going onto UC have reduced, as their income has become more stable, whether that be still in employment, on the furlough scheme, or losing their job and had already claimed UC. It is worth noting that had the numbers continued to increase at their pre-Covid levels then we would currently have more tenants on UC than we now have⁵.
- 6.3 There are still 17,908 tenants claiming Housing Benefit. Of these, 10,810 are of working age, and they will eventually move to UC through managed migration.
- 6.4 The Income Management and Financial Inclusion Team (IMFIT) continue to promote Direct Debit as preferred payment method for all tenants, and for those claiming UC it increases the likelihood of receiving full and prompt payment when monthly rent is due. There are currently 38.7% of tenants on UC paying by Direct Debit.
- 6.5 Applying for Managed Payments and Third Party Deductions however are a valuable option if arrears are increasing. Over 27% of tenants on UC have their rent money stopped at source and paid directly to us, resulting in the DWP sending us almost £900k every month.
- 6.6 The largest age group of tenants claiming UC is the 25-40s, who make up almost 47% of all claims. Details are:
- Under 25 9%

⁵ As noted above, anecdotally we believe that a significant proportion of the new UC claimants are people who are new to the welfare system and the UC cohort is therefore likely to include a lower proportion of social-rented tenants than previously.

- 25-40 47%
- 41-50 21%
- 51 and over 23%

6.7 Rent Arrears

6.7.1

Arrears Info	Feb-21
Total balance of all accounts at start of claim	£3,765,815
Current Balance of all accounts	£5,230,764
Total increase on UC accounts	£1,473,949
Average arrears increase per claim	£153.01
% arrears increase, since UC start date	39.2%

As figures above show, rent arrears for UC claimants continue to be an issue, as reported in the last update to the Committee. However, considering the numbers currently claiming UC, and the impact Covid is having on many people, performance on arrears is still positive. The average increase in arrears (£153.01) is around 2 weeks gross rent, despite the continuing number of new claims still being made. This reflects the support and help provided by IMFIT's dedicated team, helping tenants to manage their money and understand their commitment to paying rent, especially in the first few weeks of any new claim being made.

6.8 Partnership working

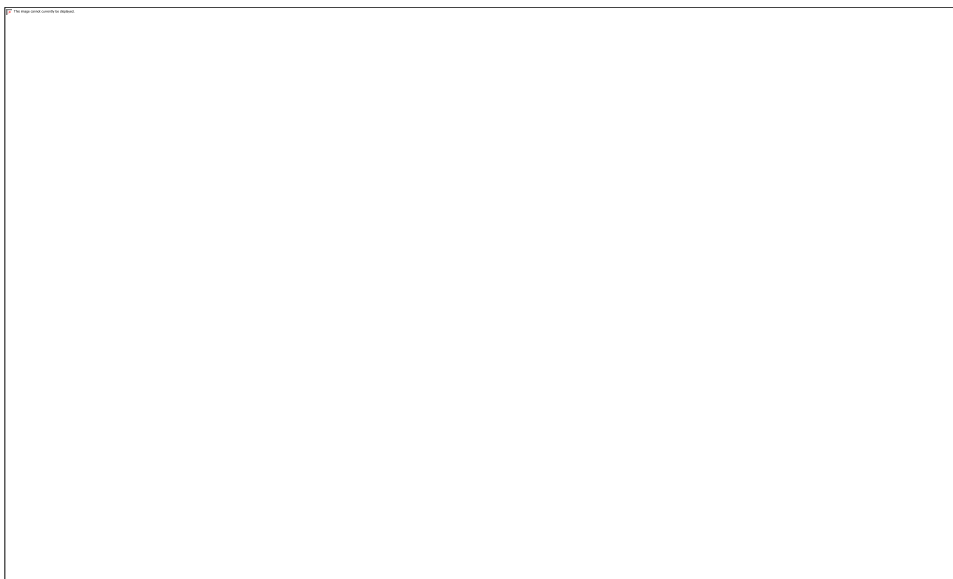
- 6.8.1 Work continues with partners to support tenants claiming UC wherever possible. IMFIT hold regular meetings with the DWP, Citizens Advice, Revs and Bens etc to understand and react to any changes and provide a joined-up service to customers and support agencies.

IMFIT continue to fund Sheffield Credit Union budgeting accounts for those tenants who would otherwise struggle to manage their money. This helps ensure rent is paid, as well as other outgoings such as Council Tax and utility bills.

7.0 Council Tax Support and Universal Credit

- 7.1 Since the wider rollout of UC in Sheffield, the Council has been monitoring the Council Tax Support (CTS) caseload to see if UC has had any detrimental impact. When a customer made a new claim for a legacy benefit, the DWP also provided a new claim for CTS, which was sent to SCC. However, under UC, the DWP do not send us a claim for CTS, but instead notify us that a claim for UC has been made and advise the claimant that they must make their claim for CTS directly with the Council. However, there is a concern that some UC claimants are not following this advice and are not making a claim for CTS. Anecdotal evidence suggests that this could be due to 'claim fatigue'.

7.2



As the graph above shows, whilst the CTS caseload had reduced over the last several years, since the onset of the pandemic we have seen an increase in our working age CTS caseload.

- 7.3 As a discrete exercise to respond to the large number of new UC claimants at the beginning of the pandemic, many of whom will have been new to the benefits system and therefore not know about CTS, SCC treated UC notifications from DWP as an application for CTS. Since the situation has stabilised, the Benefits Service writes to all new UC claimants to advise them that they need to make a separate claim for CTS. They also continue to liaise with DWP and other partners to encourage take-up of CTS; for example, exploring whether messages can be included in UC journals.
- 7.4 The Revenues & Benefits Service has made also claiming CTS simpler for new UC claimants, as initial awards are processed based upon the information disclosed on the CTS application form, and therefore customers do not have to wait the 5 weeks for UC to be awarded before their claim is assessed.
- 7.5 The Government provided the SCC with additional funding from the Council Tax Coronavirus Hardship fund, totalling £6,058,517, to provide additional support to working age households who received an award of Council Tax Support in 2020/21. The Council used this funding to further reduce the amount of Council Tax owed by these households by up to £150. This hardship payment will not be repeated in 2021/22, but the Council will continue to be able to offer assistance to households who are in receipt of CTS through the Council's Council Tax Hardship Scheme, which has a budget of £1.8m in 2021/22.

8.0 Impact on Citizens

- 8.1 As has been highlighted throughout this paper, the impacts of Universal Credit are now very difficult to unpick from the wider impacts of the pandemic. The impact of the latter has been set out in a Rapid Health Impact Assessment, particularly its Poverty & Income theme, commissioned

by the Sheffield Health and Wellbeing Board and published in September 2021⁶. The impacts on poverty and income include:

- **Financial insecurity is significantly more widespread and more severe since the beginning of the pandemic.** Demands on food banks increased four-fold during the initial crisis, the number of people who are on Universal Credit in Sheffield have doubled to 44,000 and rent arrears have increased.
- Although many people have been able to take a breath after the initial crisis, **we expect people's financial situation to get increasingly worse over the autumn and beyond** as creditors are able to start recovery action again, the job retention scheme is phased out and the economic recession hits.
- There was a significant decrease in people accessing many types of financial support and advice during lockdown, particularly disability benefits and debt advice. However, the **demand for advice is now increasing rapidly** and is expected to rise by 30% over the next few weeks and months.
- Barriers to accessing services and support have exacerbated poverty: **many people have not been able to afford to get online** at a time when digital access is more crucial than ever; some people with complex, chaotic lives have suffered because even the best remote service is not the same as face-to-face support; people who rely on cash who have struggled to buy essentials in places where only cards are accepted; and the pandemic has left many increasingly vulnerable to crime and exploitation.
- After ten years of austerity and welfare cuts, **many people were already struggling before the pandemic** leaving them with few resources to cushion the crisis. There is a strong link between low income and ill health.
- **Certain groups have been disproportionately affected** by the financial insecurity caused or exacerbated by the crisis. Poorer people and those in deprived communities have been hit hard, and we've seen many people newly entering the benefits system. Tenants in private-rented accommodation, people from black, Asian and minority ethnic communities, refugees and asylum seekers, women, people with disabilities and health conditions, and younger people (both adults and children) have all been disproportionately negatively affected by the financial impacts of the pandemic.

9.0 Future developments

- 9.1 There is uncertainty about the number of UC claims likely to be made over the coming months. The furlough scheme has been extended now to September 2021, as has the extra £20 per week top-up for UC claimants, so this is positive news for employees and UC claimants. At the same time, however, government funding that has helped to support people on low incomes, such as the DWP Winter Grant that we used to fund Free School Meals over holidays⁷, and Defra funding that has provided emergency grants for people affected by Covid-19, will cease after March 2021.

⁶ The full RHIA is here, with the Poverty & Income theme at p.106

<http://democracy.sheffield.gov.uk/documents/s42725/The%20Impact%20on%20Health%20and%20Wellbeing%20in%20Sheffield%20of%20the%20Covid%20Pandemic.pdf> .

⁷ The latest news is that the DWP Winter Grant and FSM vouchers have been extended slightly to cover Easter holidays, which is positive news, but financial hardship for families will continue into 2021.

- 9.2 It is also possible that, as furlough is phased out, more people lose their jobs and therefore need to apply for Universal Credit. As part of the supporting vulnerable people group some resources have been developed to help people facing redundancy and/or those who are supporting them. Further information can be found here www.sheffield.gov.uk/redundancy .
- 9.3 The date for managed migration, when all those on legacy benefits are moved to UC, is still uncertain, although the latest Government information available is that this is unlikely to happen before 2024. The managed migration pilot in Harrogate has had very little/no publicity over the last few months, with Covid becoming the priority for most organisations. When we get more information about the likely date of managed migration we will assess what SCC and wider co-ordination may be needed to respond.

10.0 RECOMMENDATIONS

- 10.1 That the Audit & Standards Committee note the information set out in the report.



Audit and Standards Committee Report

Report of: Monitoring Officer

Date: 25th March 2021

Subject: Model Code of Conduct and Code of Conduct Training for Members

Author of Report: Sarah Cottam / Abby Brownsword

Summary: To provide members the updated Members Code of Conduct, following agreement that the Council would adopt the model code of conduct incorporating elements of the current code of conduct.

Recommendations:

The Committee is asked to agree the updated Members' Code of Conduct.

The Committee is asked to agree the proposals for the Member Development Training Programme.

Background Papers: None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO - Cleared by: Dave Phillips
Legal Implications
YES/NO - Cleared by: Gillian Duckworth
Equality of Opportunity Implications
YES/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 Terry Fox, Cabinet Member for Finance, Resources and Governance
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

1.0 INTRODUCTION

- 1.1 The LGA has published a new Model Code of Conduct for councils to consider using.
- 1.2 The model code strengthens the best practise around bullying and harassment and use of social media.

2.0 BACKGROUND

- 2.1 The Committee considered a report of the Monitoring Officer at its meeting in February 2021 where consideration was given to the new model code of conduct recently issued by the Local Government Association (LGA).
- 2.2 The Committee had approved a revised Code of Conduct for members at its meeting in (November/December 2020?) and this was subsequently approved by full Council in January 2021.
- 2.3 At the meeting in February the Committee agreed to adopt the Model Code of Conduct and incorporate some of the additional requirements set out in the Code approved by Council in January 2021.

3.0 MAIN BODY OF THE REPORT

Including Legal, Financial and all other relevant implications (if any)

- 3.1 Appended to this report is a revised code of conduct based on the LGA's model code of conduct and incorporating the additional requirements as set out in the Councils existing Members' Code of Conduct. These additional requirements are shown in italics for ease of reference.

3.2 Code of Conduct Training for Members

- 3.2.1 The Committee also asked the Monitoring Officer to provide information about training for elected members on the Code of Conduct.
- 3.2.2 The Monitoring officer has agreed a programme of development for all members with the LGA for the new municipal year
- 3.2.3 The proposal is for the Council's Induction programme to be run in a similar format to last year and in addition dates will be agreed with each political group for specific training around the code of conduct. These group sessions will be run by the LGA and facilitated by a Member peer and an independent Monitoring Officer and would last approximately 1 ½ hours.

- 3.2.4 This would be closely followed by a session for all Members on local decision making to support Members with the introduction of Local Area Committees.
- 3.2.5 The intention is for the programme to consider the different roles of Members i.e. as part of the Council but also ward representatives and members of political groups. It will also consider Member/officer relationships and will be coupled with a complimentary training schedule for officers. The proposal allows for each group to help shape the rest of the development programme which will run until May 2022.
- 3.2.6 The rollout and timing of the proposal will be discussed and agreed with the Whips.

4.0 RECOMMENDATIONS

- 4.1 The Committee is asked to agree the updated Members' Code of Conduct.
- 4.2 The Committee is asked to agree the proposals for the Member Development Training Programme.

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to.

We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors. As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently.

We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed a Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee". For the purposes of this Code of Conduct, "local

authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor or co-opted member, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors or co-opted members, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and co-opted members and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors, co-opted members and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles. Building on these principles, the following general principles have been developed specifically for the role of councillor and co-opted member. In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully • I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor or co-opted

member. This Code of Conduct applies to you when you are acting in your capacity as a councillor or co-opted member which may include when:

- you misuse your position as a councillor or co-opted member
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor or co-opted member;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor or co-opted member.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor or co-opted member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken. Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect As a councillor or co-opted member:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor or co-opted member, you can express, challenge, criticise and disagree with views,

ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor officer protocol.

2. Bullying, harassment and discrimination

As a councillor or co-opted member:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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.

The Equality Act 2010 places specific duties on local authorities. Councillors and co-opted members have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

Members should be aware of the Council's Equality Objectives 2019-22 and act in accordance with the Council's Equality, Diversity and Inclusion Policy and Dignity and Respect at Work Policy.

3. Impartiality of officers of the council

As a councillor or co-opted member:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor or co-opted member:

4.1 I do not disclose information:

- a. given to me in confidence**
- b. by anyone acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am 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:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor or co-opted member:

5.1 I do not bring my role or local authority into disrepute.

As a councillor or co-opted member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute. You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor or co-opted member:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor or co-opted member:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor or co-opted member:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any *standards investigation* or sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

You must not make trivial, malicious or vexatious allegations against other Councillors/Officers.

9. Interests

As a councillor or co-opted member:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority . You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable.

You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor or co-opted member:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £10, or accumulatively in excess of £10 from the same source over the four year term of office which you have been offered as a Member from any person or body other than the Authority within 28 days of receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

11. Bias

11.1 I must not place myself under any financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.

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

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.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

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 disclose 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.

Appendix B - Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which affects –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**.

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or

	jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer Corporate tenancies Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) 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 the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

a) any body of which you are in general control or management and to which you are nominated or appointed by your authority

b) any body

- i. exercising functions of a public nature
- ii. any body directed to charitable purposes or
- iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on Local Government Ethical Standards. If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover: •

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 • Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Appendix D - LIST OF POLICIES

- Sheffield City Council Electronic Communications Policy
- Members' ICT Usage Policy
- Equality, Diversity and Inclusion Policy
- Sheffield City Council Equality Objectives 2019-22

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Audit and Standards Committee Report

Report of: Director of Legal and Governance

Date: 25th March 2021

Subject: Work Programme

Author of Report: Sarah Cottam, Democratic Services
(Tel - 0114 273 4015)

Summary:

The report provides details of an outline 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: None

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
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.

2. Work Programme

- 2.1 It is intended that there will be at least five meetings of the Committee during the year with three additional meetings arranged if required. The work programme includes some items which are dealt with at certain times of the year to meet statutory deadlines, such as the Annual Governance Report and Statement of Accounts, and other items requested by the Committee. In addition, it also includes standards related matters, including an annual review of the Members Code of Conduct and Complaints Procedure and an Annual Report on the complaints received.
- 2.2 An outline programme is attached and Members are asked to identify any further items for inclusion.

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.

Gillian Duckworth
Director of Legal and Governance

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Audit and Standards Work Programme 2020/21

Date	Item	Author
15 April 2021	Internal Audit Plan 2021/22	Linda Hunter (Senior Finance Manager)
	Whistleblowing Policy Review and Update	Gillian Duckworth (Director of Legal and Governance)
	Progress on High Opinion Audit Reports	Linda Hunter (Senior Finance Manager)
	Compliance with International Auditing Standards	Dave Phillips (Head of Strategic Finance)
	Annual Audit Letter 2019/20	Ernst and Young (External Auditor)
	Certification of Claims and Returns Annual Report 2019/20	Ernst and Young (External Auditor)
	External Audit Plan 2020/21	Ernst and Young (External Auditor)
	Annual Audit Fee Letter 2020/21	Ernst and Young (External Auditor)
	Formal Response to Audit (ISA 260) Recommendations	Dave Phillips (Head of Strategic Finance)
	Work Programme	Gillian Duckworth (Director of Legal and Governance)
June 2021	Audit Training	External Facilitator (Gary Bandy)
10 June 2021	Summary of Statement of Accounts	Dave Phillips (Head of Strategic Finance)
	Internal Audit Annual Fraud Report	Linda Hunter (Senior Finance Manager)
	Review of Standards Complaints Procedure	Gillian Duckworth (Director of Legal and Governance)

Audit and Standards Work Programme 2020/21

	Work Programme	Gillian Duckworth (Director of Legal and Governance)