

**ASHFIELD DISTRICT COUNCIL**



Council Offices,  
Urban Road,  
Kirkby in Ashfield  
Nottingham  
NG17 8DA

## Agenda

# Standards and Personnel Appeals Committee

Date: **Monday, 12th December, 2016**

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Time: **6.30 pm**

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Venue: **Committee Room, Council Offices, Urban Road,  
Kirkby-in-Ashfield**

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For any further information please contact:

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01623 457318

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# STANDARDS AND PERSONNEL APPEALS COMMITTEE

## Membership

**Chairman:**

Councillor Lauren Mitchell

**Councillors:**

Amanda Brown  
Jackie James  
Lachlan Morrison  
Helen-Ann Smith

Steve Carroll  
Cathy Mason  
Phil Rostance  
Jason Zadrozny

## FILMING/AUDIO RECORDING NOTICE

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Democratic Services on 01623 457318.

## **SUMMONS**

You are hereby requested to attend a meeting of the Standards and Personnel Appeals Committee to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



**R. Mitchell**  
**Chief Executive**

## **AGENDA**

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## STANDARDS AND PERSONNEL APPEALS COMMITTEE

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Monday, 10th October, 2016 at 6.30 pm

**Present:** Councillor Lauren Mitchell in the Chair;

Councillors Amanda Brown, Steve Carroll,  
Jackie James, Cathy Mason, Lachlan Morrison,  
Phil Rostance and Jason Zadrozny.

**Apologies for Absence:** Councillor Helen-Ann Smith.

**Officers Present:** Beth Brown, Mike Joy and Alan Maher.

### **SP.06 Declarations of Disclosable and Non-Disclosable Pecuniary / Other Interests**

No Declarations of Interest were received.

### **SP.07 Minutes**

RESOLVED

The minutes of the Standards and Personnel Appeals Committee held on 25 July 2016 be received and approved as a true record.

### **SP.08 Draft Member Development Strategy**

Members were reminded that at its last meeting the Committee discussed the Council's approach to Member training and development. It was explained that since May 2015 the focus for the development programme had been on providing a general introduction to the different Member roles; especially for those who had been elected for the first time. Valuable as this had been, the Committee thought that a more targeted approach should now be adopted, with the aim of meeting the specific development requirements of individual Councillors.

There was a consensus that Member Development was important both to individual Councillors and to the Council as a whole in terms of helping to ensure that it operates effectively. This is reflected in the Council's Corporate Plan 2016-2019. The Committee emphasised just how important it was to help Members gain the knowledge and skills they require to carry out their roles. It was also important for them to understand what the consequences are likely to be when they do not understand these roles, behave inappropriately or take the wrong decisions. These risks were seen as especially significant, when

Members have to carry out their regulatory or quasi-judicial functions, such as considering and deciding on planning applications.

The report to Committee set out the draft Member Development Strategy, which brought together a range of proposals on how a more targeted approach to training and development could be achieved. In particular, it argued that the process for identifying development needs ought to be Member-led. The strategy suggested that an annual training needs survey could be introduced. If adopted, Councillors would be asked to say what learning and development activities they had found effective. It would also ask them what they thought their priorities for learning and development would be over the coming year.

There was a lot of support for Members feeding back their experience of these training events. This would be a way of providing benchmark information that would save the Council money by ensuring that Members were not booked on courses that had already proved not to be suitable. The Committee heard and discussed examples of how this type of feedback from training courses works in other authorities.

The Committee felt it important that training be made as accessible as possible, including for those Members who work or who cannot attend during the day time because of care commitments. They welcomed the proposal that the Members e-learning facility ought to be enhanced and developed as a practical way of extending the way in which Members receive training, rather than just relying on them to attend training sessions.

Members discussed how the training budget for Member Development is currently allocated. A range of options were considered. These included consideration of a possible threshold or upper cost limit for any training activity for individual Members. The Committee also discussed whether the Member Development budget should be allocated on a pro rata basis between the different groups or whether it would be better to target funding on meeting specific training requirements. Some Members of the Committee felt that further discussion was required on this and suggested that the issue be raised at a future Group Leaders Meeting.

Members then considered various options for delivering training and development. In this context, there was a lot of support for working with neighbouring authorities to run joint training sessions etc. They felt that this would be more cost effective and also potentially better for individual Members; especially if they could then share and discuss their experiences with colleagues from other local authorities.

There was an extensive discussion about whether Members who had received relevant training from other local authorities should also be required to attend similar training course required by the Council – for instance on safeguarding. Some saw this as a practical way of making use of these opportunities which would reduce the costs to Ashfield. Others felt that it would be better if all Councillors received the same training provided by the Council to ensure that they received training of the same quality.

At the end of the discussion the Committee agreed that the Monitoring Officer explore further the possibility of 'dual hatted' Members (or those who serve on

Ashfield and another local authority) only attending required training at one or the other authority rather than at both of them.

#### RESOLVED

- a) That the Committee's comments be forwarded to the Monitoring Officers for inclusion in the draft Member Development Strategy;
- b) That the Committee considers a revised draft of the strategy at its next meeting (12 December 2016).

#### Reasons

The Member Development Strategy will help to ensure that we focus our resources and make the best use of Members' time.

### **SP.09 Disclosure and Barring Services for Councillors**

Members next considered a report on Disclosure of Barring Service (DBS) checks for Councillors. This explained that Councillors had not been required to have DBS checks, especially those in district local authorities with no responsibility for children's services or adult social care. However, many councils have now decided to carry out DBS checks for all of their Members, often as a way of providing reassurance to the public. A similar approach, it was suggested, would help to improve public confidence in Ashfield also.

Members discussed the report. During this discussion they made it clear that they supported DBS checks for all Councillors. They recognised that there were often instances when they can find themselves in contact with vulnerable people and that it would provide reassurance to the public and individual constituents if they could be assured that their elected Members had been DBS checked.

The Committee explored how the DBS checking process might work and in particular, what could be done if certain Members decided that they did not wish to apply for a DBS check. Members heard that in neighbouring local authorities these objections were usually resolved as a matter of internal group discipline or persuasion rather than as matter for the authority. It was expected that a similar approach was likely to happen in Ashfield. The Committee thought that this would be appropriate.

Members also discussed what would be the most appropriate level of DBS check. The report recommended that they should each receive the Enhanced level of DBS check. After a debate, the Committee concluded that this would be disproportionate and that an appropriate level of assurance could be provided through the less expensive Standard check. The Committee agreed that the proposal should be recommended to Council on that basis.

#### RESOLVED

- a) The Committee recommends to Council that all Councillors receive

'Standard' DBS checks, as set out in Paragraph 4(b) of the report;

- b) The Committee recommends to Council that the proposed Policy on Disclosure and Barring Service 'DBS' checks for Councillors and Co-opted Members as appended to the report be adopted.

#### Reasons

In order to protect those who are most vulnerable in society and to help strengthen public confidence.

### **SP.10 Members with other Roles which might Conflict with their Role as a Councillor**

The Committee was reminded that it had asked for a draft guidance note be prepared, in order to help those Councillors with external roles or interests, to recognise and avoid any conflicts of interest.

Members were asked to consider the draft guidance note. During the discussion, the Committee reiterated its concerns about the problems that can be caused when a Member's role as a District Councillor becomes blurred with other roles that they might have, such as a Councillor for another local authority or as part of the support staff for a Member of Parliament. It was argued that this can confuse local people; for example by blurring who was actually responsible for dealing with any issues that they had raised.

The Committee felt it important that there should be transparency about different roles. Members must always be clear when they are acting in their capacity as a District Councillor and when they are acting in another capacity (for instance, not using their Ashfield District Council email accounts for work related to their employment.)

In this context the Committee discussed the arrangements for dealing with MP enquiries. These arrangements had been recently revised in order to provide a single point of contact for parliamentarians. This would, it was felt, help to provide greater clarity and to prevent confusion over roles.

Members also felt that it would be helpful if there was clarity about how enquiries from Councillors of other local authorities are dealt with. Again, it was felt that the status of these requests should be made explicit and handled centrally. The Committee thought the best approach would be to ask County Councillors and others to channel their enquiries through the Council's existing Members Enquiry Service.

#### RESOLVED

That the Committee approves the guidance note, subject to inclusion of arrangements for dealing with enquiries from those in their capacity as representatives of other local authorities through the Members Enquiry Service.

#### Reasons

To help promote and maintain high standards of conduct by Members.



## **SP.11 Quarterly Complaints Update**

The report to Committee provided information on complaints of alleged Member misconduct and the progress which had been made in assessing them for the period 16 July 2016 to 30 September 2016.

Members heard that since the report had been prepared there had been further developments on the first case. Briefly, it was explained that it was now hoped that the case could be resolved on the basis of local resolution and so not require a formal hearing.

The Committee discussed extensively this case. In particular, Members were concerned about the length of time that it had taken to investigate and resolve it, with the associated costs that this involved. Some Members suggested that other authorities are able to deal with complaints more quickly. The Committee was also concerned that a local resolution was only now being proposed. Members felt that this should happen at the start of the complaints process rather than at the end. The Committee felt that there would be advantages of making this a firm provision in the policy. It was agreed to pass this suggestion to the Monitoring Officer.

### **RESOLVED**

That the Committee notes the updated position in respect of Members' Code of Conduct Complaints for the period 16 July 2016 to 30 September 2016.

#### **Reasons**

To reflect good practice.

The meeting closed at 8.15 pm

Chairman.

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<b>Report To:</b>	STANDARDS AND PERSONNEL APPEALS COMMITTEE	<b>Date:</b>	12 DECEMBER 2016
<b>Heading:</b>	MEMBERS' REMUNERATION SCHEME: PERFORMANCE RELATED ELEMENT		
<b>Portfolio Holder:</b>	N/A		
<b>Ward/s:</b>	N/A		
<b>Key Decision:</b>	NO		
<b>Subject To Call-In:</b>	NO		

## **Purpose Of Report**

To inform the Committee of the new performance element of the Members' Remuneration Scheme and the role that the Committee will play in determining the payment of the performance related allowance.

## **Recommendation(s)**

**The Committee is asked to consider the suggested process for determining the payment of the performance related element of the Members' Allowance. The Committee may wish to consider seeking the views of the Cross Party Update Meeting before making a final recommendation to the Council.**

## **Reasons For Recommendation(s)**

To ensure a clear and transparent process to determine the payment of the performance element of the Members' Allowance.

## **Alternative Options Considered (With Reasons Why Not Adopted)**

The Committee may wish to consider alternative approaches to determine the payment of the performance element of the Members' Allowance.

## Detailed Information

Members will recall that the Independent Remuneration Panel (IRP) met earlier this year to review the Members' Allowance Scheme. The new Scheme was approved at Council in July 2016.

The function of an allowances scheme is to provide support to Members so they are able to carry out their roles and responsibilities without incurring undue personal costs or loss of earnings. The IRP reported that Members felt there was an inequity in the fact that Members received the same basic allowance regardless of their workloads. The IRP suggested that the simplest metric by which to gauge additional effort is attendance at meetings; attendance at meetings being simple to measure. The IRP felt that if a Member does not attend the majority of their scheduled meetings and training events they are not representing the interests of their constituents and the Council in general to the best of their ability.

Based on the recommendation of the IRP, the new Members' Allowance Scheme includes an element which relates to performance. The Basic Allowance was reduced by £500 per annum, the £500 per member was reassigned as a Performance Special Responsibility Allowance to be paid to all Members who attend 70% of all their formal meetings (these being all meetings of the Council and all meetings of the Committees and Sub-Committees to which Members are appointed by the Council) together with all training made mandatory in accordance with the Constitution and included in the Code of Conduct. An extract of the IRP's report is attached as Appendix A.

This Committee was given the remit to account for **genuine or excused absences** set out as:

- Illness/physical incapacity
- Family/domestic emergency
- Officially representing the Council in another forum, in other words outside bodies as detailed in the Constitution

The IRP's report sets out that the following are **NOT** to be accepted as excused absences:

- Work commitments
- Representing another local authority such as Nottinghamshire County Council or a Parish Council
- Representing their constituents
- Simply sending apologies without a reason
- Holidays

The Council resolved that the performance element of the allowance should be implemented from 29 May 2017 and the period of assessment running to the AGM the following year in May 2018. The performance element year will then continue thereafter starting at each AGM and ending the following May.

## **Mandatory Training**

In accordance with the Constitution the following are classed as "mandatory" and will be taken into account in the calculation of 70% attendance:

- Planning
- Safeguarding
- Licensing Committee and its Sub- Committees

- Lone worker training
- Code of Conduct Training
- Chief Officers Employment Committee
- Standards Committee Training
- Equalities

The required frequency of training will require determination before the process is finalised to ensure it is clear what each Member's mandatory training requirement is each year.

### **Process for Payment of the Performance Allowances**

- Members are required to provide reasons for every absence (meetings and mandatory training) to Democratic Services
- Failure to provide a reason will lead to the absence being noted as "not excused"
- Democratic Services will collate the attendance data. The data will be presented to the Committee annually in June
- The data presented to Committee will include for each Member the number of expected attendances, the number of absences, whether these are excused absences or not (in line with the definition set by the IRP and outlined above) and the percentage attendance highlighting where attendance is at 70% or above and 69% and below
- The Committee will be required to review the data and approve the Members to whom the £500 performance related pay is to be awarded
- Democratic Services will thereafter instruct Payroll to make performance related payments as approved by the Committee

For clarity, excused absences will **not** be taken into account when calculating the level of attendance, whereas absences which are not for excused reasons will be taken into account.

It is not considered feasible for Democratic Services or the Committee to look behind the reasons given, the onus is on each Member to accurately report reasons for absence in a timely manner. The Committee may wish to consider setting a deadline for the submission of absence reasons to Democratic Services.

To enable individual Members and Groups to monitor attendance on a regular basis, it is recommended that a quarterly update report will be provided to each Member and their Group Leader. This will enable advance notice of attendance levels and an opportunity to check reasons for absence in a timely manner.

Members are reminded that by virtue of section 85 of the Local Government Act 1972 if a Member fails throughout a period of 6 consecutive months from the date of the last attendance at a meeting of the authority, he/she shall cease to be a member of the authority unless the reason for the failure to attend has been approved by the Council.

### **Implications**

#### **Corporate Plan:**

The Council will strive to ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

**Legal:**

The Council adopted a revised Scheme in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and was recommended by the appointed Independent Remuneration Panel.

**Finance:**

This report is effective from 21/07/2016 and has the following financial implications:

Budget Area	Implication
General Fund – Revenue Budget	Failure to meet the required attendance by a Member would result in the withholding of a £500 Performance Related Payment. The maximum amount payable by the Authority would be £17,500 (35 Members @ £500 per Member). For the sake of prudence, it is assumed that all Members will attain the necessary performance level to receive the Performance Related payment, and the budget for 2017/18 has assumed payment to all Members.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

**Human Resources / Equality and Diversity:**

A record of training undertaken will be held by the HR Shared Service. Payment of allowances will comply with the approved arrangement.

**Other Implications:**

None.

**Reason(s) for Urgency (if applicable):**

N/A

## **Background Papers**

Independent Remuneration Panel Report – July 2016

### **Report Author and Contact Officer**

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**Rob Mitchell**  
**CHIEF EXECUTIVE**

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## Appendix A

### Rewarding effort through a Performance SRA

1. It is clear there is a sense of inequity in the fact that all Members receive the same Basic Allowance regardless of their workloads. Due to the representations made the Panel has decided that a lower Basic Allowance should be paid with a compensating SRA linked to extra demonstrable effort. In other words, all Members will continue to receive a BA and Performance SRA that equates to the current BA of £6,800 as long as they can demonstrate they are putting in the effort.
2. The simplest metric by which to gauge additional effort is attendance at meetings. While attending meetings is not the sole focus of a Members' work it is an important one that can be measured. If a Member is not attending the majority of their scheduled meetings and training events they are not representing the interests of their constituents and the council in general to the best of their ability.
3. The Panel considered a number of approaches that had varying degrees of complexity and flexibility but opted for the most straightforward approach in order to get the principle adopted, which can be reviewed and refined in light of experience and subsequent feedback to the Panel. Thus the Panel proposes that the Basic Allowance is reduced by £500 to £6,300 and the £500 per Member savings be re-assigned as a 'Performance SRA' to be paid to all Members who attend 70% of all their formal meetings, including all compulsory / statutory training events.
4. **The Panel recommends that all Members who attend at least 70% of all their scheduled meetings and compulsory training events each year are paid an annual SRA of £500 in arrears starting in 2017/18.**
5. **The Panel also recommends that the Standards and Personnel (Appeals) Committee (or some other committee or persons as agreed by the Council) be given the remit to account for genuine or 'excused' absences, such as**
  - **Illness/physical incapacity**
  - **Family/domestic emergency**
  - **Officially representing the Council in another forum e.g., Nottinghamshire PCP or Nottinghamshire Leaders Board or any other approved duties detailed in the Constitution under "Outside Bodies"**
6. The Panel is clear that an excused absence should be defined in such a way so it excludes work commitments. The Basic Allowance is in place for a time commitment of just under 70 days per year at a rate of remuneration based on average wages in Ashfield. It provides a compensation for Members to enable them to take up to 70 days per year off work. If work commitments were to constitute an excused absence it in effect pays Members twice. Similarly representing constituents should not be an excused absence - this aspect of a

Members' work has always been conceptualised as part of the voluntary service element. Likewise, sending apologies should not be an excused absence.

<b>Report To:</b>	STANDARDS AND PERSONNEL APPEALS COMMITTEE	<b>Date:</b>	12 DECEMBER 2016
<b>Heading:</b>	MEMBERS CODE OF CONDUCT – DECLARATIONS OF INTEREST		
<b>Portfolio Holder:</b>	N/A		
<b>Ward/s:</b>	N/A		
<b>Key Decision:</b>	NO		
<b>Subject To Call-In:</b>	NO		

## Purpose Of Report

To invite the Committee to consider whether the Council should amend the Council's Code of Conduct, and making it necessary for Councillors to declare membership of secret societies, private clubs or societies, charities or trade unions.

## Recommendation(s)

**The Committee is requested to consider the information within the report and reach a decision as to whether the Code of Conduct would benefit from amendment to make it necessary for Councillors to declare membership of secret societies, private clubs or societies, charities or trade unions. If so, to recommend an amended Code of Conduct to Council for approval.**

## Reasons For Recommendation(s)

The Council requires openness and transparency of all its elected members. The Register of Members' Interests requires Members to complete when elected and to update throughout their term, any interest which is a Disclosable Pecuniary Interest and which may affect their decision making

## Alternative Options Considered (With Reasons Why Not Adopted)

In order to ensure that Members are recording all necessary interests it is appropriate to periodically review the Code of Conduct, the Members' Register of Interests and all legal requirements as to declarations of interests. This has not been reviewed for two years and it was considered appropriate for this to be considered at this time following a request to add this to the Committee's work programme.

## Detailed Information

The Localism Act 2011 abolished the Standards Board and Regime and brought in new standards arrangements.

The new legislation means that it is largely for councils to determine what arrangements and Code of Conduct to put in place.

The current Code of Conduct requires members to declare an interest which is either a Disclosable Pecuniary Interests (DPIs), a Non Disclosable Pecuniary or Other interest.

### Disclosable Pecuniary Interests (DPIs)

DPIs are defined by law and is an interest in relation to a member if it is of a description specified in The Relevant Authorities (Disclosable Pecuniary Interest) Regulation and either ;-

- (a) It is an interest of the member's; or
- (b) It is an interest of (i) the Members spouse or civil partner, (ii) a person whom a Member is living with as husband and wife, or (iii) a person whom a Member is living with as if they were civil partners, and the Member is aware that the other person has the interest.

A failure to register a DPI is an offence under the Localism Act 2011, and a breach of the Code of Conduct.

The DPI should be included on the Members' Register of Interests and declared in any meeting where a matter arises which related to a DPI. The Member must not participate on the discussion or vote on the matters and must withdraw from the meeting room unless a dispensation has been sought and granted.

### Non Disclosable Pecuniary/Other Interests

A "Non Disclosable Pecuniary Interest" or "Other Interest" should be declared in an item of business of the Authority where:

- (a) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you, or a member of your family, or a person with whom you have a close association to a greater extent than it would affect the majority of the 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 listed in Appendix A to this Code, but in respect of a member of your family (other than your spouse, civil partner or person with whom you are living as spouse or civil partner) or person with whom you have a close association

and that interest is not a Disclosable Pecuniary Interest.

### Issues for the Committee to consider

In considering whether the Members' Code of Conduct should be amended the Committee may be mindful that current required declarations are standard and used widely across all local authorities. It is for the individual member to decide if an interest is a DPI, a Non Disclosable Pecuniary Interest or any Other Interest and for the member to then declare where necessary

The membership of “secret societies”, private clubs or societies, charities or trade unions is not currently an interest which has to be declared in this manner at Ashfield District Council. However any personal interest which may influence or have bearing on a Member’s decision must be disclosed at a meeting as discussed above.

Whether it is necessary to have a specific requirement for Members to declare membership of a “secret society”, private club or society, charity or trade union is open to each individual authority to determine.

There is no common practice and the approach varies substantially across authorities, and there are various definitions adopted by local authorities as to what would constitute a “secret society” and require declaration.

By way of example:

**Rotherham Metropolitan Borough Council** asks members to declare a personal interest of any body *“which is a private club or society, such as the Freemasons, a recreational club, working men’s club or private investment club of which you are a member of in a position of general control or management”*

A copy of the Members Register of Interest for Rotherham Metropolitan Borough Councils which sets out how this requirement has been incorporated into the Register is attached as **Appendix 1** along with a copy of their Member Code of Conduct.

**Manchester City Council** asks members to declare a personal interest in Charities, Societies and any bodies and specifically requests that *“Freemasons should include membership of the Masonic Grand Charity”* and bodies whose principal purposes *“include the influence of public policy, including party associations, trade union or professional association.”*

A copy of the Members’ Register of Interest for Manchester City Council which sets out how this requirement has been incorporated into the Register is attached as **Appendix 2**.

A neighbouring authority **Derbyshire County Council** has specifically requested that Members declare *“any trade union of which you are a member and membership of pressure groups, the Freemasons or other influential bodies of which you are a member.”*

A Copy of Derbyshire County Council’s Member Code of Conduct which demonstrates how this is incorporated into their Code is attached as **Appendix 3**.

### Freemasons

With regards to Freemasons specifically there has been a European Court of Human Rights case in 2007 which found that Freemasonry did not meet the definition of a secret society. – *[Grande Orienta D’Italia do Palazzzo Glustiniani v Italy (no 2) (application no 26740/02)]*.

This case concerned the Italian Grand Lodge which is the Italian equivalent of the Free masons and in that case there was a challenge to the policy that candidates were required to declare whether they were members of a Masonic or secret association. The absence of a declaration constituted a ground for refusal of appointment.

Any proposed amendment to the code would need to show that Freemasons were not being disadvantaged and that Freemasons would not be treated differently from the members of any other body that revised wording would seek to include.

One common theme amongst authorities is that membership of certain groups should be declared as a personal interest, if this was a charitable body for charitable purposes. E.g Freemasons who are members of the Grand Charity should declare an interest as appropriate, before or during council meetings. In addition if an individual lodge is one with charitable status or could be described as a body directed towards charitable purposes, then membership of that lodge would also need to be declared.

Under the Code of Conduct Members are also required to declare membership of groups whose political purpose includes the influence of public or opinion or policy, which could included freemasons, trade unions, or pressure groups.

Committee will need to consider the current Code of Conduct, the DPIs which are legally required to be disclosed on the Members’ Register of Interests, Other Interests which are disclosed at meetings and determine if membership of a “secret society”, private club or society, charity or trade union should continue to be would be disclosed in accordance with the existing mechanisms, or whether something more specific, such as prior registration on a revised Members’ Register of Interests form should be required to ensure that the Members are open and transparent in conducting themselves.

**Corporate Plan:**

Consideration of this topic contributes towards our commitment to:

- Place and Communities
- Organisational Improvement

The Council will strive to ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

**Legal:**

Under the Localism Act 2011, the Council is required to promote and maintain high standards of conduct by Members and Co-opted Members of the Authority. Failure to have and maintain high ethical standards can have significant reputational consequences.

**Finance:**

There are no financial implications arising from this report

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None

Housing Revenue Account – Capital Programme	None
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**Human Resources / Equality and Diversity:**

It is a reasonable request for members to disclose membership of a secret society through an appropriate mechanism to ensure that the Members are open and transparent in conducting themselves.

**Other Implications:**

None

**Reason(s) for Urgency (if applicable):**

N/A

**Background Papers**

N/A

**Report Author and Contact Officer**

**REPORT AUTHOR AND CONTACT OFFICER**

**Vicky Dawson  
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# ROTHERHAM METROPOLITAN BOROUGH COUNCIL

## REGISTER OF MEMBERS' INTERESTS

Notification of Disclosable Pecuniary Interests  
Under Section 30 of the Localism Act 2011  
and of Personal Interests under the Council's Code of Conduct

Member's Name (Print)	
--------------------------	---

Please read through the notes carefully.

Tick either box 1 or box 2 to say whether you have any interests that you need to register.



	Tick	
Box 1	✓	I have no disclosable pecuniary interests or personal interests that I need to register under the Localism Act or the Council's Code of Conduct.
Box 2		I have interests to register under the Council's Code of Conduct. I have registered them below under the appropriate categories and I have written "none" under the categories that do not apply to me.

### Disclosable Pecuniary Interests

These interests include both your interests and those of:-

- your spouse or civil partner,
- a person with whom you are living as husband and wife, or
- a person with who you are living as if you are civil partners

and you are aware that that other person has the interest However in relation to declarations regarding sponsorship these only need to be made in relation to your own interests.

<b>1. Employment, office, trade, profession or vocation</b>  Any employment, office, trade, profession or vocation carried on for profit or gain	My interests	
	Interests of your spouse or partner	
<b>2. Sponsorship</b>  Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred by the member in carrying out duties as a member, or towards the election expenses of the member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(a).	My interests	

# ROTHERHAM METROPOLITAN BOROUGH COUNCIL

## REGISTER OF MEMBERS' INTERESTS

<p><b>3. Contracts</b></p> <p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant Council –</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>	My interests	
	Interests of your spouse or partner	
<p><b>4. Land</b></p> <p>Any beneficial interest in land which is within the area of the relevant Council.</p>	My interests	
	Interests of your spouse or partner	
<p><b>5. Licenses</b></p> <p>Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer</p>	My interests	
	Interests of your spouse or partner	
<p><b>6. Corporate tenancies</b></p> <p>Any tenancy where (to the member's knowledge) –</p> <p>(a) the landlord is the Council; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest</p>	My interests	
	Interests of your spouse or partner	
<p><b>7. Securities</b></p> <p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one</p>	My interests	

# ROTHERHAM METROPOLITAN BOROUGH COUNCIL

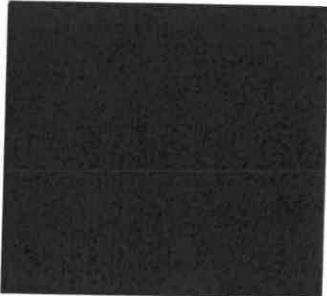
## REGISTER OF MEMBERS' INTERESTS

### Declaration

I understand that it is a breach of the Code of Conduct to fail to notify the Council's monitoring officer of any personal or disclosable pecuniary interest:-

- (a) within 28 days of becoming a member or co-opted member of the Council;
- (b) within 28 days of acquiring any new interest or becoming aware of any such interest;
- (c) within 28 days of any change to an interest that you have previously registered or
- (d) within 28 days of disclosing an interest at a meeting of the Council.

Signed:

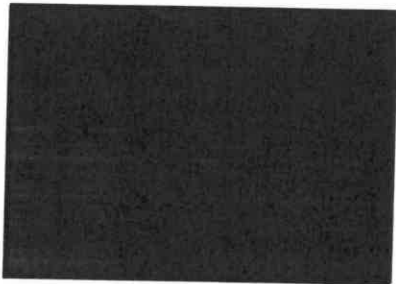


Printed:

Dated:

Received By:

Signed:



Printed:

Dated:

*Monitoring Officer of Rotherham Metropolitan Borough Council*

# ROTHERHAM METROPOLITAN BOROUGH COUNCIL

## REGISTER OF MEMBERS' INTERESTS

<p>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,</p> <p>the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>	<p>Interests of your spouse or partner</p>	
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### Personal Interests

These are your interests only

<p><b>8.</b> Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council.</p>	
<p><b>9.</b> Any body:-</p> <p><b>(a)</b> exercising functions of a public nature;</p> <p><b>(b)</b> directed to charitable purposes;</p> <p><b>(c)</b> one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union); or</p> <p><b>(d)</b> which is a private club or society, such as the Freemasons, a recreational club, working men's club or private investment club</p> <p>of which you are a member or in a position of general control or management.</p>	
<p><b>10.</b> Any person from whom you have received a gift or hospitality with an estimated value of at least £25.</p>	

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**  
**CODE OF CONDUCT FOR MEMBERS AND**  
**CO-OPTED MEMBERS**

**PART 1**

GENERAL PROVISIONS

Introduction and Interpretation

Scope

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**PART 2**

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Personal Interests

Disclosure of Personal Interests

Prejudicial Interest Generally

Prejudicial Interests Arising in Relation to Overview and Scrutiny Committees

Effect of Prejudicial Interests on Participation

**PART 3**

REGISTRATION OF MEMBERS' INTERESTS

Registration of Members' Interests

Sensitive Information

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**ANNEX 2**

The Equality Enactments

## APPENDIX 2 - CODE OF CONDUCT

### ROTHERHAM BOROUGH COUNCIL

#### CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS

##### PART 1

##### General Provisions

##### Introduction and interpretation

1. (1) This Code applies to you as a member of Rotherham Borough Council ("the Council").
- (2) You should read this Code together with the general principles prescribed by the Secretary of State, which are set out at Annex 1 to this Code.
- (3) It is your responsibility to comply with the provisions of this Code.
- (4) In this Code:-

"meeting" means any meeting of—

- (a) the Council;
- (b) the executive of the Council;
- (c) any of the Council's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member and an appointed member of the Council.

##### Scope

2. (1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you:-
  - (a) conduct the business of the Council (which, in this Code, includes the business of the office to which you are elected or appointed); or
  - (b) act, claim to act or give the impression you are acting as a representative of the Council,and references to your official capacity are construed accordingly.
- (2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.

## APPENDIX 2 - CODE OF CONDUCT

- (3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3 (2) (c), 5 and 6 (a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- (4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).
- (5) Where you act as a representative of the Council:-
  - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
  - (b) on any other body, you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

### General obligations

3. (1) You must treat others with respect.
- (2) You must not:-
  - (a) do anything which may cause the Council to breach any of the equality enactments (as defined in Section 33 of the Equality Act 2006 and set out in Annex 2 hereto);
  - (b) bully any person;
  - (c) intimidate or attempt to intimidate any person who is or is likely to be:-
    - (i) a complainant,
    - (ii) a witness, or
    - (iii) involved in the administration of any investigation or proceedings,  
  
in relation to an allegation that a member (including yourself) has failed to comply with this Code or any other relevant authority's code of conduct for members; or
  - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

## APPENDIX 2 - CODE OF CONDUCT

### 4. You must not:-

- (a) 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 advice provided that the third party agrees not to disclose the information to any other person; or
  - (iv) the disclosure is:-
    - (aa) reasonable and in the public interest; and
    - (bb) made in good faith and in compliance with the reasonable requirements of the Council; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

### 5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

### 6. You:-

- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
- (b) must, when using or authorising the use by others of the resources of the Council:-
  - (i) act in accordance with the Council's reasonable requirements;
  - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

### 7. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by the Council's:-

- (a) chief finance officer (the Strategic Director of Finance); or



## APPENDIX 2 - CODE OF CONDUCT

(b) monitoring officer (the Assistant Chief Executive (Legal and Democratic Services)),

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

**PART 2**

**Interests**

**Personal interests**

8. (1) You have a personal interest in any business of the Council where either:-

(a) it relates to or is likely to affect:-

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;

(ii) any body:-

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

(dd) which is a private club or society, such as the Freemasons, a recreational club, working men's club or private investment club,

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than the Council, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in the Council's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

## APPENDIX 2 - CODE OF CONDUCT

- (vii) any contract for goods, services or works made between the Council and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
  - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25,
  - (ix) any land in the Council's area in which you have a beneficial interest;
  - (x) any land where the landlord is the Council and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
  - (xi) any land in the Council's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person (see paragraph 8 (2) for definition of "relevant person") to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision.
- (2) In sub-paragraph (1) (b), a relevant person is:-
- (a) a member of your family or any person with whom you have a close association; or
  - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
  - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
  - (d) any body of a type described in sub-paragraph (1) (a) (i) or (ii).

### Disclosure of personal interests

9. (1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of the Council and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the

## APPENDIX 2 - CODE OF CONDUCT

commencement of that consideration, or when the interest becomes apparent.

- (2) Where you have a personal interest in any business of the Council which relates to or is likely to affect a person described in paragraph 8 (1) (a) (i) or 8 (1) (a) (ii) (aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii) (i.e. a gift or hospitality of at least £25), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.
- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in the Council's Register of Members' Interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12 (1) (b), where you have a personal interest in any business of the Council and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

### **Prejudicial interest generally**

10. (1) Subject to sub-paragraph (2), where you have a personal interest in any business of the Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business:-
  - (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
  - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or

## APPENDIX 2 - CODE OF CONDUCT

- (c) relates to the functions of the Council in respect of:-
  - (i) housing, where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease;
  - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
  - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
  - (iv) an allowance, payment or indemnity given to members;
  - (v) any ceremonial honour given to members; and
  - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

### **Prejudicial interests arising in relation to overview and scrutiny committees**

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of the Council (or of a sub-committee of such a committee) where:-
- (a) that business relates to a decision made (whether implemented or not) or action taken by the Council's executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

### **Effect of prejudicial interests on participation**

12. (1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of the Council:-
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held:—
    - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

## APPENDIX 2 - CODE OF CONDUCT

- (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from the Council's Standards Committee;

- (b) you must not exercise executive functions in relation to that business; and
- (c) you must not seek improperly to influence a decision about that business.

- (2) Where you have a prejudicial interest in any business of the Council, you may attend a meeting (including a meeting of the overview and scrutiny committee of the Council or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

**PART 3**

**Registration of Members' Interests**

**Registration of Members' Interests**

13. (1) Subject to paragraph 14, you must, within 28 days of:-

- (a) this Code being adopted by the Council; or
- (b) your election or appointment to office (where that is later),

register in the Council's Register of Members' Interests (maintained under section 81 (1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8 (1) (a), by providing written notification to the Council's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to the Council's monitoring officer.

**Sensitive information**

14. (1) Where you consider that the information relating to any of your personal interests is sensitive information (as defined by paragraph 14 (3)), and the Council's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify the Council's monitoring officer asking that the information be included in the Council's Register of Members' Interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

**ANNEX 1**

**The Ten General Principles**

**Paragraph 1 (2)**

**Selflessness**

1. Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

**Honesty and integrity**

2. Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

**Objectivity**

3. Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

**Accountability**

4. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

**Openness**

5. Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

**Personal judgement**

6. Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

**Respect for others**

7. Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.



## APPENDIX 2 - CODE OF CONDUCT

### **Duty to uphold the law**

8. Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them

### **Stewardship**

9. Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

### **Leadership**

10. Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

## APPENDIX 2 - CODE OF CONDUCT

### ANNEX 2

#### The Equality Enactments

#### Paragraph 3 (2) (a)

The equality enactments are defined in the Equality Act 2006 as: -

- the Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976 race
- the Disability Discrimination Act 1995
- Part 2 of the Equality Act 2006 (discrimination on grounds of religion or belief)
- Regulations under Part 3 of the 2006 Act (discrimination on grounds of sexual orientation)
- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Religion or Belief) Regulations 2003
- the Employment Equality (Age) Regulations 2006



**LOCALISM ACT 2011**

**MANCHESTER CITY COUNCIL'S  
CODE OF CONDUCT FOR MEMBERS**

**REGISTER OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS (IN  
ACCORDANCE WITH SECTIONS 30 AND 31 OF THE LOCALISM ACT 2011 AND THE  
RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS)  
REGULATIONS 2012 (S.I. 2012 No. 1464)), AND MEMBERS' PERSONAL INTERESTS  
IN ACCORDANCE WITH PARAGRAPH 11.2 OF MANCHESTER CITY COUNCIL'S  
CODE OF CONDUCT FOR MEMBERS**

I, [REDACTED], being a Member of Manchester City Council give notice that I have set out at PART 1 below under the appropriate heading the disclosable personal interests that I am required to notify to the Council's Monitoring Officer in accordance with Sections 30 and 31 of the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and/or by virtue of Rule 29 of Manchester City Council's Procedure Rules and that I have set out at PART 2 below the personal interests which I am required to notify to the Council's Monitoring Officer under Paragraphs 11.1 and 11.2 of the Code of Conduct for Members adopted by Manchester City Council at its meeting on the 11 July 2012 and have put 'NONE' where I am not required to notify any disclosable personal interests or personal interests under any heading.

I am aware that in accordance with Section 30(3) of the Localism Act 2011, I am required to notify at PART 1 both my own disclosable personal interests and also any disclosable personal interests of

- (i) my spouse or civil partner,
- (ii) a person with whom I am living as husband and wife, or
- (iii) a person with whom I am living as if we were civil partners

("my Partner"), where I am aware that my Partner has the disclosable personal interest.

## PART 1

### DISCLOSABLE PECUNIARY INTERESTS

1. ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED ON FOR PROFIT OR GAIN.

Member	Partner
<div style="background-color: black; width: 100%; height: 40px; margin-bottom: 10px;"></div>	<div style="background-color: black; width: 100%; height: 40px; margin-bottom: 10px;"></div>

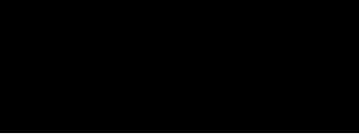
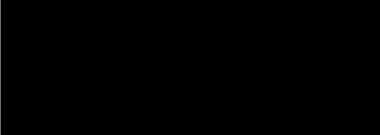
*NB: You need to include details of any employment or business in which you or your Partner are engaged. Employees should give the name of their employer. You should give the name of any company of which you or your Partner are a partner or remunerated director. Where you or your Partner hold an office, give the name of the person of the body which appointed you or your Partner (in the case of a teacher in a maintained school – the local education authority; in the case of an aided school – the school's governing body)*

2. SPONSORSHIP

<div style="background-color: black; width: 100%; height: 50px; margin-bottom: 10px;"></div>
--

*NB You must declare any payment or provision of any other financial benefit (other than from Manchester City Council) made or provided to you in respect of any expenses incurred by you in carrying out your duties as a councillor, or towards your election expenses, within the period of 12 months ending with the day on which you give your notification to the Council's Monitoring Officer for the purposes of Section 30(1) of the Localism Act 2011 and/or by virtue of Rule 29 of Manchester City Council's Procedure Rules. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.*

### 3. CONTRACTS WITH THE COUNCIL

Member	Partner
	

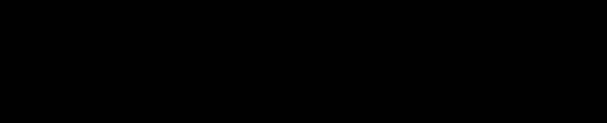

**NB** You should describe all contracts of which you are aware, which are made between the Council and

- (i) either yourself or your Partner or
- (ii) a body in which you or your Partner have a beneficial interest (being a firm in which you or your Partner is a partner, or a body corporate of which you or your Partner is a director, or in the securities of which you or your partner have a beneficial interest),

which are not fully discharged and which are contracts under which goods or services are to be provided or works are to be executed.

Please note that the reference to "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.

### 4. LAND IN THE AREA OF THE CITY COUNCIL

Member	Partner
	

You should include any land (including houses, buildings or parts of buildings and any interests as mortgagee) within the City's boundaries in which you or your Partner, either alone or jointly, have a proprietary interest for your or your Partner's benefit. You should give the address or brief description to identify it. **If you live in Manchester you should include your home under this heading** either as owner, lessee or tenant. You should also include any property from which you or your Partner receive rent, or of which you or your Partner are the mortgagee.

**5. LICENCES TO OCCUPY LAND**

Member	Partner
<div style="background-color: black; width: 150px; height: 40px; margin: 20px auto;"></div>	<div style="background-color: black; width: 150px; height: 40px; margin: 20px auto;"></div>

*NB You should include any land (including buildings or parts of buildings) within the city's boundaries which you or your Partner have a right to occupy for 28 days or longer (either alone or jointly with others). You should give the address or a brief description to identify it.*

**6. CORPORATE TENANCIES**

Member	Partner
<div style="background-color: black; width: 150px; height: 30px; margin: 20px auto;"></div>	<div style="background-color: black; width: 100px; height: 30px; margin: 20px auto;"></div>

*[NB You should list here any tenancies of properties of which you are aware, where the landlord is the City Council and the tenant is a body in which you or your Partner have a beneficial interest (being a firm in which you or your Partner is a partner, or a body corporate of which you or your Partner is a director, or in the securities of which you or your partner have a beneficial interest).*

*Please note that the reference to "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.*

**PART 2**

**PERSONAL INTERESTS**

**1. BODIES TO WHICH YOU ARE APPOINTED OR NOMINATED BY THE COUNCIL**

**NB** You should record here details of your **position of general control or management**, in any –

- *Body to which you have been appointed or nominated by Manchester City Council as its representative.*



**2. INTERESTS IN CHARITIES, SOCIETIES AND OTHER BODIES**

**NB** You should record here details of your **position of general control or management**, in any –

- *Public authority or body exercising functions of a public nature;*
- *Company, industrial and provident society, charity, or body directed to charitable purposes. (Freemasons should include here membership of the Masonic Grand Charity)*
- *Body whose principal purposes include the influence of public policy, including party associations, trade union or professional association.*

**3. GIFTS AND HOSPITALITY**

## 7. SECURITIES

Member	Partner
	

**NB** You should list here any beneficial interest of you or your Partner in securities of a body where –

- (a) that body (to your knowledge) has a place of business or land within the City's boundaries; and
- (b) either –
  - (i) the total nominal value of the securities held by you or your Partner 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 you or your Partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Please note that the reference to "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



## DERBYSHIRE COUNTY COUNCIL

### Code of Conduct for Members

#### Introduction

The public is entitled to expect the highest standards of conduct from all Members of the County Council.

The Code sets out the standards of service that are expected from Members of the Council (including Co-opted Members). In particular, Members should act in an open and transparent manner and should not do anything which would prejudice the reputation of the Council.

It is important for Members to understand their position as regards standards of conduct, and if in any doubt they should seek guidance. This is because, in some circumstances, a breach of the Code could be a criminal offence and because any person could make a complaint to the Council if they believe a Member has breached the Code.

This Code is adopted in accordance with the Localism Act 2011.

#### 1. Application and Scope

- (1) This Code of Conduct applies to you whenever you are acting in your capacity as a Member of Derbyshire County Council, including:-
  - (i) at formal meetings of the Council, its Committees and Sub-Committees, its Cabinet and Cabinet Committees
  - (ii) when acting as a representative of the Council
  - (iii) in taking any decision as a Cabinet Member or a Councillor
  - (iv) in discharging your functions as a Councillor
  - (v) at briefing meetings with officers and
  - (vi) at site visits
- (2) This Code does not have effect in relation to your conduct other than where it is in your official capacity.

## 2. Principles

In your capacity as a Member, you must act in accordance with the Council's Code of Conduct which is consistent with the following principles specified in the Localism Act 2011:-

- (1) **SELFLESSNESS:** Holders of public office should act solely in the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or friends.
- (2) **INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- (3) **OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- (4) **ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- (5) **OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- (6) **HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interests.
- (7) **LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example

## 3. Obligations

As a Member of Derbyshire County Council, your conduct should, in particular, address the statutory principles in the Code of Conduct by:-

- (1) Championing the needs of residents, including the whole community and, in a special way, your constituents, including those who did not vote for you, and putting their interests first.
- (2) Dealing with representations or enquiries from residents, members of the community and visitors fairly, appropriately and impartially.

- (3) Not allowing other pressures, including the financial interests of yourself or others connected to you, to deter you from pursuing constituents' case work, the interests of Derbyshire County Council or the good governance of Derbyshire County Council in a proper manner.
- (4) Exercising independent judgement and not compromising your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties as a Member of Derbyshire County Council.
- (5) Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- (6) Being accountable for your decisions and co-operating when scrutinised internally and externally, including by local residents.
- (7) Contributing to making Derbyshire County Council's decision making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding you and other Members to account, but restricting access to information when the wider public interest or the law requires it.
- (8) Respecting the confidentiality of information which you receive as a member by:
  - (i) not disclosing confidential information to third parties unless required by law to do so or where there is a clear and overriding public interest in doing so; and
  - (ii) not obstructing third parties' legal rights of access to information
- (9) Behaving in accordance with all of Derbyshire County Council's legal obligations, with particular regard to:
  - (i) the Data Protection Act 1998
  - (ii) the Freedom of Information Act 2000
  - (iii) the Bribery Act 2010
  - (iv) the Equality Act 2010
- (10) Having regard to the principles of Derbyshire County Council's policies, protocols and procedures, including those relating to the use of Derbyshire County Council's resources (which must not be used improperly for political purposes including party political purposes).
- (11) Valuing other Members and officers and engaging with them in an appropriate manner and in a manner which underpins the mutual respect between individuals

that is essential to good local government and respecting and not bullying any person.

- (12) Always treating people with respect, including the organisations and public you engage with and those you work alongside.
- (13) Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within the Council.

#### 4. Interests

The Localism Act provides for registration and disclosure of interests and in Derbyshire County Council, this will be done as follows:

##### (1) Disclosable Pecuniary Interests

- (a) You must comply with the statutory requirements to **register**, and **disclose at meetings** a Disclosable Pecuniary Interest as defined in Appendix A. You must not deal with any matters in which you have a Disclosable Pecuniary Interest and you must **withdraw from any meeting room** where it is being discussed unless you have been granted a dispensation<sup>1</sup> to enable you to take part in the discussion of, and/or vote on, that item.
- (b) You have a Disclosable Pecuniary Interest in any business of the Council where it is a pecuniary interest of yours or of:-
  - (i) your spouse or civil partner;
  - (ii) a person with whom you are living as husband or wife; or
  - (iii) a person with who you are living as civil partnersand you are aware that that other person has that interest.

##### (2) Personal Interests

- (a) In addition to the requirements of paragraph 4(1) (a) regarding Disclosable Pecuniary Interests, you must **register** and **disclose at meetings** any interest in any business of the Council where either it relates to or is likely to affect:-
  - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;

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<sup>1</sup> NB In certain circumstances, the Standards Committee has the power to grant a dispensation to allow a Member to participate in any discussion, or vote on any matter notwithstanding that he or she has a Disclosable Pecuniary Interest in that matter. Applications for dispensations should be submitted in writing to the Monitoring Officer.

(ii) any body :

(aa) exercising functions of a public nature

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a governing member or in a position of general control or management;

(iii) any trade union of which you are a member and membership of pressure groups, the Freemasons or other influential bodies of which you are a member.

and that interest is not a Disclosable Pecuniary Interest.

### (3) Other Interests

(a) In addition to the requirements of paragraphs 4(1) and 4(2) above; if you attend a meeting at which any item of business is to be considered and you are aware that you have an interest in that item, 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.

(b) You have an interest in an item of business of the Council where

(i) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person 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 Council's administrative area; or

(ii) it relates to or is likely to affect any of the interests listed in the Table in Appendix A to this Code, but in respect of a member of your family or a person with whom you have a close association (other than a "relevant person") and you are aware that that other person has that interest

and that interest is not a Disclosable Pecuniary Interest or a Personal Interest as described in paragraphs 4(1) and 4(2) above.

#### **(4) Registration of Interests**

(a) You must, within 28 days of:-

- (i) this Code being adopted by the Council, or
- (ii) your election or appointment to office

notify the Monitoring Officer in writing of any Disclosable Pecuniary or Personal Interest described in paragraphs 4(1) and 4(2) above.

(b) You must ensure that the Register of Interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your registrable interests described in paragraphs 4(1) or 4(2), above.

(c) Following any declaration of a Disclosable Pecuniary Interest or a Personal Interest made in accordance with paragraph 4(1) and 4 (2), above which has not been entered in the Register of Interests you must notify the Monitoring Officer of the interest within 28 days of the declaration.

#### **5. Sensitive Interests**

- (1) Where you are concerned that the disclosure of an interest would lead to you or a person connected with you being subject to violence or intimidation, you may request the Monitoring Officer to agree that the interest is a sensitive interest.
- (2) If the Monitoring Officer agrees, then you merely have to disclose the existence of the interest rather than the detail of it at a meeting and the Monitoring Officer can exclude the detail of the interest from the Council's publicly available version of the Register.
- (3) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded is no longer a sensitive interest, notify the Monitoring Officer in writing.
- (4) In this Code, "sensitive information" means information the availability of which for inspection by the public creates, or is likely to create, serious risk that you or a person connected with you may be subjected to violence or intimidation.

#### **6. Gifts and Hospitality**

- (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 Council. You may register gifts of lower value if you consider this to be appropriate.

(2) The Monitoring Officer will place your notification on a public Register of Gifts and Hospitality.





<b>Report To:</b>	STANDARDS AND PERSONNEL APPEALS COMMITTEE	<b>Date:</b>	12 DECEMBER 2016
<b>Heading:</b>	DRAFT MEMBER DEVELOPMENT STRATEGY		
<b>Portfolio Holder:</b>			
<b>Ward/s:</b>	NONE		
<b>Key Decision:</b>	NO		
<b>Subject To Call-In:</b>	NO		

## **Purpose Of Report**

The Member Development Strategy sets out a commitment from Ashfield District Council regarding training and development for Elected Members. It aims to provide guidance on how members will be supported and provided with learning and development opportunities to develop their skills and knowledge necessary to undertake their roles as community leaders and representatives of the Council.

The draft Strategy was first discussed by Members on 10 October 2016. Following this discussion there has been further discussions with the Principal Learning & Development Adviser for Ashfield and Mansfield District Council's to help develop some of the suggestions. In addition the issue of training budget thresholds has also been discussed at the Cross Party Update Meeting, whereby it was agreed that the process for Member training should not use budget thresholds as a determinate for accessing individual courses or training.

The updated draft attached as Appendix A contains additional pro formas for identifying Member training and development needs, and post course evaluation. Furthermore the Strategy now includes an additional emphasis on e-learning as a possible tool for Members.

Furthermore, following the approval of the Independent Remuneration Panel's recommendations to Council on the 21 July 2016, the mandatory element of Member training will form part of the performance considerations effective from May 2017.

## **Recommendation(s)**

Members of the Committee are asked to;

- Consider the information contained in this report
- Approve the draft Strategy attached as Appendix A, inclusive of the pro formas for pre and post training and the Annual Training Needs Survey.
- Recommend to Council for approval.

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## **Reasons For Recommendation(s)**

Member development is important because it progresses the work of the Authority in a number of ways; it helps to increase and enrich members' skills and knowledge; it helps to build a cohesive group of people who understand what it means to be a member; it ensures we focus our resources and make the best use of members' time.

## **Alternative Options Considered (With Reasons Why Not Adopted)**

The draft Member Development Strategy is for discussion only. Any alternative options or actions suggested will be considered as part of the wider development of a Strategy before approval.

## **Detailed Information**

### **Background**

Local Authorities have an obligation to ensure that they support elected Members to provide and improve corporate governance, local democracy and local services. The Council recognises that members have a pivotal role in taking forward the modernisation agenda and that its success will depend on elected members having the capacity to provide the best possible service to their residents.

All members whether newly elected or experienced will benefit from the opportunities available for specific learning and continuing development in order to fully appreciate and contribute to the dynamic service delivery agenda and to update and refresh the skills and knowledge required.

All members need to understand the scope and scale of the role in order to be able to identify the personal development needs that will enable them to fulfil the ever increasing individual and political demands.

### **The Different Roles of Members**

There is considerable overlap in the skills, knowledge and behaviours required of all Elected Members in their different roles. It is therefore helpful to identify at this stage the different roles that elected members have and for which they need to be equipped.

- **As members of Council**

Providing collective co-ordinated strategic direction to the policy framework of the Council including budgeting to meet strategic priorities.

- **As Cabinet Members**

Having a comprehensive understanding and knowledge of particular portfolios they hold as Executive Members and providing strategic direction within that portfolio.

Providing collective leadership and direction as Cabinet members and ensuring a coordinated approach to policy and strategy development across the Council and with our partners.

- **As Overview and Scrutiny members**

Providing constructive challenge as members of Overview and Scrutiny Committees to the strategic and policy development of the Council and its service performance to support the Council in delivering its strategic objectives.

- **As members of Regulatory Committees**

Carrying out the regulatory functions of the Council in a fair and proper manner, consistent with legal obligations.

- **As Opposition Members**

Providing constructive challenge as opposition Members to the strategic and policy development of the Council and its service performance to support the Council in delivering its strategic objectives.

Improving identification and assessment of training requirements will provide additional governance to the democratic process and ensure that Elected Members gain the necessary skills to carry out their role effectively.

### **Implications**

#### **Corporate Plan:**

This Corporate Plan 2016 -2019 identify a clear commitment to Councillors, stating;

- We value the democratic role that Councillors have in representing the people of Ashfield;
- The Council recognises that the role of a Councillor is challenging and will support Councillors with training to help them deliver their roles;

#### **Legal:**

There are no legal implications contained within this report.

#### **Finance:**

The cost of training identified is to be met from the existing Training & Development budget for members of £10,000.

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	None
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

## **Human Resources / Equality and Diversity:**

Ongoing work will be undertaken with Human Resources regarding the development of a Strategy to ensure that it meets the needs of all Members in carrying out their role.

Member learning and development activities are open for all Members to attend and it is intended that all such activities should be equally accessible and conform to the Council's equal opportunities policy and practice.

In recognition of the varying development needs and preferred learning styles, the member development programme will include a range of delivery methods including workshops, presentations, written resources, and e-learning. In considering the development and approval of a Member Development Strategy, an Equality Impact Assessment will need to be undertaken.

## **Other Implications:**

None

## **Reason(s) for Urgency (if applicable):**

None

## **Background Papers**

Corporate Plan  
Ashfield and Mansfield Economic Masterplan

## **Report Author and Contact Officer**

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**Rob Mitchell**  
**CHIEF EXECUTIVE**

## Appendix A

### Draft Member Development Strategy for Discussion

#### Introduction

Ashfield District Council recognise that to succeed in delivering high quality, cost effective services to the people of Ashfield, it needs well motivated, proactive Councillors with the skills and expertise to drive forward the Council's agenda.

Continuous member development is key to achieving this as all Councillors have a responsibility to learn new skills in line with the ongoing changes in local government. The overarching aim of the strategy is, therefore, to ensure that there is support for all members to enable them to acquire sufficient knowledge and a full range of skills to maximise their ability and capacity.

Arising from this overarching aim the Council has identified the following principles that will underpin how member development is delivered.

- Members will be offered opportunities to acquire the knowledge, skills and expertise they need to perform their roles effectively.
- Members will be encouraged to take responsibility for and actively seek opportunities for their own learning and development.
- Training and development applies to all members, even those that have been members for some time and feel that there is nothing new to learn.
- Members who take advantage of the opportunities available will be actively encouraged and supported.

This strategy sets out how the overarching aim will be achieved using these principles as the basis for doing so, for example in how access to learning will be ensured.

#### Strategic Context

This Corporate Plan 2016 -2019 sets out an ambitious programme for the Council over the next three years. It identifies our purpose as;

- The Council exists to serve the communities and residents of Ashfield;
- We will provide good quality, value for money services;
- We will act strategically and plan for the future.

The Values identify a clear commitment to Councillors, stating;

- We value the democratic role that Councillors have in representing the people of Ashfield;
- The Council recognises that the role of a Councillor is challenging and will support Councillors with training to help them deliver their roles;
- The Council will ensure that there is good governance in our democratic processes;
- The Council will keep Councillors of all political parties updated on key issues.

## Aim of the Strategy

This Strategy is designed to provide an overall framework for member development that reflects best practice and achieves the following objectives:

- Provide a range of learning opportunities linked to skills required by Councillors for them to carry out their varied duties;
- Support and enhance the skills of all Elected Members through learning and development;
- Provide equality of opportunity and access to training and development for all Councillors;
- Encourage all members to take advantage of the learning and development opportunities available;
- Ensure that all newly elected members are properly inducted into the Council;
- Raise the profile of Ashfield by ensuring each member has access to training and development which will improve the quality of their role and the service they give to the public;
- Provide training and development at different times and in different ways to suit the diverse needs of Councillors;
- Contribute to the Council's corporate priorities through learning and development.

## Roles of Elected Members

Councillors have personal, individual and collective responsibilities for their council's activities. In addition, as members of political groups or as independents, Councillors will express political values and support the policies of the group to which they belong.

Councillors who are Committee/Panel Chairs or Portfolio Holders have more specialised roles in promoting particular policies, representing the council while at the same time working with other agencies to tackle issues. Members roles include;

### Representing the ward

The primary role of a member is to represent their ward and the people who live in it. They also have a responsibility to communicate Council policy and decisions to people in the ward.

### Decision-making

Members have a central part to play in making decisions that impact on their ward and across the whole area covered by the Council. They will be involved in decision-making through:

- Council

- Cabinet (Cabinet Members only)
- Regulatory committees such as Planning or Licensing
- Sitting on boards and other groups as appointed to outside bodies

## **Policy and strategy development and review**

Members influence and determine the development and review of the Council's policies and strategies. They also monitor the Council's performance. They contribute to this through their:

- Role in Overview and Scrutiny
- Involvement in advisory groups and partnerships
- Interaction with Cabinet Members
- Role as a representative on local community groups
- Case work
- Membership of a political group.

## **Overview and Scrutiny**

The Overview and Scrutiny role of Members includes:

- Monitoring and reviewing policy formulation and implementation
- Policy development
- Quality review
- Scrutiny of external bodies and agencies
- Providing a check on the activities of the Cabinet through call-in powers

## **Regulatory Duties**

Local authorities also act as regulators within certain functions and Members may be appointed to special committees that carry out these functions, such as standards, planning and licensing committees. In these roles, members are required to act independently and are not subject to the party group whip. Regulatory committees require Members to undertake mandatory training to carry out the regulatory function of those committees.

Currently Members are required to undertake the following mandatory training;

- Planning
- Licensing (and its sub-committees)
- Standards and Personnel Appeals Committee (and its hearing sub-committee)
- Chief Officers sub committee
- Safeguarding
- Code of Conduct
- Ethical Governance
- Equalities and Diversity
- **Any other training that the Council deems as required**

## **Community Leadership and Engagement**

Community leadership is at the heart of modern local government and councils are taking on new responsibilities for working in partnership with other organisations, including the voluntary and community sector, to improve services and the quality of life of citizens.

## Identifying Member Development Requirements

The process for identifying Members' development needs and priorities will be Member-lead with officers bringing to Members' attention any training which is beneficial in carrying out their role. Learning and development priorities will also be assessed collectively in relation to the needs of specific committees and legislative and regulatory requirements.

Members will be asked to complete a Training Needs Survey each year to identify what learning and development activities they have found to be effective and to assess what priorities they have for learning and development in the next year. This will then be used to develop and deliver the Member Development Training Plan.

In identifying their priority learning and development needs, Members will be asked to consider outcomes they would like to achieve in relation to the requirements of the Council and achieving the Corporate Plan, personal aspirations and developing core skills.

## How will training be delivered?

Training will be delivered in a variety of forms, including in-house Member Seminars, briefings training at Committee / Panel meetings, E Learning, PowerPoint presentations and by sharing experiences with each other. Bespoke training will be provided by a mixture of internal Officers and external providers as and when necessary.

Additionally, Members can identify external training that may enhance their knowledge and improve their skills in carrying out their role. In these instances Members should notify the Democracy Manager of the training, including details of nature of the course, location and cost and complete Appendix C.

Members will be asked to complete a pre-course evaluation survey (attached as Appendix C) to assess relevance of the course and contribution it will make to enhancing Members skills to carry out their role.

## Resources and Support

The Democracy Manager will monitor the budget for Member training and development and evaluate whether it meets the objectives identified within this strategy for Member Development. The 2016/17 budget for Member training and development is £10,000. This incorporates internal, external courses and conferences and seminars.

Courses requiring expenditure must be booked by the Democratic Services Team and reported to the Democracy Manager. Member Development has dedicated support from the Democratic Services Team. It is the role of the Democracy Manager to coordinate the Member Development



Program, arrange facilitators, collate feedback and promote Member Development across the Council.

All councillors are aware of this support and are encouraged to contact the team should they wish to go on a course or look to develop an area of skills but are unsure as to how to go about it.

## **Delivering the Member Development Programme**

Member learning and development activities are open for all Members to attend and it is intended that all such activities should be equally accessible and conform to the Council's equal opportunities policy and practice.

In recognition of the varying development needs and preferred learning styles, the member development programme will include a range of delivery methods including workshops, presentations, written resources, and e-learning.

### **Timing of in-house Training**

Meeting arrangements are flexible in order to provide sessions to accommodate the needs of Members. When additional training or briefing sessions are organised, consideration will be given to the best time of day to schedule the meeting and Members will be consulted where appropriate.

### **Access to Information and Resources**

All presentations and other materials from development activities and briefing sessions will be made available to all members, including those who could not attend.

Information about up-coming events is provided in writing and by email. Flyers may also be placed in the Members Rooms.

### **Working in Partnership**

The Council will look to share training opportunities with its partners and other local councils such as parish and town councils, as appropriate.

### **External Courses**

Members' attendance on external training courses is supported where the course is relevant to the member's learning and development needs and is cost-effective. Details of courses and development opportunities will be circulated to all Members to ensure they are available on an equal basis.

Requests for external training will be determined by the Democracy Manager. Requests for training or development which have significant financial or policy implications will be submitted to the Assistant Chief Executive, Governance.

### **E-Learning**

The Council will endeavour to further develop the opportunities provided to Members for e-learning through ELA (Electronic Learning Ashfield).

## **Evaluation of Member Development**

All learning and development activities should be evaluated to provide information on effectiveness and value for money. Evaluation of learning and development activities will seek to assess the impact of the training in relation to achieving Members' priority training needs and the impact on the Council in achieving the aims of the Corporate Plan. Following the conclusion of events, Members will be asked to complete a feedback form, which will be issued by the Democracy Manager.

Where appropriate, follow-up feedback forms, giving Members an opportunity to reflect on how they have put the learning into practice, may be given to Members to complete a few months following a learning and development event, either on paper or electronically.

## **Other Member Development Support**

The Council recognises that effective member development includes support and opportunities in addition to training. The Council will, therefore, provide the following to Members;

- Advice and support within the Democratic Services Team
- Access to IT equipment, information, stationery and office space in the Members' Room / Group Rooms
- Access to relevant Council and other information electronically through the Members Digest

**Appendix B – Training Needs Survey**

**Note:** To be completed by Councillors annually and returned to the Democracy Manager.

<p><b>Position</b></p>	<p>Leader / Portfolio Holder / Chairman / Opposition / Scrutiny Member etc etc</p>
<p><b>Please identify which of the following training areas you would like to consider</b></p>	<ul style="list-style-type: none"> <li>• Chairing Skills</li> <li>• Public Speaking</li> <li>• Communications</li> <li>• Report writing</li> <li>• Leadership Skills</li> <li>• Local Government Finance</li> <li>• Effective Opposition</li> </ul>
<p><b>Please identify any other areas of Councillor Development that you would like to consider</b></p>	
<p><b>What is Your Preferred Training Method</b></p>	
<p><b>Please notify us if you have any additional requirements / needs / adjustments to enable you to access or undertake training.</b></p>	

## Appendix C – Pre-Course Evaluation Form

**Note:** To be completed by Councillor and returned to the Democracy Manager prior to the booking of any training / seminars / courses. This form is designed to help assess the added value of courses in carrying out your role as a Councillor for both constituents and the Council.

<b>Course &amp; Provider</b>	
<b>Cost Of Course</b>	
<b>Position</b>	Leader / Portfolio Holder / Chairman / Opposition / Scrutiny Member etc etc
<b>How will this course assist you in carrying out your Member role</b>	
<b>How does this course contribute to the Councils priorities</b>	

## Appendix D – Post Course Evaluation Form

**Note:** To be completed by Councillor and returned to the Democracy Manager after any external training course. This form is designed to help assess the added value of courses in carrying out your role as a Councillor for both constituents and the Council.

<b>Position</b>	Leader / Portfolio Holder / Chairman / Opposition / Scrutiny Member etc etc
<b>Training or Course Undertaken</b>	
<b>Who was it Delivered By</b>	
<b>Aim / Objective of Course</b>	
<b>Achievement of event aims and objectives</b>	1 – Poor 2 - Adequate 3 - Satisfactory 4 – Good 5 - Excellent
<b>Did this course / training assist you in carrying out your Member role</b>	
<b>Would you recommend this course / training to others?</b>	<b>Please Circle</b>  Yes  No

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# Agenda Item 7



<b>Report To:</b>	STANDARDS AND PERSONNEL APPEALS COMMITTEE	<b>Date:</b>	12 DECEMBER 2016
<b>Heading:</b>	QUARTERLY COMPLAINTS MONITORING REPORT		
<b>Portfolio Holder:</b>	N/A		
<b>Ward/s:</b>	N/A		
<b>Key Decision:</b>	NO		
<b>Subject To Call-In:</b>	NO		

## **Purpose Of Report**

This report provides an update in respect of Members' Code of Conduct complaints.

## **Recommendation(s)**

**The Committee is requested to note the updated position in respect of Members' Code of Conduct complaints as set out in the Appendix for the period commencing on 1 October 2016 to 2 December 2016.**

## **Reasons For Recommendation(s)**

To reflect good practice. To enable Members to monitor the volume and progress of complaints.

## **Alternative Options Considered (With Reasons Why Not Adopted)**

No alternative options are considered appropriate.

## **Detailed Information**

This report outlines in the Appendix the number of complaints of alleged Member misconduct which are outstanding and a summary overview of the status of ongoing complaints.

Complaint ADC2016-01 is now the subject of an investigation. The complaint will be investigated in house to avoid external costs.

No further information in relation to complaint ADC2016-02 has been received at the time of writing this report; the complainant has been given a deadline of 16 December 2016 to provide information after which the matter will be closed if not received.

One new complaint was received on 30 November relating to a Parish Councillor. Information is being gathered to enable an assessment to be made.

### **Implications**

#### **Corporate Plan:**

The Council will strive to ensure effective community leadership, through good governance, transparency. Accountability and appropriate behaviours.

#### **Legal:**

There are no legal implications associated with this monitoring report.

#### **Finance:**

This report is effective from 02/12/2016 and has the following financial implications:

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	The Authority incurs costs in investigating complaints of alleged Member misconduct, and these charges are borne by the General Fund.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

#### **Human Resources / Equality and Diversity:**

There are no HR or Equality and Diversity implications associated with this monitoring report.



**Other Implications:**

None.

**Reason(s) for Urgency (if applicable):**

N/A

**Background Papers**

N/A

**Report Author and Contact Officer**

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**Rob Mitchell**  
**CHIEF EXECUTIVE**

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## QUARTERLY UPDATE OF COMPLAINTS FROM 1 OCTOBER 2016 TO 2 DECEMBER 2016

REFERENCE	DATE COMPLAINT RECEIVED BY MONITORING OFFICER	COMPLAINANT TYPE	COMPLAINT ABOUT A DISTRICT OR PARISH COUNCILLOR	ALLEGED BREACH	LOCAL ASSESSMENT DECISION (MONITORING OFFICER IN CONSULTATION WITH INDEPENDENT PERSON)	DATE OF ASSESSMENT DECISION
ADC2016-01	6 April 2016	District Councillor	District Councillor	2.1 Respect 2.2 Contrary to high standards of conduct. 2.3 Bullying	Considered alternative options prior to assessment.  Assessed in consultation with the Independent Person. Referred for investigation.	2 December 2016
ADC2016-02	25 May 2016	District Councillor	District Councillor	2.1 Respect 2.2 Contrary to high standards of conduct. 2.3 Bullying	Considered alternative options prior to assessment.  Further information required before assessment can be made. If information not received by 16 December 2016 the complaint will be closed with no further action.	

ADC2016-03	30 November 2016	Parish Councillor	Parish Councillor	2.1 Respect 2.2 Contrary to high standards of conduct.	Information is being gathered to enable an assessment to be made.	
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