

**ASHFIELD DISTRICT COUNCIL**



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

## **Agenda**

# **Standards and Personnel Appeals Committee**

Date: **Wednesday, 7th December, 2022**

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Time: **7.00 pm**

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

For any further information please contact:

**Lynn Cain**

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01623 457317

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# Standards and Personnel Appeals Committee

## Membership

**Chairman:** Councillor Lee Waters

**Councillors:**

Chris Baron

Christian Chapman

Helen-Ann Smith

Jamie Bell

Warren Nuttall

Vacancy

## FILMING/AUDIO RECORDING NOTICE

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

## 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.



**Theresa Hodgkinson**  
**Chief Executive**

## **AGENDA**

## **Page**

- 1. To receive apologies for absence, if any.**
- 2. Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.**
- 3. To receive and approve as a correct record the minutes of the meeting of the Committee held on 29 June 2022.** 5 - 8
- 4. Review of Members' Social Media Policy.** 9 - 24
- 5. Member Induction Programme 2023.** 25 - 32
- 6. Quarterly Complaints and Gifts and Hospitality Monitoring.** 33 - 40

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# Agenda Item 3

## STANDARDS AND PERSONNEL APPEALS COMMITTEE

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

on Wednesday, 29th June, 2022 at 7.00 pm

**Present:** Councillor Lee Waters in the Chair;

Councillors Chris Baron, Christian Chapman and  
Warren Nuttall.

**Apologies for Absence:** Councillors Jim Blagden, David Hennigan and  
Helen-Ann Smith.

**Officers Present:** Lynn Cain, Ruth Dennis, Mike Joy and  
Shane Wright.

**In Attendance:**

### **SP.1 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests**

No declarations of interest were made.

### **SP.2 Minutes**

RESOLVED

that the minutes of the meeting of the Committee held on 23 March 2022,  
be received and approved as a correct record.

### **SP.3 Standards and Personnel Committee Work Plan 2022/23**

The Director of Legal and Governance (and Monitoring Officer) presented the  
report and took Members through the proposed items for the Committee Work  
Plan for 2022/23.

RESOLVED

that the Standards and Personnel Appeals Committee Work Plan for 2022/23,  
as presented, be approved.

### **SP.4 Politically Restricted Posts**

The Director of Legal and Governance (and Monitoring Officer) presented the  
item and reminded Members that following an initial report to Committee  
regarding the original list of politically restricted posts including consultation  
with the Trade Unions and Corporate Leadership Team, some queries had  
been raised by the Trade Unions regarding some officer posts included on the  
'politically sensitive' list.

Having further amended the revised list of politically restricted posts, the Trade  
Unions were consulted again. Notification was subsequently given that the

Trade Unions were happy with the changes and thanked officers for taking on board their proposals.

RESOLVED that

- a) the outcome of the consultation with Trade Unions and Corporate Leadership Team regarding the revised list of politically restricted posts, be noted;
- b) the updated list of politically restricted posts as set out in Appendix 1 to the report, be approved and adopted.

#### **SP.5 Committee on Standards in Public Life - Update**

The Director of Legal and Governance (and Monitoring Officer) presented the item and reminded the Committee that they had already received numerous reports in relation to the CSPL's report over the last three years, which had culminated in many of the agreed recommendations already being considered, approved and implemented as required.

The response from Government to the CSPL's report had been mixed but one positive was their intention to take a further look at the possibility of removing the requirement for Members to include their home addresses on their Register of Interest declaration forms, in the interests of personal safety concerns raised nationally.

Having taken Members through the recommendations as listed, it was acknowledged that some recommendations were still in progress which included updating the Council's Member complaints process and extending the accessibility of the Code of Conduct etc.

RESOLVED that

- a) the Government's response to the recommendations of the Committee on Standards in Public Life (CSPL) in its report relating to Local Government Ethical Standards, be noted;
- b) the work undertaken by the Committee regarding implementation of the Best Practice Recommendations of the CSPL as outlined in the report, be also noted.

#### **SP.6 Member Development and Training**

The Service Manager, Scrutiny and Democratic Services presented the report and outlined the Council's mandatory training requirements for Members including further details on development training which could be useful to Members during the next 12 months and post District Elections in May 2023.

Committee were advised that Training Needs Questionnaires in relation to Members' individual requirements would be circulated within the next few weeks. Members were also asked to be considering any preferred formats for delivery on the Member Induction Training Programme following the District Elections next year.

Members debated the issue and made suggestions regarding the implementation of buddy systems for new councillors, the capture of training sessions to video to share afterwards and the benefits of a general 'what Councillors do' session. The Director of Legal and Governance (and Monitoring Officer) suggested that a workshop session might be helpful to work through some of the ideas.

RESOLVED

that the report, be received and noted.

**SP.7 Quarterly Complaints and Gifts and Hospitality Monitoring**

The Service Manager, Scrutiny and Democratic Services presented the report and advised Members that officers were working hard to endeavour to catch up on the backlog of Member complaints following the pandemic and recent staff changes.

RESOLVED that

- a) the number of Member complaints received during 2021/22 to date including all outstanding complaints, as presented, be duly noted;
- b) the one declaration of Member gifts and hospitality reported as of 20 June 2022, be also noted.

The meeting closed at 8.15 pm

Chairman.

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<b>Report To:</b>	<b>STANDARDS AND PERSONNEL APPEALS COMMITTEE</b>
<b>Date:</b>	<b>7 DECEMBER 2022</b>
<b>Heading:</b>	<b>REVIEW OF MEMBERS' SOCIAL MEDIA POLICY</b>
<b>Executive Lead Member:</b>	<b>NOT APPLICABLE</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

### **Purpose of Report**

The purpose of this report is to present Members with introductory information to begin the review of the Members' Social Media Policy. The Council's current Members' Social Media Policy is appended to this report as Appendix A.

### **Recommendation(s)**

Members of the Standards and Personnel Appeals Committee are recommended to:

- Note the information contained within this report
- Consider any proposed changes needed within the existing Members' Social Media Policy appended as Appendix A

### **Reasons for Recommendation(s)**

Review of the Members' Social Media Policy is included on the Standards and Personnel Appeals Committee workplan 2022/2023.

### **Alternative Options Considered**

No alternative options have been considered at the introductory stage of the Review of Members' Social Media Policy.

## **Detailed Information**

### **CURRENT MEMBERS' SOCIAL MEDIA POLICY**

The existing Policy was developed as part of the Standards and Personnel Appeals Committee workplan 2017/2018. It was added to the then workplan for review in light of a significant number of complaints being made about Members' use of social media.

At a working group held in late 2017, Members considered a range of social media policies from other local authorities. At the time, Members felt that the Members' Social Media Policy should be reworked to make it clearer that a member is responsible for the content of all posts on their social media accounts, and they are responsible for deleting inappropriate content even if it has been written and sent by other people.

The Standards and Personnel Appeals Committee recommended the current version of the Members' Social Media Policy to Council at the Annual Meeting held in May 2018, and the Policy was subsequently adopted.

**The current version of the Members' Social Media Policy is appended to this report as Appendix A.**

### **LOCAL GOVERNMENT ASSOCIATION – SOCIAL MEDIA GUIDANCE FOR COUNCILLORS**

The Local Government Association (LGA) have produced a series of guides to support councillors in using social media:

- *Overview of Social Media for Councillors*
- *Guide to the Role of Councillors on Social Media*
- *Guide to Creating Content for Social Media*
- *Guide to Tackling Online Abuse*
- *Guide to Creating Accessible Social Media Content*
- *Guide to using Facebook*
- *Guide to using Instagram*
- *Guide to using Twitter*
- *Guide to using YouTube*
- *Guide to using Nextdoor*

Full details of the all the LGA published guides can be found online [here](#).

The LGA state that effective communication is vital for councillors. Social media can play a key role in achieving this, provided it is used in the right way.

Social media can enable councillors to:

- Promote the work they are doing to a variety of audiences
- Engage with residents, businesses, and community groups
- Listen to conversations and issues going on in their local areas

*Overview of Social Media for Councillors* serves as an introduction for councillors on the use of social media, including an overview of how and why councillors should use it, their responsibilities, ways to stay safe, and approaches to handling negativity.

Information in the *Overview of Social Media for Councillors* guidance includes:

- Getting started on social media
  - Why should councillors use social media?
  - Communicating on social media
  - Prioritise what social media platform you use
- Staying safe and secure online
  - How to set yourself up to stay safe using social media
  - Steps you can take to separate your councillor role and family life online
- Your responsibilities as a councillor
  - The golden rule to follow
  - Understand what you can and can't post online, including legally
- How to deal with negativity and abuse online
  - Learn not to feed social media 'trolls'
  - LGA Digital Citizenship 'rules of engagement' infographics
  - Be confident to block or delete followers
  - Taking a break from social media

*Guide to the Role of Councillors on Social Media* explains how councillors can use social media to communicate with their local community and listen in on the conversations people are having. The guidance explores the role councillors can play on social media, how to engage in healthy debate, and what to consider when publishing or sharing.

Information in the *Guide to the Role of Councillors on Social Media* includes:

- Understanding the different roles that councillors can play on social media
  - Information-sharing from the council
  - Information-sharing with the community
  - Civic and ceremonial roles
  - The virtual doorstep
  - Having a measured response to online opinions
  - Considering party political dimensions for councillors on social media
- Engaging in healthy debate and tackling misinformation
  - Abiding by the golden rule
  - Encouraging positive, polite, and constructive debate
  - Remembering that your behaviour influences others
  - Using your voice to tackle misinformation and inaccuracy
- Considering the Code of Conduct while being active on social media
  - Is information already in the public domain?
  - Be aware of what you share
  - The Councillor Code of Conduct still applies

*Guide to Tackling Online Abuse* explores the growing problem of online abuse and attacks. Many councillors experience this sort of negativity on social media. It is important to know how to identify it and effectively deal with it.

Information in the *Guide to Tackling Online Abuse* includes:

- Types of abusive behaviour to look out for
- Using positive language and tone to shape engagement
- Techniques to handle online abuse
- Taking a break or coming off social media

In readiness for the Standards and Personnel Appeals Committee meeting, Members will have been sent a link to access all of the LGA social media guidance under separate cover, requesting them to consider the guidance and understand how it can aid development of the Members' Social Media Policy.

## **CODE OF CONDUCT**

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

- Face to face meetings
- Online or telephone meetings
- Written communication
- Verbal communication
- Non-verbal communication
- Electronic and social media communication, posts, statements, and comments

The Code does not have effect in relation to a councillor's conduct other than where it is in a councillor's official capacity. Official capacity includes when:

- A councillor is conducting business of the Authority
- A councillor is acting as a representative of the Authority
- A councillor's actions would give the impression to a reasonable member of the public with knowledge of all the facts that they are acting as a councillor or as a representative of the Authority

Breaches of the Members' Social Media Policy may lead to a breach of the Council's Members' Code of Conduct.

## **Implications**

### **Corporate Plan:**

The Council strives to ensure effective community leadership. This is achieved through good governance, transparency, accountability, and appropriate behaviours. All of these factor into the use of social media by Members.

### **Legal:**

There are no direct legal implications resulting from the recommendations within this report.  
[RLD 04/10/2022]

### **Finance:**

There are no direct financial implications resulting from the recommendations within this report.

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

**Risk:**

Risk	Mitigation
There could be a risk that the Council’s adopted Members’ Social Media Policy becomes outdated.	The Standards and Personnel Appeals Committee will undertake a Review of the Members’ Social Media Policy to ensure the documents remains up-to-date and fit for purpose.

**Human Resources:**

There are no direct HR implications resulting from the recommendations within this report. Any HR implications relating to the review of the Members’ Social Media Policy will be addressed as part of the review process.

**Environmental/Sustainability**

There are no direct environmental or sustainability implications resulting from the recommendations within this report.

**Equalities:**

There are no direct equalities implications resulting from the recommendations within this report.

**Other Implications:**

There are no other implications resulting from the recommendations within this report.

**Reason(s) for Urgency**

None.

**Reason(s) for Exemption**

None.

## **Background Papers**

None.

## **Report Author and Contact Officer**

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## **Social Media Policy for Councillors**

Version 3 – May 2018

## **Introduction**

Social media is the term used for online tools, websites and interactive media that enable users to interact with each other by sharing information, opinions, knowledge and interests. This policy and guidelines cover social media issues over the internet and by email, smart phones, social networking sites, blogging, and tweeting.

Social media increases our access to audiences and improves the accessibility of our communication. It enables us to be more active in our relationships with citizens, partners and stakeholders and encourages people to be involved in local decision making, enabling better engagement and feedback, ultimately helping to improve the services we provide.

For the purposes of this policy, the term 'social media' covers sites and applications including but not restricted to Facebook, Twitter, MySpace, Flickr, YouTube, LinkedIn, blogs, discussion forums, wikis and any sites which may emerge after the creation of this policy where Ashfield District Council could be represented via online participation.

Ashfield District Council acknowledges social media as a useful tool however, clear guidelines are needed for the use of social media sites to ensure they are used effectively as part of a wider communications mix and that their use does not expose the Council to security risks, reputational damage or breach the Data Protection Act.

## **Policy Statement**

This policy provides a structured approach to using social media and will ensure that it is effective, lawful and does not compromise Council information or computer systems/networks.

Users must ensure that they use social media sensibly and responsibly, in line with corporate policy. They must ensure that their use will not adversely affect the Council



or its business, nor be damaging to the Council's reputation and credibility or otherwise violate any Council policies.

## **Purpose**

This policy applies to councillors and co-opted members. It gives guidelines on how to use social media, sets out how we can effectively manage social media usage and indicates how any risks or pitfalls can be minimised or mitigated. The following risks have been identified with social media use (this is not an exhaustive list):

- Virus or other malware (malicious software) infection from infected sites.
- Disclosure of confidential information.
- Damage to the Council's reputation.
- Social engineering attacks (also known as 'phishing').
- Bullying or "trolling". An internet "troll" is a person who starts arguments or upsets people, by posting inflammatory or off-topic messages online with the deliberate intent of provoking readers into an emotional response or of otherwise disrupting normal discussion, often for their own amusement.
- Civil or criminal action relating to breaches of legislation.
- Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.
- Breach of the code of conduct for members through inappropriate use.

In light of these risks, the use of social media sites should be regulated to ensure that such use does not damage the Council, its employees, councillors, partners and the people it serves. As such this policy aims to ensure:

- A consistent and corporate approach is adopted and maintained in the use of social media.
- Council information remains secure and is not compromised through the use of social media.
- Users operate within existing policies, guidelines and relevant legislation.
- The Council's reputation is not damaged or adversely affected.

## Responsibilities of Councillors

1. You are personally responsible for the content you publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action **for which you will be personally liable.**
2. Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.
3. Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.
4. Do not disclose personal details such as home addresses and telephone numbers. Ensure that you handle any personal or sensitive information in line with the Council's Data protection policy.
5. Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.
6. Do not publish or report on meetings which are private or internal (where no members of the public are present or it is of a confidential nature) or exempt reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985). Use of social media in meetings must comply with the protocol for the use of recording devices during any meeting held under the auspices of Ashfield District Council.
7. Copyright laws still apply online. Placing images or text from a copyrighted source (e.g. extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.

8. Don't send or post inappropriate, abusive, bullying, racist or defamatory messages to members of the public, other councillors or officers either in or outside the work environment.
9. The Council will not promote councillors' social media accounts during the pre-election period.
10. In any biography, the account should state the views are those of the councillor in question and may not represent the views of the Council.
11. Do not use the Council's logo, or any other Council related material on a personal account or website.
12. Social media must not be used for actions that would put councillors in breach of the Council's Code of conduct for members. For example, don't publish on social media something you wouldn't say face to face, or at a public meeting.
13. Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.
14. Anyone receiving threats, abuse or harassment via their use of social media should report it to their political group leader, the Monitoring Officer and/or the police.
15. It is recommended that **you have separate social media profiles for your role as a Councillor or Co-opted Member and your private life.**

## **Conduct**

Councillors are reminded that in respect of social media, they are governed by the Code of conduct for members and relevant law. You are acting in your "official capacity" and any conduct may fall within the Code whenever you:

- Conduct the business of the Authority; or
- Act, claim to act or give the impression you are acting as a representative of the Authority; or
- Act as a representative of the Authority.

Breaches of this policy may amount to a breach of the Council's code of conduct for members.

Other violations of this policy, such as breaching the Data Protection Act, could lead to fines being issued and possible criminal or civil action being taken against the Council or the individual(s) involved.

The Council reserves the right to request the removal of any content that is deemed to be in breach of the code of conduct for members.

## **Principles for Using Social Media**

You should follow these five guiding principles for any social media activities:

1. **Be respectful** – set the tone for online conversations by being polite, open and respectful. Use familiar language, be cordial, honest and professional at all times. Make sure that you respect people’s confidentiality – do not disclose non-public information or the personal information of others.
2. **Be credible and consistent** – be accurate, fair, thorough and transparent. Encourage constructive criticism and deliberation. Make sure that what you say online is consistent with your other communications.
3. **Be honest about who you are** – it’s important that any accounts or profiles that you set up are clearly and easily identifiable. Be clear about your own personal role.
4. **Be responsive** – make an effort to share what you know. Offer insights where appropriate and put people in touch with someone who can help if you can’t. Respond to questions and comments in a timely manner.
5. **Be confident** – don’t be scared of participating. Follow these rules and seek further guidance if you need it. If you’re about to publish something that makes you even the slightest bit uncomfortable, pause to think about it. Feel confident in what you say before you say it – and say it as clearly as you can.

## **Guidance on Capturing Social Media Posts**

Posts made using third party sites such as Facebook or Twitter are not held or within the control of the Council - posts can be deleted by site administrators without

knowledge or consent of the Council. In exceptional circumstances, copies of posts may be made and retained by the Council, in line with relevant Council procedures. These copies will be held for a period dependent on the type of investigation they are subject to.

Where inappropriate use is suspected, it is suggested that you should pro-actively attempt to capture any inappropriate posts before they might be deleted. Copies should be made and reported to the Monitoring Officer within the Council, as well as following the social media sites own reporting procedures where appropriate.

### **Relationship with Other Council Policies**

This social media policy should be read in conjunction with:

- The protocol for the use of recording devices during any meeting held under the auspices of Ashfield District Council.
- The Code of conduct for members which regulates the standards of conduct of elected members of Ashfield District Council. It also outlines the arrangements for investigating and deciding upon complaints against members.
- The Data protection policy which outlines the Council's adherence to the eight principles of the Data Protection Act 1998 with regards the collection, storage and use of personal data.

## Examples of the Use of Social Media

### ❖ **Can I comment/respond to questions posted on my social media page regarding general local issues?**

Yes. The Social Media Policy is not intended to restrict the use of social media, it is a guidance tool to make Councillors aware of the risks and pitfalls. Social media is an excellent method for Councillors to interact with members of the public and should be encouraged.

### ❖ **Can I comment/respond to questions posted on my social media page regarding upcoming Council matters such as licensing or planning applications?**

Councillors can take a view and express opinions or concerns, however, they must not show bias or pre-determination. Councillors are reminded to remain impartial and open minded and listen to all the facts before coming to a decision. Evidence of any kind of bias or pre-determination could leave the decision open to challenge.

### ❖ **I find comments on my social media page posted by a third party insulting and/or confrontational. How should I respond?**

If at all possible, don't respond at all. Internet "trolls" are people who often try to "wind-up" public figures on purpose to get a reaction. It is best to not "feed the trolls" by ignoring the post.

If it clear that the person is a serious, concerned member of the public then a suitably non-confrontational reply may be appropriate. Remember that you remain a representative of the Council online and should not do or say anything that you wouldn't do face-to-face or in a letter.

If the post is potentially defamatory or illegal then it should be reported to the site administrators and/or the police.

### ❖ **I discover information that is incidental to my role as a Councillor (for example, information relating to a planning application). Can I disclose this information via social media?**

Yes, however, you should take great care in doing so. Posting information obtained as Councillor will be seen as you acting in your official capacity of a Councillor even if this is on your personal account. You should also remember that publishing anything regarding forthcoming or on-going decisions could be seen as pre-determination or bias. If the information is confidential then releasing the information may be a breach of the Code of Conduct.

❖ **Someone has posted a racially aggravated comment on my personal blog, what can I do? Can I be held liable?**

As soon as you become aware of the comment you should inform the site administrator. If you are exclusively in charge of the site you should consider reporting the comment to the Police. You should keep evidence of the post and then ensure it is taken down. Providing a Councillor takes reasonable care and reports the potential offence quickly they are unlikely to be held liable for someone else's breaches.

❖ **I publish a post on my personal page regarding a matter that I will be making a decision on (such as a planning or licensing application). As this is my personal blog do the rules for pre-determination and bias still apply?**

Yes, they do. The Social Media Policy also extends to personal blog where the content/comment relates to Council matters. Councillors should take care when publishing information regarding a Council matter as this may leave the decision open to challenge.

❖ **Do any special rules apply to social media posts and blogs during a local election period?**

During an election period Councillors should take particular care as legislation relating to electoral matters will apply to the online publication of electoral material or statements relating to the election. For example, if you publish a statement on your personal blog regarding another candidate the Representation of the People Act 1983 may apply. Under this legislation it is a criminal offence to make or publish a false statement of fact about the personal character or conduct of an election candidate.

❖ **What happens if I breach the Social Media Policy?**

It depends upon the nature of the breach. However, punishment for a serious breach of the Policy may lead to a code of conduct complaint or even personal liability or criminal charges.

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<b>Report To:</b>	<b>STANDARDS AND PERSONNEL APPEALS COMMITTEE</b>
<b>Date:</b>	<b>7 DECEMBER 2022</b>
<b>Heading:</b>	<b>MEMBER INDUCTION PROGRAMME</b>
<b>Executive Lead Member:</b>	<b>N/A</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

## Purpose of Report

This report provides an introduction to the Member Induction Programme for Members to consider arrangements for newly elected and returning Councillors following the May 2023 local elections.

As part of the Member Induction Programme development, it will be appropriate to consult with CLT and Service Managers in addition to the Council's Talent and Skills Manager prior to agreeing the programme of events for 2023.

**Appendix A** provides the 2019 Member Induction Programme Schedule.

## Recommendation(s)

Members are asked to:

- Consider the timings, topics and methods for the development of the initial Induction Programme.
- Consider the longer term training requirements post induction.

## Reasons for Recommendation(s)

Member induction, training and development is an integral part of ensuring that the strategic aims and objectives of the Council are met in carrying out their duties of making local decisions and delivering better outcomes for the district.

## **Alternative Options Considered**

*(with reasons why not adopted)*

All options will be considered in the development of a Members Induction Programme

## **Detailed Information**

Ashfield District Council elections will be held in May 2023 with 35 Councillors to be elected to represent the wards of the district. As part of the preparations for the Elections the Scrutiny and Democratic Services Team will be preparing an Induction for new and returning Councillors, as it has for past Council elections.

The intention of the programme is to help newly-elected and returning Councillors prepare for their role and to outline the support and facilities available to them, whilst also fulfilling specific legal requirements relating to their acceptance of their new post.

All new and returning Councillors will be obliged to attend the Induction training as set out in the Council's Constitution. This also details all mandatory training (Part 5, Appendix D). This includes;

- Planning Committee
- Licensing Committee and its sub committees
- Chief Officers Employment Committee
- Standards and Personnel Appeals Committee
- Code of Conduct / Ethical Governance
- Equalities and Diversity
- Safeguarding
- Lone Working
- Fraud Awareness
- Chairing

## **Initial Induction and Training**

In preparing for the 2019 induction following the district elections, Members concluded that the previous induction (2015) had been too long and time consuming. As a result the 2019 induction training was condensed into 3 days 1 drop-in welcome and introduction day for All Councillors (Stall Based) and 2 intensive training days.

### **Drop in Day**

- Sign Declaration of Acceptance of Office
- Have individual photos taken / access cards;
- DBS Checks
- Receive Members' Handbook
- Sign IT policy and collect IPad
- Have a tour of the building
- Meet key support staff
- Sign up for training sessions.

## **Training Days**

2 intensive training days were provided for all Members this included all mandatory training, meet and greets and an introduction from the Chief Executive. The Full training programme for days 1 & 2 is attached as **Appendix A**.

As part of the considerations for the Induction Programme, Members should consider the effectiveness of the intensive training days in 2019, reviewing whether it provided Members with the initial knowledge necessary to carry out their role. As part of a Members longer term development, additional training will also be provided throughout their appointment as detailed in the Member Development Strategy.

## **Member Development Strategy**

The refreshed Member Development Strategy was approved at a meeting of the Standards and Personnel Committee on the 8 December 2021 and subsequently recommended and approved by Council.

Ashfield District Council recognises that continuous member development is key to Councillors carrying out their role both within the district and as community representatives at meetings of the Council and its partners. 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. 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 over the course of their appointment.

## **Members Handbook**

A Members Handbook was developed as a guide for all Councillors on their role, requirements, policies and protocols and support provision as part of the induction in 2019. This document also served as an overview to understanding the role of the Council, its committees and decision making.

## **Induction Training Methods**

Training can be delivered in a variety of forms, including intensive induction (as in 2019), training set out over a longer period up to 2 months (as in 2015), in-house Member Seminars, briefings, training at Committee / Panel meetings, E Learning and by sharing experiences with each other (buddy system).

Bespoke training can also be provided by a mixture of internal Officers and external providers as and when necessary. Additionally, Members can identify themselves external training that may enhance their knowledge and improve their skills in carrying out their role.

## **Considerations**

In considering an appropriate, fit for purpose Induction Programme, Members of the Committee should consider the following;

- Effectiveness of the previous Induction Programme (Appendix A).

- Subjects included.
- Methods of training.
- Appropriate consultees.
- Time and length of initial induction training.

## **Implications**

### **Corporate Plan:**

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

### **Legal:**

All legal implications relating to mandatory training are detailed within this report. **(RD – 4/10/2022)**

### **Finance:**

The cost of training and future Member development is to be met from the existing Training & Development budget for Members.

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	As above
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
Insufficient Member training and development carries risks regarding decision making, debate and representation.	An effective Member Induction Programme and longer term Development Strategy will ensure Members have the necessary skills to carry out their role both within the district and representing their constituents at Council and other partner meetings.

### **Human Resources:**

In recognition of the varying development needs and preferred learning styles, the Member Induction Programme will include a range of delivery methods including workshops, presentations, written resources, and e-learning. Ongoing work will be undertaken with Human Resources

regarding the effective implementation of the longer term Member development to ensure that the needs of all Members are met in carrying out their role.

## **Environmental/Sustainability**

Environmental / Sustainability considerations will be considered on a case by case basis with regards to methods of training.

## **Equalities:**

Member learning and development activities are open and accessible to all Councillors. it is intended that all development activities should be equally accessible and meet the Council's equal opportunities policy and practice.

## **Other Implications:**

*None*

## **Reason(s) for Urgency**

*N/A*

## **Reason(s) for Exemption**

*N/A*

## **Background Papers**

*None*

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## Appendix A

### MEMBER TRAINING PROGRAMME 2019

DATE	TIME	VENUE	TRAINING SESSION	DETAIL
<b>Induction – Tuesday 7 May 2019</b>				
Tues 7 2019	10 am - 8 pm	Committee Room	Drop-in welcome and introduction for All Councillors (Stall Based)	Sign Declaration of Acceptance of Office Have individual photos taken / access cards; DBS Checks Receive Members' Handbook Sign IT policy and collect IPad Have a tour of the building Meet key support staff Sign up for training sessions.
<b>Training Day 1 – Thursday 9 May 2019</b>				
Thursday 9 2019	9.30 - 10.15am	Council Chamber	Induction	Welcome & Introduction from Chief Executive / CLT
	10.15 am – 11 am	Council Chamber	Your Responsibilities and Your Role as Councillors - Code of Conduct / Ethical Governance	Outline of Constitution Promoting and maintaining high standards of conduct by Members Code of Conduct (including Gifts and Hospitality) The Register of Interests Protocols Guidance Dispensations Political Publicity – rules
	11.am – 11.40 pm	Council Chamber	The Role of Overview and Scrutiny / Democratic Services	Role of Scrutiny/Role of Members Skills Training – Charing, Scoping reviews, Questioning Methods, Research and analysis Scrutiny and Community Leadership and Governance Role of Democratic Services
<b>11.40 Tea Break</b>				
	12.pm – 1.00 pm	Council Chamber	GDPR	Key Principles of GDPR Registration

				Personal Responsibilities Data Protection Data Sharing Breaches General Overview
<b>1PM Lunch</b>				
	2 pm – 3 pm	Council Chamber	Media / Social Media & Communications Training	Covering the role of Corporate Communications Unit and Elected Member best practice and guidance on social media and the press
	3 pm – 4 pm	Council Chamber	Member Role in the Licensing Process	General Principles of each Act Role of Members Ward Member Role Licensing Objectives Determining Licensing Applications
<b>Training Day 2 - Friday 10 May</b>				
Friday 10 May	9.30 am -10.15 am	Council Chamber	Emergency Planning Training	Overview of Members role in Member training (delivered by County Council)
	10.15 am – 11.15 am	Council Chamber	Safeguarding / Equalities	Safeguarding Overview Vulnerable Adults, Children and Young People Modern Slavery <sup>15*9</sup> Domestic Abuse Equalities
<b>11.15 Tea Break</b>				
	11.35am – 12.35 pm	Council Chamber	Planning Training	Introduction to the Planning Department What is National Planning Policy and how does this affect the Council What is a Local Plan and why do we need one How does the Local Plan fit with the Council's approach to Place Shaping What is a Members role in the Plan making process Where are we now with the Local Plan and what are the next steps
<b>12.35 – 1.15pm Lunch</b>				
	1.15 pm – 2.15 pm	Council Chamber	Planning Training	Planning Training Continued





<b>Report To:</b>	<b>STANDARDS AND PERSONNEL APPEALS COMMITTEE</b>
<b>Date:</b>	<b>7 DECEMBER 2022</b>
<b>Heading:</b>	<b>QUARTERLY COMPLAINTS AND GIFTS AND HOSPITALITY MONITORING</b>
<b>Executive Lead Member:</b>	<b>NOT APPLICABLE</b>
<b>Ward/s:</b>	<b>ALL</b>
<b>Key Decision:</b>	<b>NO</b>
<b>Subject to Call-In:</b>	<b>NO</b>

### **Purpose of Report**

This report provides an update in respect of Members' Code of Conduct complaints up until the end of quarter 2 (March – September 2022). All complaints received after this date will be presented in the next quarterly update.

Information is also provided detailing Members Gifts and Hospitality declarations during 2022.

### **Recommendation(s)**

The Committee is requested to note the updated position in respect of Members' Code of Conduct complaints as set out in Appendix A and Gifts and Hospitality declarations as set out in Appendix B.

### **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**

### Complaints

This report provides an Overview of Member complaints as at the end of quarter 2. Appendix A details both outstanding complaints and those that have been received throughout the period July – September 2022.

Since the last update to the Committee:

- 4 new District Councillor complaints have been received since the last update in June 2022
- 1 new Selston Parish Council complaint has been received since July 2022 and completed
- 5 ongoing complaints relating to District Councillors have been concluded and are awaiting confirmation from the Independent Person before the complainant is notified.

Of the 4 new complaints received during this period, all are public complaints relating to Respect (1.1), bullying (2.1) standards of conduct (2.2) and disrepute (2.7). 1 long-term complaint remains ongoing with resolutions currently being explored.

### **Gifts and Hospitality Declarations**

The Constitution sets out the procedure for declaring any gifts or hospitality under the Members Code of Conduct, section 12. Members are required to declare and register any gifts and hospitality accepted in excess of an estimated value of £50.00 (Fifty Pounds) whether accepted or declined.

There have been no declarations received between July 2022 and October 2022.

## **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. [RLD 4/010/2022]

### **Finance:**

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	The Authority incurs costs in investigating complaints of alleged Member misconduct if investigations are carried out externally, and these charges are borne by the General Fund. The Council investigates complaints in house as far as possible to reduce costs. Where

	complaints need to be investigated externally these costs are expected to be contained within existing budgets. No investigations are currently being carried out externally.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

**Risk:**

<b>Risk</b>	<b>Mitigation</b>
Potential for negative perception of the Council which impacts upon the Council’s reputation. Potentially adverse impact upon the workings of the Council. The legislation does not provide “strong” sanctions for breaches to the Code which may make regulation of poor ethical behaviour difficult and leave complainants dissatisfied with outcomes.	The Standards and Personnel Appeals Committee approves an annual work programme to consider how it will ensure high standards of ethical behaviour. Presentation of Quarterly Complaint Monitoring reports to Standards and Personnel Appeal Committee ensures ongoing monitoring of complaints to identify trends and areas for improvement.

**Human Resources:**

There are no HR issues relating to this monitoring report.

**Environmental/Sustainability**

There are no Environmental/Sustainability issues relating to this monitoring report.

**Equalities:**

Equalities issues identified during complaints are duly investigated and reported upon.

**Other Implications:**

None

**Reason(s) for Urgency**

None

## **Reason(s) for Exemption**

None

## **Background Papers**

*None*

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## QUARTER 2 UPDATE OF COMPLAINTS (April – September 2022)

REFERENCE	DATE COMPLAINT RECEIVED BY MONITORING OFFICER	COMPLAINANT TYPE	COMPLAINT ABOUT A DISTRICT OR PARISH COUNCILLOR	ALLEGED BREACH	PROGRESS UPDATE	OUTCOME
ADC2022-04	08/05/2022	District Councillor	District Councillor	1.1 Respect 2.1 Bullying	Completed subject to feedback from the Independent Person	TBC
ADC2022-05	09/05/2022	District Councillor	District Councillor	2.2 Contrary to high standards of conduct.	Completed subject to feedback from the Independent Person	TBC
ADC2022-06	25/1/2022	District Councillor	District Councillor	2.2 Contrary to high standards of conduct.	Completed subject to feedback from the Independent Person	TBC
ADC2022-07	12/5/2022	District Councillor	District Councillor	1.1 Respect 2.1 Bullying	Completed subject to feedback from the Independent Person	TBC
ADC2022-08	25/8/2022	Public	District Councillor	2.2 Contrary to high standards of conduct.	Member of the public did not wish to progress with complaint	withdrawn

ADC2022-09	22/9/2022	Public	District Councillor	2.2 Contrary to high standards of conduct.	Information gathering	TBC
ADC2022-10	23/9/2022	Public	District Councillor	2.2 Contrary to high standards of conduct. 2.7 Disrepute	Information gathering	TBC
ADC2022-11	25/9/2022	Public	District Councillor	2.2 Contrary to high standards of conduct. 2.7 Disrepute	Information gathering	TBC
SPC2022-01	27/4/2022	Public	District Councillor	2.1 Respect 2.2 Contrary to high standards of conduct. 2.7 Disrepute	Completed subject to comments from the Independent Person.	TBC
SPC2022-02	18/8/2022	Public	Selston Parish Councillor	2.1 Respect 2.2 Contrary to high standards of conduct.	Complete	Not upheld

Long-Term Ongoing

REFERENCE	DATE COMPLAINT RECEIVED BY MONITORING OFFICER	COMPLAINANT TYPE	COMPLAINT ABOUT A DISTRICT OR PARISH COUNCILLOR	ALLEGED BREACH	PROGRESS UPDATE	OUTCOME
ADC2020-04	26 June 2020	Public District Councillor	District Councillor	2.1 Respect 2.2 Contrary to high standards of conduct. 2.5 Confidentiality	Further discussions to be arranged with subject member – seeking informal resolution	

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