

Report To:	STANDARDS AND PERSONNEL APPEALS COMMITTEE
Date:	19 MARCH 2024
Heading:	ANNUAL GOVERNANCE REVIEW
Executive Lead Member:	N/A
Ward/s:	N/A
Key Decision:	N/A
Subject to Call-In:	N/A

Purpose of Report

- To give the Committee an overview of the work of the Standards and Personnel Appeals Committee during 2023/2024
- To consider work plan items for 2024/2025
- To receive an update regarding declarations of Member gifts and hospitality
- To receive an update in relation to Member Code of Conduct complaints to date
- To receive an update regarding DBS checks
- To receive an update regarding Members' training

Recommendation(s)

Committee is asked to:

- 1. Note the progress made in relation to the agreed 2023/24 work plan;**
- 2. Consider future work plan items for 2024/2025;**
- 3. Note the update regarding declarations of Member gifts and hospitality;**
- 4. Note the update regarding Member complaints;**
- 5. Note the update regarding DBS checks;**
- 6. Note the update regarding Members' training.**

Reasons for Recommendation(s)

To enable the Committee to carry out its role in monitoring ethical governance.

Alternative Options Considered

Options are considered within the body of the report.

Detailed Information

WORK PLAN – 2023/2024

At its meeting in July 2023, the Committee agreed a programme of work for the 2023/2024 year.

The table below sets out the work item, the agreed timeframes and an update in relation to the progress made:

Proposed Work Item	Timeframe	Progress
1. Quarterly Update A report to Committee to keep it updated in respect of new and ongoing complaints made relating to the conduct of Members and to update Members in respect of Declarations of Gifts and Hospitality.	July 2023 October 2024 December 2023 March 2024	Complete Further update included in this report
2. Constitution Changes To consider proposed changes to the Constitution for recommendation to Council.	July 2023	Complete
3. Members' Training and Induction Programme To review the success of the Members' Induction Programme and review / develop ongoing training.	October 2023	Complete Further update included in this report
4. Review of the Nottinghamshire Authorities Protocol with Nottinghamshire Police To review the Nottinghamshire Authorities Protocol with Nottinghamshire Police regarding the reporting of potential breaches of the Code of Conduct relating to Disclosable Pecuniary Interests	October 2023	No update from Police - ongoing
5. Review of the Members' Code of Conduct and related documents	December 2023 March 2024	Report appears on this agenda. Will be an ongoing work plan item for 2024/25

To review the Members' Code of Conduct to consider amendments. In conjunction with this, to review related documents such as the Complaints Process, Member/Officer Protocol.		
6. Whistleblowing Policy Annual report to consider amendments (if required) to the policy and to monitor the application of the policy	March 2024	Complete Report appears on this agenda.
7. Annual Review Report to consider the work of the Committee over the year compared to the Work Plan To consider an overview of the ethical governance of the Council	March 2024	Complete This report.
8. Constitution Review Consideration of proposed amendments to the Constitution for recommendation to Council	March 2024	Complete Report appears on this agenda.

Committee is therefore asked to note the progress made in relation to the agreed work plan.

FUTURE WORK PLAN ITEMS FOR 2024/25

Work Plan items for 2024/25 are suggested below. Members may wish to suggest other items for inclusion.

Proposed Work Item	Timeframe
1. Quarterly Update A report to Committee to keep it updated in respect of new and ongoing complaints made relating to the conduct of Members and to update Members in respect of Declarations of Gifts and Hospitality.	July 2024 October 2024 December 2024 March 2025
2. Members' Training Programme To review the success of the Members' Induction Programme and review / develop ongoing training.	July 2024
3. Review of the Nottinghamshire Authorities Protocol with Nottinghamshire Police	October 2024

To review the Nottinghamshire Authorities Protocol with Nottinghamshire Police regarding the reporting of potential breaches of the Code of Conduct relating to Disclosable Pecuniary Interests	
4. Review of the Members' Code of Conduct and related documents To review the Members' Code of Conduct to consider amendments. In conjunction with this, to review related documents such as the Complaints Process, Member/Officer Protocol in accordance with the recommendations of the Audit Review	July 2024 October 2024 December 2024 March 2025
5. Whistleblowing Policy Annual report to consider amendments (if required) to the policy and to monitor the application of the policy	March 2025
6. Annual Review Report to consider the work of the Committee over the year compared to the Work Plan To consider an overview of the ethical governance of the Council	March 2025
7. Constitution Review Consideration of proposed amendments to the Constitution for recommendation to Council	March 2025

Committee is therefore asked to consider the proposed work plan items for 2024/2025.

GIFTS AND HOSPITALITY

There are no declarations of Member gifts and hospitality to report.

Committee is therefore asked to note the update regarding gifts and hospitality.

SUMMARY AND UPDATE OF MEMBER COMPLAINTS RECEIVED DURING 2023/24

I have received 8 formal complaints during 2023 and 3 during the 1st quarter of 2024 to date regarding the behaviour of Councillors.

Of these 11 complaints:

- 6 complaints related to District Councillors during 2023
- 3 complaints related to District Councillors during 2024
- 2 complaints related to Parish Councillors during 2023
- 0 complaints related to Parish Councillors during 2024

Appendix 1 sets out the complaints in more detail.

Comparing the total number of complaints since 2011:

YEAR	NUMBER OF COMPLAINTS	OBLIGATION BREACHED*	NUMBER DISMISSED AT INITIAL STAGE	ACTION (Investigation, Hearing, dismissed)	OUTCOME
2011	0				
2012	13				
2013	15				
2014	8				
2015	12				
2016	4				
2017	18				
2018	24				
2019	14				
2020	10				
2021	6				
2022	3				
2023	8	6 - Contrary to high standards of conduct. And Disrepute (2.2 & 2.3) 2 – Respect and Bullying (1.1 & 2.1)	1	7 Investigated	6 not upheld 1 local resolution 1 dismissed
2024	3	3 - Contrary to high standards of conduct & Disrepute (2.2 & 2.3)	0	3 Investigated	3 ongoing

Committee is therefore asked to note the number of Member complaints received during 2023/24 to date as summarised in the report and the current outstanding complaints as detailed in Appendix 1.

MEMBERS' DBS APPLICATIONS

The current Policy on Disclosure and Barring Service (DBS) Checks for Councillors and Co-opted Members was adopted in 2019. The Policy was further reviewed in early 2023 to ensure it aligned with current legislation.

In order to protect those who are most vulnerable in society, the Council adopted a policy for all Members to undergo a basic level DBS check within 2 months of taking office following election. A basic level check would disclose details of convictions and conditional cautions considered unspent under the terms of the Rehabilitation of Offenders Act 1974. The costs of the check (currently £18) are deducted from the Members' Allowances. The Policy sets out the processes and what happens if a disclosure is made as part of the check.

Following the District Elections in May 2023, and in alignment with the Policy, all Members were asked to complete an application for a basic DBS check. During the first induction day on 9 May 2023, representatives from HR were in attendance and provided Members with guidance on how to complete the application for the basic DBS check, as well as the identification required to complete the application.

As of 1 March 2024:

- 18 Members have applied and received clearance for the basic DBS check
- 17 Members are yet to receive clearance for the basic DBS check
 - This group includes:
 - Members that have applied for a basic DBS check but have not provided the necessary identification
 - Members who have provided some/all of the necessary identification but have not completed a basic DBS check application
 - Members who have applied but have not provided any of the necessary identification
 - Members who have not provided any of the necessary identification and have not started or completed a basic DBS application

Efforts are continuing to ensure all Members complete the basic DBS check application and provide the necessary identification.

MEMBER TRAINING

Following the Member Induction Programme undertaken following the District Elections in May 2023, a number of follow-up sessions were arranged to provide Members who could not attend the induction sessions with the opportunity to carry out both mandatory and advisory training. Members also have access to ELA, the Council's e-learning platform, through the issued tablet devices.

As part of the Council's ongoing commitment to ensure Members receive timely and role specific training, the Standards and Personnel Appeals Committee have reviewed the Member Development Strategy during 2023. The strategy sets out the importance of regular scheduled training in addition to individual training for role specific positions.

Analysis of the member training attendance data demonstrates that there are still gaps in required training. This data was reported to the Standards and Personnel Appeals Committee on the 3 October 2023.

As part of plans following the 2024 Annual Council Meeting, a refresher training month is proposed to take place during July 2024. Sessions will be arranged throughout the month to:

- Provide mandatory training to those who have yet to complete it (e.g., Ethical Governance/Equalities/Safeguarding/GDPR)
- Offer refresher training to any Member who is interested

- Provide training, as required, to any Member with new special responsibilities following the 2024 Annual Council Meeting

Members are asked to consider what sessions would be most useful as part of the July 2024 training refresher month.

Implications

Corporate Plan:

To ensure we deliver high-quality public services we have adopted a set of corporate values which underpin the successful delivery of our priorities. How we work is as important as what we do. The Council's values are:

- People Focussed
- Honest
- Proud
- Ambitious

Legal:

This report is presented in accordance with the Terms of Reference for this Committee as set out in the Constitution.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

Risk:

Risk	Mitigation
Lack of transparency. Lack of monitoring. Failing to meet the duty of maintaining high standards of behaviour	The work plan for this Committee, the quarterly update reporting and this Annual report ensures the Council is open and transparent in the way it deals with ethical governance. The reporting and work of the Committee demonstrates the Council's commitment to maintaining high levels of ethical behaviour.

Human Resources:

There are no significant Human Resource issues identified in the report.

Environmental/Sustainability:

There are no significant Human Resource issues identified in the report.

Equalities:

There are no significant Human Resource issues identified in the report.

Other Implications:

None.

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

Not applicable.

Background Papers

Not applicable.

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