

<b>Report To:</b>	STANDARDS AND PERSONNEL APPEALS COMMITTEE	<b>Date:</b>	27 MARCH 2017
<b>Heading:</b>	<b>ANNUAL ETHICAL GOVERNANCE REVIEW</b>		
<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 give the Committee an overview of the work of the Standards and Personnel Appeals Committee during 2016/2017.

### **Recommendation(s)**

1. To note the progress made in relation to the agreed work plan.
2. To consider whether to proceed with a further attempt to appoint Co-optees to the Standards and Personnel Appeals Committee.
3. To consider future work plan items.
4. To note the number and types of Member Complaints received during the year as summarised in the report.

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

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

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

No alternative options are considered appropriate.

## Detailed Information

### Work Plan – 2016/2017

At its meeting in July 2016, the Committee agreed a programme of work for the 2016/2017 year.

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

<b>Work Item</b>	<b>Timeframe</b>	<b>Progress</b>
<p><b>1. Quarterly Complaint Update</b></p> <p>A report to committee to keep it updated in respect of new and ongoing complaints made relating to the conduct of Members.</p>	<p>July 2016 October 2016 December 2016 March 2017</p>	<p>Reports have been submitted to each Committee meeting and Members have commented on the information provided.</p> <p>The time taken to deal with complaints remains a concern. The Monitoring Officer is trialling a slightly different approach and is training more Solicitors within the legal section to be able to deal with complaints.</p>
<p><b>2. Members with External Roles which Might Conflict with their Councillor Role</b></p> <p>Explore the potential to incorporate guidance and/or requirements into the Code of Conduct for Members who have external roles which might conflict with their Councillor role.</p>	<p>July 2016</p>	<p>The Committee considered the content of a potential guidance note at its meeting in July 2016 and then approved a guidance note for distribution at its meeting in October 2016.</p> <p>The guidance has been distributed to all Councillors and can be reissued after each election as a reminder.</p>
<p><b>3. Update Regarding Implementation of LGA Recommendations and assessment of the impact.</b></p> <p>Including an update regarding the Appointment of Co-optees and Retention of Independent Persons</p>	<p>October 2016 March 2017</p>	<p>Two attempts have been made to appoint Co-optees to the Committee with no applications being received on either occasion. See further detail below.</p> <p>The Council continues to “share” 2 Independent Persons with MDC. Both are content to remain IP’s at this time.</p>

<p><b>4. Member Development Strategy and Programme</b></p>	<p>October 2016</p>	<p>Members contributed to a Draft Strategy in October 2016 and in December 2016 recommended a Strategy for approval by Council. Council accepted the Strategy at its meeting in February 2017. The Strategy is now being rolled out.</p>
<p><b>5. DBS Checks for Councillors</b> To consider best practice To consider recommending an approach and policy to Council</p>	<p>October 2016</p>	<p>The Committee considered a policy at its meeting in October 2016 and made recommendations to Council. Council approved a policy at its meeting in December 2016 and checks will commence as agreed in May 2017.</p>
<p><b>6. Secret Societies</b> Explore the potential to incorporate a requirement to declare membership of secret societies into the Members' Code of Conduct. Draft for approval suggested wording for inclusion in the Code of Conduct if it is legally possible to include such a requirement for recommendation to Council.</p>	<p>December 2016</p>	<p>Committee approved an approach at its meeting in December 2016 and approved wording for inclusion in a revised Code of Conduct which will be approved at the AGM in May 2017 as part of the annual Constitution refresh.</p>
<p><b>7. Members' Allowances – Performance Related Element of the Basic Allowance</b> Development of policy for approval by Council</p>	<p>December 2016 March 2017 (If required)</p>	<p>An initial report was presented to Committee in December 2016 and a further report appears on this meeting's agenda to consider approving a process for adoption at Council in April 2017.</p>
<p><b>8. Whistleblowing Policy</b> Annual report to consider amendments (if required) to the policy and to monitor the application of the policy</p>	<p>March 2017</p>	<p>A report is presented to this Committee meeting elsewhere on the agenda.</p>
<p><b>9. Annual Review</b> Report to consider the work of the Committee over the year compared to the Work Programme and to consider new actions.</p>	<p>March 2017</p>	<p>This report.</p>

<b>10. Constitution Review</b> Consideration of proposed amendments to the Constitution for recommendation to Council	March 2017	A report is presented to this Committee meeting elsewhere on the agenda.
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The Committee will note that all items have been actioned during the year as planned and that subject to the reports which appear elsewhere on this meeting's agenda the actions are completed or in progress for completion shortly.

The one outstanding issue which dates back to the LGA's recommendations in 2014 relates to the appointment of Co-opted Members to the Standards and Personnel Appeals Committee. At the AGM on 21 May 2015 the Council approved the recommendations of this Committee to appoint 2 Co-opted Members to the Standards and Personnel Appeals Committee. The Standards and Personnel Appeals Committee did not recommend their appointment as committee chair/vice-chair due to the fact that co-optees are unable to vote.

The first recruitment process was carried out during Autumn 2015. When this did not produce any applications, the Committee on 11 January 2016 confirmed that a further recruitment process should be carried out. A process took place during March/April 2016 and again no applications were received.

Committee is therefore asked to:

1. **To note the progress made in relation to the agreed work plan.**
2. **To consider whether to proceed with a further attempt to appoint Co-optees to the Standards and Personnel Appeals Committee.**
3. **To consider future work plan items.**

### **Summary of Member Complaints Received during 2016/2017**

Between 1 April 2016 and 17 March 2017, as Monitoring Officer I have received **8** formal complaints (4 during 2016, 4 during 2017 to date) regarding the behaviour of Councillors. Of these 8 complaints:

- 5 complaints relate to District Councillors
- 3 complaints relate to Parish Councillors
- 3 complaints originated from members of the public
- 5 complaints were made by a fellow Parish/District Councillor
- 7 complaints related to alleged disrespect (2.1)
- 8 complaints alleged behaviour contrary to high standards of conduct (2.2)
- 2 complaints alleged bullying (2.3)
- 1 complaint alleged the behaviour brought the authority into disrepute (2.7)

Comparing the total number of complaints since 2011:

Year	Number of Complaints
2011	0

2012	13
2013	15
2014	8
2015	12
2016	4
2017 (to date)	4

The progress in relation to the complaints made during 2016/2017 is dealt with in another report presented to this Committee meeting.

**Committee is therefore asked to note the number and types of Member Complaints received during the year as summarised in the report.**

### **Implications**

#### **Corporate Plan:**

This report is presented in accordance with the Corporate Plan Priority “Organisational Improvement” ensuring effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

#### **Legal:**

The local Code of Conduct and any related processes must comply with relevant legislation, including the Localism Act 2011 and earlier Local Government Acts.

#### **Finance:**

This are no financial implications associated with this report

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

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

There are no significant Human Resource or Equality and Diversity issues relating to this report.

## **Other Implications:**

None

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

N/A

## **Background Papers**

N/A

## **Report Author and Contact Officer**

**Ruth Dennis**  
**ASSISTANT CHIEF EXECUTIVE (GOVERNANCE)**  
**& MONITORING OFFICER**  
01623 457009  
r.dennis@ashfield.gov.uk