

Bolsover District Council

Council

18th July 2018

Annual Report of the Standards Committee 2017/18

Report of the Chair of the Standards Committee

This report is public

Purpose of the Report

- The purpose of the Annual Report is to enable Council to review the work that has been undertaken by the Standards Committee during the municipal year 2017/18.

1 Report Details

- 1.1 The Standards Committee is chaired by an Independent Member, Mrs Ruth Jaffray who has been a co-optee on Standards Committee for a number of years and was appointed as Chair by Council on 30th November 2016.
- 1.2 The Annual Report is attached as **Appendix 1** to this report.

2 Conclusions and Reasons for Recommendation

- 2.1 To enable the Council to consider an Annual Report from the Standards Committee on its work during the municipal year 2017/18.

3 Consultation and Equality Impact

- 3.1 Not applicable.

4 Alternative Options and Reasons for Rejection

- 4.1 This report is to inform the Council of the work of the Standards Committee therefore there are no alternative options.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 None arising from this report.

5.2 Legal Implications including Data Protection

- 5.2.1 None arising from this report.

5.3 Human Resources Implications

5.3.1 None arising from this report.

6 Recommendations

6.1 That Council receive the Annual Report of the Standards Committee on its work during the municipal year 2017/18.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title				
1	Annual Report of the Standards Committee 2017/18				
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)					
<table border="1"> <thead> <tr> <th>Report Author</th> <th>Contact Number</th> </tr> </thead> <tbody> <tr> <td>Alison Bluff, Governance Officer</td> <td>01246 242528</td> </tr> </tbody> </table>		Report Author	Contact Number	Alison Bluff, Governance Officer	01246 242528
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Standards Committee
Annual Report 2017/18

Standards Committee Annual Report 2017/18

Foreword from the Chair of the Standards Committee

I would like to take the opportunity to thank the Members on the Committee and the Independent Persons for their continued hard work and support in the work of the Committee during the year. The work of the Standards Committee remains central to the ethical and governance responsibilities of the Council which are an essential element in local government continuing to retain the trust of the public which it serves.

Mrs Ruth Jaffray

Co-opted Member

The Annual Report outlines the work of the Standards Committee during the municipal year 2017/18 and covers the following subjects:

- 1 Chair and Co-optees of the Committee 2017/18
- 2 Independent Persons
- 3 Complaints received during 2017/18
- 4 Policy and Constitution Review Work
- 5 Gifts and Hospitality
- 6 Guidance, reports and articles considered by the Committee
- 7 Consultations and survey results related to Standards

1 Chair and Co-optees of Standards Committee 2017/18

- 1.1 The Articles of the Constitution required that a co-opted member be appointed Chair of the Standards Committee. The Council therefore approved the appointment of Mrs Ruth Jaffray in November 2016, following the sad passing of Mr John Yates, former co-opted member and chair of the Committee.

2 Independent Persons

- 2.1 The Council had previously appointed Mr Stephen Wainwright and Mr Mike Wood to fulfil the roles as independent persons, who advise the Monitoring Officer on complaints against District or Parish Councillors and also advise Councillors who were the subject of complaints. Mr Mike Wood sadly passed away in August 2016.
- 2.2 Although the legislation allowed for only one independent person, the Council had agreed that a second appointment ensured flexibility and resilience. It was therefore agreed that a recruitment process would take place to appoint a second independent person and Mr Ian Kirk was selected as a suitable candidate for the vacant position for a 4 year term in August 2017.

3 Complaints received during 2017/18

- 3.1 11 complaints were received during the 2017/2018 municipal year with none of them resulting in further action being taken.

4 Policy and Constitution Review Work

4.1 Constitution Review

One of the functions of the Standards Committee was to undertake an annual review of the Council's Constitution to ensure it was up to date and in line with legislation and current circumstances. The Committee considered a number of areas that had been identified for review including;

- Scheme of Delegation to officers
- Shared Services Consultation Protocol and other aspects of the Joint Working arrangements relating to Chesterfield Borough Council
- Minute Books submission to Council
- Procedure Rules for Questions from the Public and by Councillors
- Role Profiles
- Minor wording changes or updating of job titles (housekeeping)
- Employee Code of Conduct
- Terms of Reference for Licensing Committee and DFGs

With regard to Procedure Rules for Questions from the Public, the Committee would monitor the effectiveness of the additional limits and review this again towards the end of 2018/19 as part of the next annual review of the Constitution.

4.2 Protocol on Member/Officer Relations

The purpose of the protocol was to provide guidance to Members and officers in their relations with one another, providing principles to be followed to achieve the

shared aim of enhancing and maintaining the integrity of local government through high standards of personal conduct.

Earlier this year, Standards Committee had consulted with all Members of the Council and the Strategic Alliance Management Team on the protocol and these were considered as part of the review.

Revisions were supported by the Committee and approved at Annual Council.

Whistle-blowing Policy Review

The Council had a joint Whistle-blowing Policy with North East Derbyshire District Council and a commitment to updating the policy on a regular basis to ensure it was fit for purpose. Minor changes had been made to the policy in relation to changes of various officer titles following the recent review of the management structure at the councils and also to clarify the form of Register.

RIPA Policy Review

The Standard Committee received an annual report on the use of RIPA powers as well as the review of the policy. Training was provided to officers on a regular basis to ensure awareness and the RIPA Policy had been amended to ensure it remained accurate and up to date in terms of working practices and named officers. There had been no changes in the relevant legislation or Codes of Practice since the last review.

5 Gifts and Hospitality

The Monitoring Officer had brought Standards Committee's attention to an audit recommendation to align Members limits for registering gifts and hospitality with that of the Council's employees. The Committee would consider the arrangements for this at a future meeting in 2018/19.

Advice was available from the Monitoring Officer, Deputy Monitoring Officer and Legal services in relation to any offer. Members and officers were encouraged to seek this advice where they had an issue.

6 Guidance, reports and articles considered by the Committee

Parliamentary Review on Intimidation in Elections

The Standards Committee had considered a report which provided details of a review undertaken by the Parliamentary Committee on Standards in Public Life on Intimidation in Elections.

The review had been commissioned by the Prime Minister following reports of a significant proportion of candidates and their supporters experiencing harassment, abuse and intimidation during the 2017 General Election and it was believed that the widespread use of social media platforms had been the most significant factor driving the behaviour. Social media companies and Government had met to consider how they may proactively address the issue and the Parliamentary Committee had made several recommendations to be implemented. Political

parties also had key responsibilities in tackling intimidatory behaviour undertaken by their members. The Parliamentary Committee had called for a Joint Cross Party Code of Conduct backed up by sanctions for intimidatory behaviour during Election campaigns to be ready by December 2018.

On a more local level, the Parliamentary Committee noted that candidates standing for election as County / District / Parish Councillors were required to publish their home addresses on ballot papers and this had been a significant factor in receipt of intimidatory behaviour. The Parliamentary Committee felt that candidates standing as local Councillors should have the option to publish only the Ward in which they lived on the ballot paper.

The Parliamentary Committee decided that a health check of Local Government would be timely and therefore it commissioned a review of Ethical Standards in Local Government. The two reviews were indeed connected and the Standards Committee at a previous meeting had formulated its collective response to the Parliamentary Committee.

The Full Review of the Parliamentary Committee is available to Members on request from the Governance Manager or Monitoring Officer.

7 Consultations and survey results related to Standards

Consultation on Ethical Standards by Committee on Standards in Public Life

The Committee on Standards in Public Life were undertaking a review of local government ethical standards.

The review would consider all levels of local government in England, including town and parish councils, principal authorities, combined authorities (including Metro Mayors) and the Greater London Authority (including the Mayor of London).

Standards Committee Members had fed into the consultation by providing a collective response to the consultation questions and had felt that it had offered them the opportunity to discuss ethical standards on a local and national basis. Standards Committee would revisit the questions and responses in April/May 2019.

The consultation questions and Standards Committee's collective response is available to Members on request from the Governance Manager or Monitoring Officer.

End of Report