

Bolsover District Council

Customer Service & Transformation Scrutiny Committee

21st January 2019

Review of Standards Committee – Operational Review

Report of the Customer Service & Transformation Scrutiny Committee

This report is public

Purpose of the Report

- To present to Scrutiny the completed report for the recent Review of Standards Committee – Operational Review.

1. Report Details

1.1 The Customer Service and Transformation Scrutiny Committee agreed to undertake a Review of Standards Committee – Operational Review, as part of the 2018/19 work plan following consideration of a range of topics suggested at the Annual Scrutiny Conference.

1.2 The aims of the review were:

- To consider the BDC response to the consultation by the Committee on Standards in Public Life review and suggest areas for review;
- To examine a range of concerns raised by Standards Committee.

The key issues identified were as follows:

- Do Elected Members know what the Standards Committee does?
- How can we more effectively ensure that the public is aware of the work of Standards Committee in how District and Parish Councillors conduct themselves?
- Are the Standards Committee's processes clear and is the role of the Independent Person and the co-opted Chair of Standards Committee understood both externally by the public and internally by Elected Members?
- Does having an independent co-optee Chair add value to the work of the Standards Committee?
- Are there other work areas the Standards Committee should deal with in addition to the statutory and other remits in its current terms of reference?
- Should Standards Committee do more to engage Elected Members in their work?

- Should there be additional protocols or processes to help everyone understand the work of the Standards Committee?

1.3 This mini-review came about as a result of a request from BDC Standards Committee for an external review of how the Committee operated. During the 2017/18 municipal year, BDC Standards Committee responded to the national consultation by the Committee on Standards in Public Life on their 'Review of Local Government Ethical Standards'. As a result of their own review, the BDC Committee felt it was pertinent to also have an external opinion of how they operated and requested that scrutiny complete a review.

1.4 A range of concerns were raised by Standards Committee and these were considered as part of the scoping process. The review was completed outside of the usual meeting programme via a small Working Group, with regular reports back to Committee.

2. Conclusions and Reasons for Recommendation

2.1 The Committee have put together seven recommendations which will hopefully assist the Council in improving existing approaches to Member training and engagement on Standards.

2.2 The key issues arising from the review are:

- The introduction of a more formalised approach to training, particularly at Parish level;
- Consideration of Article 9 of the Constitution and the Committee Terms of Reference (Part 3.6) as part of the annual review process – see benchmarking exercise at 5.5 and 5.6 which highlights areas for consideration;
- Improved public information, both web-based and hard-copy, to ensure the role of Standards Committee is clear.

2.3 It is hoped that the recommendations set out in this review report will help the Authority to further improve the advice and training given to Councillors at District and Parish level in relation to compliance with accepted standards.

3. Consultation and Equality Impact

3.1 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.

3.2 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.

3.3 A key consideration has been that both Parish and District Councillors have equal access to the same information and training.

4. Alternative Options and Reasons for Rejection

- 4.1 Executive could choose not to endorse the recommendations of the review, where they feel the course of action recommended is beyond the delivery capacity of the Authority.

5. Implications

5.1 Finance and Risk Implications

- 5.1.1 None from this report.

5.2 Legal Implications including Data Protection

- 5.2.1 In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

- 5.2.2 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.

5.3 Human Resources Implications

- 5.3.1 None from this report.

6. Recommendations

- 6.1 That the Committee endorses the recommendations of the review outlined in section 2 of the attached report.
- 6.2 That Committee submits the report to Executive for approval, in accordance with the Scrutiny Committee Terms of Reference – Part 3.6 (10) of the Constitution.
- 6.3 That following approval by Executive, monitoring of these recommendations by Committee takes place over a twelve month period via the PERFORM system with an update report to Committee at the end of the monitoring period.

7. Decision Information

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| <p>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></p> | No |
| <p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p> | No |
| <p>Has the relevant Portfolio Holder been informed</p> | Yes |
| <p>District Wards Affected</p> | N/A |
| <p>Links to Corporate Plan priorities or Policy Framework</p> | <p>Aim: Transforming Our Organisation</p> <p>Priority: Demonstrating good governance</p> |

8. Document Information

| Appendix No | Title |
|---|--|
| 9.1 | Review of Standards Committee – Operational Review |
| <p>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)</p> | |
| <p>Please contact Scrutiny & Elections Officer where further information is required.</p> | |
| Report Author | Contact Number |
| Joanne Wilson, Scrutiny & Elections Officer | 01246 242385 |

Report Reference –