



31 March 2014

The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

Dear Sir or Madam

**You are hereby summoned to attend a meeting of the Standards Committee of the Bolsover District Council to be held in Chamber Suites 1 & 2, The Arc, Clowne, on Tuesday 8 April 2014 at 1400 hours.**

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 2.

Yours faithfully

Chief Executive Officer

To: Chairman & Members of the Standards Committee.

### **ACCESS FOR ALL**

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**Email** [enquiries@bolsover.gov.uk](mailto:enquiries@bolsover.gov.uk)    **Web** [www.bolsover.gov.uk](http://www.bolsover.gov.uk)  
Chief Executive Officer: Wes Lumley, B.Sc. F.C.C.A.



The Government Standard

# STANDARDS COMMITTEE

## AGENDA

**Tuesday 8<sup>th</sup> April 2014 at 1400 hours in Chamber Suites 1&2, The Arc, Clowne**

<b>Item No.</b>		<b>Page No.(s)</b>
	<b>PART 1 – OPEN ITEMS</b>	
1.	<b><u>Apologies for absence</u></b>	
2.	<b><u>Urgent Items of Business</u></b>	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4 (b) of the Local Government Act 1972.	
3.	<b><u>Declarations of Interest</u></b>	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	<b><u>Minutes</u></b>	
	To approve the Minutes of a meeting of the Standards Committee held on 11 <sup>th</sup> February 2014.	3 to 7
5.	Recommended item from Union/Employee Consultation Committee held on 12 <sup>th</sup> March 2014; Whistle-blowing Policy.	8 to 18
6.	Corruption in UK Local Government - The Mounting Risk	19 to 20
7.	Committee on Standards in Public Life Survey	21 to 23
8.	Review of the Constitution	24 to 35
9.	Complaints Against Members Update	36 to 39
10.	Standards Committee Work Plan 2013/14	40 to 41

## **STANDARDS COMMITTEE**

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in Chamber Suites 1 & 2, The Arc, Clowne on Tuesday 11<sup>th</sup> February 2014 at 1400 hours.

### **PRESENT:-**

Cooptees: J. Yates and R. Jaffray.

Members:-

Councillors, H.J. Gilmour, A.M. Syrett and G.O. Webster and E. Watts.

Officers:-

S.E.A. Sternberg (Assistant Director Governance & Monitoring Officer), M. Kane (Governance Manager) and A. Bluff (Democratic Services Officer).

J. Yates in the Chair

### **0819. APOLOGIES**

Apologies for absence were received from Councillors M.J. Dooley and D.S. Watson.

### **0820. URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

### **0821. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **0822. MINUTES – 13<sup>th</sup> AUGUST 2013**

Moved by Councillor A M. Syrett, seconded by Councillor H.J. Gilmour

**RESOLVED** that the minutes of the Standards Committee meeting held on 13th August 2013 be approved as a correct record.

### **0823. INTERNAL AUDIT REVIEW OF GIFTS AND HOSPITALITY REGISTERS**

Internal Audit had reviewed the new arrangements for the Gifts and Hospitality Registers and produced a report which had been given a 'satisfactory' rating. The report was attached to the agenda for Members consideration.

## STANDARDS COMMITTEE

There were two recommendations which had been agreed; the first related to the checks made as new forms were sent through to Legal Services in that the 'authorising signatory **was** authorised to sign for acceptance. The report provided examples of where a signatory was not the correct person to authorise. This has now been actioned.

The second recommendation related to Members and the financial level at which Members had to make a formal declaration of the offer of gifts and hospitality. Currently the level stood at £100. The Internal Audit recommendation was:-

*In this sensitive economic climate and to avoid the risk of adverse publicity, consideration should be given to aligning Members gifts and hospitality minimum values in line with employees. (Priority: Medium).*

Officers currently declared the offer of any gifts or hospitality without limit; meaning that the receipt of everything including pencils and calendars, mugs etc. was declared in the Register.

In relation to Members, there had been no declarations for several years which may reflect the level at which Members are required to make a declaration.

A review of the levels for nine neighbouring Councils was that most had a level of £25 or £50.

If Members were minded to review the limit and make a recommendation for change to the Council, there were a number of considerations in setting the appropriate level.

The problem with a zero level was that so many small tokens were given which would require registration. This would particularly be the case in relation to the Chairman and Vice Chairman of the Council who would regularly be provided with small tokens whilst on official business. With a zero level of recording, all of these would need to be put in the Gifts and Hospitality Register and formally accepted by an authorised signatory. It also ran the risk that receipt of such small items could be considered not important, registration could be forgotten and the system undermined.

Many authorities also had their gifts and hospitality register on their website so that the public could view entries without the need to come to the Council's offices. Members were asked if they considered this to be appropriate for Bolsover.

A lengthy discussion took place.

Members agreed that the financial level at which Members make a formal declaration of the offer of gifts and hospitality be set at £50. Didn't they say they would send both issues to Council without a formal recommendation?

Moved by Councillor G.O. Webster, seconded by Councillor A.M. Syrett  
**RESOLVED** that the findings of the Internal Audit report be noted,

## STANDARDS COMMITTEE

**RECOMMENDED** that (1) Council be recommend to approve that the financial level at which Members make a formal declaration of the offer of gifts and hospitality be set at £50,

Moved by Councillor E. Watts, seconded by Councillor G.O. Webster  
(2) Council be recommended to consider whether the Gifts and Hospitality Registers be placed on the Council's website.

(Monitoring Officer/Governance Manager)

### 0824. COMPLAINTS AGAINST MEMBERS UPDATE

Committee considered a report of the Monitoring Officer in relation to complaints made against Members.

The meeting was advised that one complaint against a Member had been received in the current year but as there was no investigation, the complaint was no longer outstanding.

Moved by Councillor E. Watts, seconded by Councillor A.M. Syrett#  
**RESOLVED** that the report be received.

### 0825. CONSTITUTION UPDATE

The Monitoring Officer advised the meeting that the revised Officer Delegation Scheme in the Council's Constitution would be presented to the April meeting of Standards Committee for Member's consideration.

Moved by Councillor E. Watts, seconded by Councillor H.J. Gilmour  
**RESOLVED** that the verbal update be noted.

(Monitoring Officer/Governance)

### 0826. SECTION 106 PROSECUTION

The Monitoring Officer presented a copy of an article in relation to a Section 106 Local Government Finance Act 1992 prosecution regarding a former Kirklees Mayor who had been found not guilty of breaking the law when she had voted on a council tax ballot despite being in council tax arrears herself.

Councillor Jean Calvert had been found not guilty of two counts of breaking Section 106 of the Local Government Finance Act 1992 after a District Judge accepted Councillor Calvert's defence that she was not aware of Section 106.

A newspaper Freedom of Information request had brought the matter to light.

The Monitoring Officer commented that the article was an opportunity to remind Members of this provision.

## STANDARDS COMMITTEE

Moved and seconded

**RESOLVED** that the newspaper article be noted.

### 0827. RAISING THE STANDARDS

The Monitoring Officer presented a copy of an article to the meeting which she felt Members may find interesting. The article was titled 'Raising the Standards', which had been taken from a copy of a publication of 'Local Government Lawyer' dated December 2013, in relation to the revised Standards regime.

The new Standards arrangements had come into force on 1st July 2012 and saw the scrapping of the Standards Board and its replacement with a 'lighter touch' system including 'disclosable pecuniary interests' and independent persons.

The article provided results from a survey carried out by the Local Government Lawyer on how the revised standards regime had worked out in practice and if clarification of the law on predetermination and bias had made any difference?

Respondents of the survey felt that the current sanctions available under the revised regime were insufficient. 85% believed that the sanctions were 'too weak', compared with 13% who felt they were 'about right'. Just 2% said they were too tough.

The article stated that the role of the 'independent person' (IP) in the handling of conduct complaints had been well received. Exactly half of respondents said the role was working either very well or quite well, compared with 7% who considered it to be working either quite badly or very badly. Respondents had stated that they would also like to see greater clarity in relation to DPIs and personal interests.

Particular problems were also identified with parish councils. Calling for the introduction of a body to deal with general complaints at this tier, one lawyer wrote: "Parishes increasingly feel they are only accountable to themselves and the district can't really do anything, and therefore can get away with bad decisions that can't be pinned down to particular individuals."

Another senior governance officer argued that either responsibility for parish councils should be removed or standards committees should be given effective power over parish councillors, for example through an obligation to co-operate, the imposition of sanctions and so on.

A short discussion took place and it was noted that Councils had no power to suspend Members from Council.

Moved and seconded

**RESOLVED** that the article be received.

## STANDARDS COMMITTEE

### 0828. STANDARDS COMMITTEE WORKPLAN 2013/2014

Members considered a report of the Monitoring Officer in relation to the Committee's Work Plan.

It was noted that development of the Annual Work Plan for 2014 to 2015 would need to be discussed and agreed.

Moved and seconded

**RESOLVED** that the Work Plan be noted.

The meeting concluded at 1422 hours.

**Bolsover District Council**

**Standards Committee**

**8<sup>th</sup> April 2014**

**Whistleblowing Policy**

**Report of the Principal Solicitor/ Deputy Monitoring Officer**

This report is public

**Purpose of the Report**

- To provide information to enable the Standards Committee to consider the Whistleblowing Policy as drafted.

**1 Report Details**

- 1.1 The Whistleblowing legislation under the Public Interest Disclosure Act 1998 requires employers to refrain from dismissing workers and employees, or subjecting them to any other detriment because they have made a protected disclosure ("whistleblowing"). Whistleblowing occurs when an employee or worker raises a concern about a possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, the public or the organisation's own reputation.
- 1.2 Whistleblowing policies are aimed at fostering a climate of openness and transparency in which individuals in the workplace do not feel that they will be victimised if they raise concerns about wrongdoing in their organisation to an appropriate officer within the organisation.
- 1.3 Key changes have recently been brought about by the Enterprise and Regulatory Reform Act 2013 and therefore the Policy has been updated to include the following:
- 1.4 Firstly, there is now an express requirement that whistleblowing by employees or workers is made in the public interest. Although the ERRA does not define the meaning of public interest it is implicit that disclosure of any wrongdoing by an employee must exclude those which can be characterised as being purely of a personal nature.
- 1.5 A disclosure no longer has to be made "in good faith" to be protected. Therefore, disclosures made purely out of malice or with the intention of personal gain will be protected as long as they are made with the reasonable belief that they are in the public interest.
- 1.6 Whistleblowers are now protected from suffering detriment, bullying or harassment from another employee. Previously, employees were protected from adverse treatment only in relation to their employer's activity. Employment tribunals will be able to hold employees or workers personally liable for victimising a whistleblower.
- 1.7 An employer can be held liable for any detriment inflicted on the whistleblowing employee or worker by his or her colleagues. The employer would have a defence if it can



demonstrate that it took all reasonable steps such as compliance with its whistle blowing policy to prevent such detriment being inflicted on the whistleblower.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 As part of best practice, the government expects all public bodies to have written whistleblowing policies. It is therefore necessary that the Council's Whistleblowing policy is up to date and fit for purpose.

## **3 Consultation and Equality Impact**

- 3.1 The Policy has been approved by SAMT and UECC.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 N/A

## **5 Implications**

None.

## **6 Recommendations**

- 6.1 That the Whistleblowing Policy be recommended for approval to Council.

## **7 Decision Information**

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	N/A
<b>Links to Corporate Plan priorities or Policy Framework</b>	

## **8 Document Information**

<b>Appendix No</b>	<b>Title</b>
1	Whistleblowing Policy
<b>Background Papers</b> (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)	
N/A	
<b>Report Author</b>	<b>Contact Number</b>
Adele Wylie	01246242477

**BOLSOVER DISTRICT COUNCIL**  
**Whistleblowing Policy**

**December 2013**

## **Bolsover District Council Equalities Statement**

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Strategy.

The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

This document is available in large print and other formats from any of the Council offices or by contacting the Chief Executives Directorate on 01246 242323. Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equality and Improvement Officer can be contacted via [Email](#) or by telephoning 01246 242407.

Minicom: 01246 242450

Fax: 01246 242423

**December 2013**

## **WHISTLEBLOWING POLICY**

### **1. Introduction**

1.1 Employees are often the first to realise that there may be something seriously wrong within a local authority. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances employees may feel that it is easier to ignore the concern, rather than report what may just be a suspicion of malpractice.

1.2 The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Council encourages employees, Members and others with serious concerns about any aspect of the Council's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis.

1.3 Whistleblowing is the term used when someone who works in or for an organisation raises a concern about a possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, the public or the organisation's own reputation. For example instances of theft from the Council, accepting or offering a bribe, and failure by colleagues to adhere to Health & Safety directives could all be the subject of a Whistleblow.

1.4 This policy document makes it clear that concerns can be raised without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing policy is intended to encourage and enable employees to raise concerns within either Council in person, rather than overlooking a problem or using other methods to report concerns.

1.5 This policy applies to Council employees and other workers, including freelance staff, temporary and agency staff, trainers, volunteers, consultants, contractors, employees of another Local Authority with whom the Council has entered into joint working arrangements and Members.

1.6 This policy also applies to all employees in organisations who work in partnership with the Council and suppliers who wish to raise a concern.

1.7 The Public Interest Disclosure Act 1998 protects Council employees who report concerns from subsequent harassment, victimisation and other unfair treatment. Potential informants should feel reassured that it is illegal for the Council to consider any action against them should their concerns not prove to be verifiable.

## **2. Aims and Scope of this Policy**

2.1 This policy aims to:-

- encourage persons to feel confident in raising serious concerns that they may have about practices and procedures
- provide avenues to raise those concerns and receive feedback on any action taken
- allow persons to take the matter further if they are dissatisfied with the Council's response
- reassure employees that they will be protected from possible reprisals or victimisation if they have made any disclosure

2.2 Areas covered by the Whistleblowing Policy include:-

- criminal or other misconduct
- breaches of the Council's Standing Orders or Financial Regulations
- contravention of the Council's accepted standards, policies or procedures
- disclosures relating to miscarriages of justice
- health and safety risks
- damage to the environment
- unauthorised use of public funds
- fraud, bribery and corruption
- sexual, physical and/or verbal abuse of any person or group
- other unethical conduct
- the concealment of any of the above

2.3 Any concerns about any aspect of service provision or the conduct of officers or Elected Members of either Council, or others acting on behalf of either Council, can be reported under the Whistleblowing policy. This may be about something that:-

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to; or
- Is against the Council's constitution and policies; or
- Falls below established standards of practice
- Amounts to improper conduct

## **3. When this Policy may not be appropriate**

3.1 This policy is not a substitute for the Council's other policies and procedures on such matters as personal grievances, bullying and harassment, health and safety, safeguarding issues (children and/or adults) or complaints. It should also

not be used to raise matters relating to an employee's own terms and conditions of service.

3.2 It is important to know the difference between a 'Whistleblow' and a 'grievance.' A Whistleblow has a public interest aspect to it, as it puts others at risk.

3.3 A grievance by contrast has no public interest factors, as it is a complaint about a particular employment situation. A grievance should be reported using the Grievance policy, not this policy.

3.4 For example, a member of staff being formally interviewed on capability grounds, without previously having had any indication that their performance was not acceptable, may lead to a grievance complaint being made. Whilst a member of staff who observes colleagues sharing/selling confidential data that they have access to, to un-authorized others, should lead to a Whistleblow.

3.5 The policy is not to be used by members of the public to pursue complaints about services. These should be dealt with through the Council's Complaints Procedure.

#### **4 Safeguards against Harassment or Victimisation**

4.1 The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. However, the Council will not tolerate any form of harassment or victimisation, and will take appropriate action to protect persons who have made a disclosure.

4.2 The Council is committed to good practice and high standards and endeavors to be supportive of persons who raise concerns under this Policy.

4.3 In all cases, the provisions of The Public Interest Disclosure 1998 (PIDA) will be adhered to.

4.4 The Enterprise & Regulatory Reform Act 2013 (ERRA) introduced a Public Interest test requirement on Whistleblowers. In order to receive the protection of PIDA, Whistleblowers will now have to show that they reasonably believe that the disclosure they are making is in the public Interest.

#### **5. Confidentiality**

5.1 All concerns will be treated in confidence and the identity of the person raising the concern will not be revealed without his or her consent (subject to any legal requirements or decisions). At the appropriate time, however, the person may be expected to come forward as a witness.

## **6. Anonymous Allegations**

6.1 This policy encourages you to put your name to any allegation wherever possible and receive the protection of PIDA as anonymous complaints are likely to be difficult to deal with effectively.

6.2 Concerns expressed anonymously will be considered at the discretion of the Council. In exercising this discretion the factors to be taken into account would include:-

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

## **7. Untrue Allegations & Legal Protection**

7.1 As an employee of the Council you are also given legal protection by the Public Interest Disclosure Act 1998. You will qualify for this protection if you reasonably believe that the disclosure is in the public interest.

7.2 If you make what is known as a “qualifying disclosure” under the 1998 Act to your employer or certain other persons/bodies, it will be unlawful for the Council to subject you to any detriment (such as denial of promotion or withdrawal of a training opportunity), or to dismiss you, because of the disclosure.

7.3 Compensation may be awarded to you by an Employment Tribunal if the Council breaches the 1998 Act, following a successful claim for ‘detrimental treatment’.

## **8 How to raise a Concern under this Policy**

8.1 Concerns may be raised verbally or in writing. Persons who wish to raise a concern should provide details of the nature of the concern or allegation in the following format:

- The background and history of the concern giving names, dates and places where possible.
- The reason why you are particularly concerned about the situation.
- Submit any relevant evidence or documentation

8.2 The earlier you express the concern the easier it is to take action.

8.3 Although you are not expected to prove beyond reasonable doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

8.4 You may choose to be represented by a colleague or Trade Union representative

### Employees

8.5 Employees should normally raise concerns in the first instance with their Line Manager. Alternatively, dependent upon the nature, seriousness and sensitivity of the issues involved and the person suspected of malpractice you could approach;

- the Service Manager whom you feel would be the most appropriate
- Internal Audit
- the Chief Executive Officer
- the Monitoring Officer
- the Director of Corporate Resources

8.6 You may choose to contact a body external to the Council such as the External Auditor or the Police if this is your preference. You may also contact the "Public Concern at Work" helpline if you wish to remain anonymous. The telephone number for this service is: 020 7404 6609.

### Other Persons (including Elected Members)

8.7 Other persons can contact any of the following officers of the Council direct:

- the Service Manager whom you feel would be the most appropriate
- Internal Audit
- the Joint Chief Executive Officer
- the Monitoring Officer
- the Section 151 Officer

8.8 Officers of the Council can be contacted in writing, by phone or by going through one of the Contact Centres. You can contact the Council through your elected Councillor if this is preferable or more convenient.

8.9 You may choose to contact a body external to the Council such as the External Auditor or the Police if this is your preference.

## **9 How the Council will respond to a concern raised under this Policy**

9.1 The Officer with whom the concern was initially raised will respond in writing within ten working days;

- acknowledging that the concern has been received



- indicating how it is proposed to deal with the matter
- stating whether any initial enquiries have been made
- supplying information on what support is available , and stating whether further investigations will take place and if not, why not.

9.2 Concerns raised under this Policy will be investigated by the investigating officer who will be appointed at the Council's discretion.

9.3 When conducting the investigation, the investigating officer may involve:-

- Internal Audit
- Legal & Democratic Services
- Human Resources
- the Police
- an external auditor
- Any other person at the discretion of the investigating officer

9.4 In order to protect individuals and those accused of misconduct or malpractice, the investigating officer will make initial enquiries to decide whether an investigation is appropriate and, if so, what form it should take, having regard to the law and the public interest.

9.5 If the investigating officer decides that a disciplinary investigation may be the more appropriate course of action to take, the investigating officer will advise Human Resources.

9.6 Some concerns may be resolved by agreed action without the need for investigation.

9.7 It may be necessary to take urgent action before any investigation is completed.

9.8 The Council will take steps to minimise any difficulties that persons may experience as a result of raising a concern. For instance, if he or she is required to give evidence in criminal or disciplinary proceedings the Council will arrange for advice to be given about the procedure (but not about what answers to give).

9.9 The Council accepts that persons need to be assured that the matter has been properly addressed. Subject to legal constraints, the Council will inform the persons of the progress and outcome of any investigation.

9.10 It is important for persons to understand that making a Whistleblowing allegation doesn't give them anonymity, but does give them protection from harassment or victimisation.

## **10 The Responsible Officer**

10.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this Policy, and will maintain a record of concerns raised and the outcomes. This record will be in a form which does not compromise confidentiality. The Monitoring Officer will report as necessary to the Council.

## **11 How the Matter Can Be Taken Further**

11.1 This Policy is intended to provide a process within Bolsover District Council, through which appropriate persons may raise concerns. If at the conclusion of this process the person is not satisfied with any action taken or feels that the action taken is inappropriate, the following are suggested as further referral points:

- the Council's external auditor
- Your Trade Union
- Your local Citizens Advice Bureau
- Relevant professional body or regulatory organisation
- A relevant voluntary organisation
- The Police
- Your Solicitor
- The Audit Commission

11.2 Advice should be taken before making an external disclosure and the internal procedure should normally have been followed first.

11.3 The Council would not expect Whistleblowers to make disclosures to the press.

**Bolsover District Council**

**Standards Committee**

**8 April 2014**

**Corruption in UK Local Government – The Mounting Risks**

**Report of the Monitoring Officer**

This report is public

**Purpose of the Report**

- To provide for members' information and consideration a copy of a report issued by Transparency International UK about the growing risk of corruption in local government.

**1 Report Details**

- 1.1 Attached as an appendix is a report issued by Transparency International late last year into the growing potential for corruption in UK local government.
- 1.2 The report concludes that a range of measures introduced by the current Government such as removing the sanctions available to standards committees and abolishing the Audit Commission will lessen the ability to deal with corruption in an efficient and effective manner.
- 1.3 The report provides some helpful definitions of types of corruption together with case studies from around the UK. The report makes 22 recommendations intended to stem the possibility of corruption.

**2 Conclusions and Reasons for Recommendation**

- 2.1 To advise members of the attached document.

**3 Consultation and Equality Impact**

- 3.1 Not applicable.

**4 Alternative Options and Reasons for Rejection**

- 4.1 None.

## 5 **Implications**

### 5.1 **Finance and Risk Implications**

The risks of corruption are set out in the report. The Council has a number of measures in place to mitigate these threats. These are documented in the Council's Anti-Theft, Fraud and Corruption Strategy.

### 5.2 **Legal Implications including Data Protection**

These are set out in the attached report.

### 5.3 **Human Resources Implications**

None.

## 6 **Recommendations**

6.1 That the attached report be noted.

## 7 **Decision Information**

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	None.
<b>Links to Corporate Plan priorities or Policy Framework</b>	None.

## 8 **Document Information**

<b>Appendix No</b>	<b>Title</b>
	None.
<b>Background Papers</b> (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)	
None.	
<b>Report Author</b>	<b>Contact Number</b>
Matthew Kane, Governance Manager	01246 242505

**Bolsover District Council**

**Standards Committee**

**8 April 2014**

**Committee on Standards in Public Life Survey**

**Report of the Monitoring Officer**

This report is public

**Purpose of the Report**

- To respond to the Committee on Standards in Public Life's local authority survey.

**1 Report Details**

- 1.1 The Committee on Standards in Public Life, sometimes called the Nolan Committee, is an independent body which advises Government on ethical standards. The Committee promotes high ethical standards in public life and works to ensure that the Seven Principles of Public Life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership – underpin all aspects of public life. The Seven Principles of Public Life were introduced in 1995.
- 1.2 The Committee is currently looking at how best to embed high ethical standards in public sector organisations through induction, education and training. By high ethical standards the Committee means actively observing the Seven Principles of Public Life. This could mean, for example, acting in terms of the public rather than personal or private interest and not being improperly influenced by others; being honest, open and transparent and declaring all personal interests; and making decisions impartially, fairly and on merit.
- 1.3 One of the areas the Committee is looking at is whether advice and guidance on ethical standards is covered in induction and training programmes for elected representatives, including local councillors. The Committee would like to invite local councillors and local authority monitoring officers to complete a short survey on what their local authority does in terms of induction and training. The survey is anonymous and participation is entirely voluntary. The survey will be live until 17 April and can be accessed by clicking on this link:

<https://www.surveymonkey.com/s/HC5WRNC>

- 1.4 The survey should take about 10 - 15 minutes to complete and responses will be anonymous. The survey may be completed by officers and councillors. One option is to complete the survey during the Committee meeting. In addition, any council with particular examples of good practice that could be shared with the Committee are invited to contact [leila.brosnan@standards.gsi.gov.uk](mailto:leila.brosnan@standards.gsi.gov.uk). The findings will feed into a report which will be published in July. A copy of the findings will, of course, be presented to this Committee.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 To bring to the Committee's attention the Committee on Standards in Public Life's survey of local authorities.

## **3 Consultation and Equality Impact**

- 3.1 None.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 None.

## **5 Implications**

### **5.1 Finance and Risk Implications**

None.

### **5.2 Legal Implications including Data Protection**

None.

### **5.3 Human Resources Implications**

None.

## **6 Recommendations**

- 6.1 That Committee notes the survey and decides whether and how it wishes to respond.

## **7 Decision Information**

<p><b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)</p>	<p>No</p>
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<b>District Wards Affected</b>	None.
<b>Links to Corporate Plan priorities or Policy Framework</b>	None.

**8 Document Information**

<b>Appendix No</b>	<b>Title</b>
	None.
<b>Background Papers</b> (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)	
None.	
<b>Report Author</b>	<b>Contact Number</b>
M Kane, Governance Manager	01246 217753

**Bolsover District Council**

**Standards Committee**

**8 April 2014**

**Review of the Constitution**

**Report of the Monitoring Officer**

This report is public

**Purpose of the Report**

- To present to Committee a revised version of the Constitution for recommendation to Council.

**1 Report Details**

- 1.1 It has been recognised for some time that the Council's Constitution is no longer fit for purpose. Not only is it out-of-date following various organisational and legislative changes but it no longer provides an efficient and effective framework for the authority's decision-making. At 480 pages, the document is vast, containing a great deal of information which is not essential to the operation of the authority. As a result, it is neither user nor public friendly.
- 1.2 The key issues arising from this review were presented at the Member Development Seminar in November. The session identified that the main areas for change were around the access to information rules, call in procedures, officer delegation scheme and codes and protocols along with a number of minor changes. Members endorsed the work ongoing and requested that further work be undertaken to amend particular aspects of the Constitution including removal of the requirement for planning applications to go to Council where they were outside the settlement development framework.
- 1.3 Over the last eight months, officers from Legal and Governance, together with a working group of elected members, have been working on a full review of the Constitution. The Working Group considered a draft copy of the amended document over two sittings in spring 2014 and recommended it to this Committee.

**2 Conclusions and Reasons for Recommendation**

- 2.1 Full details of the substantive changes made to the Constitution document are attached at Appendix A. Appendix B is the revised Constitution document. Copies of the document showing full tracked changes may be supplied on request. Page numbers will be added once the size of the officer delegation scheme, which will be presented separately to this Committee, is known.



- 2.2 Indeed, the revision of the Council's officer delegation scheme in particular has presented a number of challenges during this review. The existing scheme has been found to be very restrictive and does not provide adequate flexibility for officers to carry out their full range of duties in an efficient and effective manner. What is needed is a more enabling scheme and, to this end, the Constitution Working Group considered and endorsed a draft framework in summer 2013.
- 2.3 The revised Constitution document is significantly shorter than the original, owing largely to the reduction of the officer delegation scheme and removal of several codes and protocols from section 5. Whilst these codes and protocols remain important, the Working Group agreed that these would be more sensibly located on the Members' pages of the Council's Intranet. The codes and protocols that remain within the Constitution are those which are either required by law, i.e. the members' code of conduct, or which are essential to the conduct and operation of the Council and its decision-making.

### **3 Consultation and Equality Impact**

- 3.1 Members, directors and assistant directors have been consulted on the development of the revised Constitution.
- 3.2 While no formal equality impact assessment is planned, equality issues have been taken into account when revising the sections relating to access to meetings and information and procurement.
- 3.3 A copy of the Constitution will be placed on the Council's website and made available at the Council's offices, as required by law.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 Whilst a full rewrite of the Constitution would have been preferential, the need to update the document is now becoming increasingly urgent and, indeed, is a legal requirement. Time and capacity is, as ever, limited. What is presented here therefore is a facelift rather than a complete overhaul.

### **5 Implications**

#### **5.1 Finance and Risk Implications**

None.

#### **5.2 Legal Implications including Data Protection**

Under the Local Government Act 2000 (amended by the Localism Act 2011) the Council must prepare and keep up-to-date a document known as the Constitution which must contain standing orders, code of conduct and other such information as is considered appropriate by the Council.

### 5.3 Human Resources Implications

Changes to the officer delegation scheme may result in, as yet, unknown job evaluation implications for staff where they assume additional responsibility. This was outlined by the Chief Executive in his briefings to staff and members prior to the introduction of the new senior management structure in winter 2013. The full implications of this are currently being worked through with Assistant Directors.

## 6 Recommendations

6.1 To recommend to Council that:

- (a) The revised Constitution, minus the officer delegation scheme, which is attached to this report as Appendix B be approved.
- (b) The Monitoring Officer be delegated power to make consequential changes to the Constitution arising from organisational changes or new legislation.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	None.
<b>Links to Corporate Plan priorities or Policy Framework</b>	Strategic Organisational Development Customer Focussed Services

## 8 Document Information

Appendix No	Title
A B	Summary of Changes to Constitution Revised Constitution
<b>Background Papers</b> (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)	
None that are not already published.	
Report Author	Contact Number
Sarah Sternberg, Monitoring Officer	01246 242414
Adele Wylie, Principal Solicitor	01246 242477
Matthew Kane, Governance Manager	01246 242505

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
1 – Summary and Explanation	Old section 2. What's in the Constitution	Removed – Duplicated as details are given in the Contents section.
	New section 2 – How the Council Operates	Words added to reflect that the Council does have an option in terms of how long it appoints the Leader.
	New Section 3(1) – How Decisions Are Made	Clarification to show the maximum number of members that can sit on the Executive.
	New Section 3(2) – Scrutiny Committees	Words added to clarify existing Scrutiny Committee structure.
	New Section 5 – Citizens' Rights	Citizens' rights removed as duplicated in the Articles section.
2- Articles	2 – Members of the Council	References to Local Government Commission removed from 2.1(1) and minor clarifications made to 2.2.
	3.1 – Citizens and the Council	New paragraph (3) (ii) added.
	4 – The Council	<p>The policy framework has been revised at Section 4.1, removing the:</p> <p>Local Agenda 21 Strategy Regeneration Strategy</p> <p>And adding the following:</p> <p>Borrowing and Investment Strategy Corporate Plan Licensing Policy Pay Policy Statement Treasury Management Strategy</p>

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
	6 – Scrutiny Committee	Sections 6.1 and 6.3 amended to include reference to Budget Scrutiny Committee.
	7 - The Executive	Section 7.3 amended to reflect that the Council does have an option in terms of how long it appoints the Leader.
	9 – Standards Committee	Revised to reflect the new Standards Committee arrangements.
	10 – Area Committees and Forums	Reference to old Best Value principle in 10.1 (1) removed.
	11 – Joint Arrangements	New Section 11.5 – Strategic Alliance Joint Committee added.
	12 - Officers	Section 12.4 (4) amended to remove reference to old ethical standards arrangements.
	13 – Decision Making	New paragraph (9) inserted into Section 13.2 to reflect that members should make decisions in the best interests of the District.
	16 – Suspension, Interpretation and Publication of Constitution	Section 16.3 (1) amended to reflect where copies of the Constitution are placed.
3 - Functions	3.2 Council Functions	<p>Paragraph 11 revised to reflect that the Council now only appoints the Leader.</p> <p>Requirement for Council to determine planning applications and determine Council's requirements for public open space provision in respect of new development proposed under a planning application removed.</p> <p>Paragraph 26 relating to local choice functions removed.</p>
	3.4 Executive Functions	<p>Responsibility for former Best Value process removed.</p> <p>Reference to delegation to Chief Executive and other officers removed. This can happen anyway.</p>

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
	3.5 Cabinet Responsibilities (now renamed Individual Member Responsibilities)	Remove the paragraph headed '(1) Leader' as this is reflected elsewhere.
	Cabinet Members – Roles and Responsibilities Table	Revised to reflect existing portfolios.
	3.6 Committee Terms of References	<p>Scrutiny Committee terms of reference revised to reflect decisions made by Council following recommendations made by those Committees. The Powers of Scrutiny Generally section has been consolidated and placed at the end of the section.</p> <p>Standards Committee terms of reference revised to reflect decisions made by Council following introduction of the new framework.</p> <p>Audit Committee's Section 3 revised to reflect the current membership situation. New paragraphs (3) and (4) added to Section 4 (2). Section 5 – Members and Officers Giving Account removed.</p> <p>Reference to scrap metal licensing added to Licensing Committee functions.</p> <p>References to planning applications needing to go to Council removed from Planning Committee terms of reference.</p> <p>UCAS definition of Consultation added to UECC functions as previously agreed by Council. Portfolio Holder for Social Inclusion added to membership. Requirement for Chair and Vice Chair to annually rotate between sides added.</p> <p>Equalities Working Group and Creswell Townscape Heritage Initiative Joint Committee terms of reference removed completely.</p> <p>Section 5 (3) (ii) of Pleasley Park and Vale Conservation Area Joint Advisory Committee amended to reflect that meetings should not be convened with less than five clear days notice.</p>

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
		Strategic Alliance Joint Committee terms of reference added at Section 3.7 (4). Joint Board decision notice template removed. Members' delegation in respect of Bolsover District Voluntary and Community Small Grants Fund added at Section 3.7 (6).
4 – Rules of Procedure	4.1 Council Procedure Rules	<p>Old Section 4.1.1 (1) and reference at (4) removed to facilitate the Calendar of Meetings being brought to Members before the Annual Meeting.</p> <p>Section 4.1.6 (4) amended to reflect that the Council does have an option in terms of how long it appoints the Leader.</p> <p>Old Section 4.1.9 – Lunchtime Adjournment of Meetings removed and replaced with a new Section on Use of Media and Other Communication Methods to reflect the new requirements from the Openness in Local Government Bodies Regulations</p> <p>Section 4.1.15 (11) (xiii) removed to allow meetings to go on for longer than five hours without need for a vote.</p> <p>Section 4.1.19 (4) amended to reflect that the Governance Officer rather than the Chief Executive will undertake a recorded vote. Requirement for a mandatory recorded vote at Council Tax and Budget meetings added.</p> <p>Section 4.1.23 (2) reworded to remove the reference to members not being able to attend judicial and quasi-judicial meetings.</p> <p>Appendix B reworded to simplify.</p>
	4.2 – Access to Information Procedure Rules	Rewritten to take account of the Access to Information (Executive Arrangements) Regulations 2012.

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
	4.3 – Budget and Policy Framework Procedure Rules	<p>The table in Section 4.3.1 has been revised, removing references to stakeholders and adding a ‘first consideration’ committee in the right-hand column. This is the body the Policy will need to be considered by prior to it being recommended to Council for approval.</p> <p>Paragraph (3) in Section 4.3.2 removed. This was purely explanatory of forthcoming sections. Section 4.3.3 rewritten to reflect current arrangements for developing the Policy and Budget Framework.</p> <p>Section 4.3.5 (a) and (b) revised to require only the ‘relevant’ Scrutiny Chair to agree to a matter being taken as urgent rather than all three. This reflects the current legal requirement.</p>
	4.4 Executive Procedure Rules	<p>Old Section 4.4.3 – Conflicts of Interest – removed. This is covered by the Members’ Code of Conduct.</p> <p>New Section 4.4.6 (v) revised to remove requirement for the agenda to specify Key Decisions.</p> <p>Old Section 4.4.8 – Consultation – removed which required reports relating to the Budget and Policy Framework to contain details about the consultation undertaken.</p> <p>New Section 4.4.7 revised to include Assistant Directors and remove Heads of Service as officers who can put an item on a scrutiny agenda</p>

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
	4.5 Scrutiny Procedure Rules	<p>Old Section 4.5.1 (2) removed which required Scrutiny to consult before appointing or discontinuing a sub-committee.</p> <p>New Section 4.5.1 (1) and (2) revised to reflect current membership arrangements.</p> <p>Section 4.5.2 revised to remove provision that prevents members from sitting on more than one Scrutiny Committee.</p> <p>Section 4.5.4 revised to remove the requirement for certain officers (Director, Finance and Legal) to attend Scrutiny Committees.</p> <p>Section 4.5.6 revised to include references to Scrutiny Management Board and remove references to the Committee appointing a Chair. Appointment of Chairs is by Council.</p> <p>References to work programmes changed to work plans as agreed by Council.</p> <p>Sections 4.5.10, 4.5.11 and New Section 4.5.18 revised to reflect the fact that Scrutiny Management Board should consider reviews prior to them going to Executive.</p> <p>Old Section 4.5.12 relating to Rights of Scrutiny Members to Documents removed as this is reflected in Section 4.2 – Access to Information.</p> <p>New Section 4.5.12 revised to simplify arrangements.</p> <p>New Section 4.5.14 (f) revised to remove second call in requirement.</p> <p>New Section 4.5.14 (h) removed to simplify.</p> <p>New Section 4.5.15 revised to require only the ‘relevant’ Scrutiny Chair to agree to a matter being taken as urgent rather than all three. This reflects the current legal requirement. Words added to new section 4.5.17 (2) to provide for Portfolio Member’s attendance at Scrutiny as part of a review.</p> <p>New Section 4.5.17 (3) relating to Conducting Investigations removed as it was not considered necessary.</p> <p>Councillor Call for Action procedures removed.</p>



## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
	4.6 Procedure for Call In	<p>Section 4.6.2 revised to clarify the timescales for call in. This will be five clear days following the publication of the Executive minutes.</p> <p>Section 4.6.4 revised to remove the ability to call in an item via telephone or in person.</p> <p>Section 4.6.6 revised to clarify what decisions may be called in.</p>
	4.7 Financial Regulations	<p>Section 4.7.1 (7) removed – Procurement Management Board no longer exists.</p> <p>Section 4.7.6 (4) amended to remove the reference to the new Financial System from 2006.</p> <p>Section 4.7.19 (3) amended to remove references to the Audit Commission. Paragraph (11) relating to the requirement of the Head of Internal Audit Consortium to report on a quarterly basis removed as this is reflected in the Function scheme.</p> <p>Old Section 4.7.21 – Hospitality/Gifts – removed as this is reflected in the Codes and Protocols.</p> <p>Old Section 4.7.22 – Register of Associations - removed as this is reflected in the Employee Code of Conduct.</p>
	4.8 Contracts Standing Orders	Section 4.8.6 on the Bribery Act rewritten in light of the Bribery Act 2010.
	4.9 – Officer Employment Procedure Rules	<p>Section 4.9.3 (b) relating to Appointment of Head of Paid Service revised to remove requirement for appointment of Chief Executive to receive the blessing from a Member of the Executive.</p> <p>Old Section 4.9.4 (b) Appointment of Chief Officers and Deputy Chief Officers revised to remove requirement for appointment of Chief Officers and Deputy Chief Officers to receive the blessing from a Member of the Executive. New paragraph (b) also amended to remove need for a four member panel to interview where the matter is delegated.</p>

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
	4.10 – Officer Delegation Scheme	Rewritten to provide a more flexible scheme. See covering report. This will form the basis of a separate report to Committee.
	4.11 - Members Delegation Scheme	Removed. Duplicates what is already in the Functions Scheme.
5 – Codes and Protocols	5.1 Members Code of Conduct	Revised to include newly adopted Members' Code.
	5.2 Employee Code of Conduct	Section 13 amended to reflect new Advertising and Sponsorship arrangements.  Appendix 1 - Gifts and Hospitality revised to reflect previous decisions made by Council and existing guidance. The new financial threshold proposed by Standards Committee for declaration of items of gifts and hospitality is £50.
	5.3 Protocol on Member/Officer Relations	Section 7 (2) relating to the officer/chairperson relationship removed as it was not considered necessary.  Old Section 10 relating to the wearing of ID badges removed as it was not considered necessary.  New Section 10 (4) and (5) relating to what CCTV was removed as it was not considered necessary.  Old Section 12 about members needing to raise issues with the appropriate Portfolio Holder if it has not been resolved with an officer removed as it was not considered necessary.  Appendix to Protocol removed. This just listed the legislation relevant to the section and was not considered necessary.
	5.4 Code of Good Practice for Members and Officers Involved in the Planning Process	Rewritten to reflect the new guidance issued by the LGA and Planning Advisory Service.

## Appendix A - Summary of Changes to the Constitution

Part	Section	Change
		New Section 14 (3) added to reflect that members may sometimes be required to attend appeals and give evidence.
	5.5 - Elected Member/Officer Communication Protocol  5.6 – Protocol for Carrying Out the Role of Monitoring Officer  5.7 – The General Principles	Removed.
	5.8 – 5.11 Job Descriptions for Members (now known as 5.5 Members' Roles and Responsibilities)	Title amended and new descriptions added.
	5.12 Partnership Protocol and Toolkit	Removed.
6 – Members Allowances	Members Allowance Scheme  Members' Allowances – Guidance  Appendix D – Mileage Rates	Revised to reflect decisions taken at Council in March 2014.  Section 6.7 (9) revised to reflect new HMRC home-to-work requirements.  Mileage rate amended to reflect HMRC rate.
7 – Management Structure		Removed.
8 – Petitions Scheme		Revised to reflect the fact the Council no longer employs an e-petitions facility.

**Complaints of Breach of the Code of Conduct – 2012 onwards**

<b>Year</b>	<b>Number Received</b>	<b>PC</b>	<b>DC</b>	<b>Monitoring Officer's decision in consultation with the Independent Persons – action other than investigation.</b>	<b>Investigation</b>	<b>Hearing</b>	<b>Outstanding.</b>
<b>MC 1/2012</b>	1	1		File closed – No breach of the Code.	No	No	0
<b>MC 2/2012 (formally LAC 4/2012)</b>	2	1		File Closed – No breach of the Code.	No	No	0
<b>MC 3/2012 (formally LAC 7/2011)</b>	3	1		N/A	Yes No breach – file closed.	No	0
<b>MC 4/2012</b>	4	1		File closed – Complaint did not fall within the jurisdiction of the Code.	No	No	0
<b>MC 5/2012</b>	5	1		File closed – Complaint did not fall within the jurisdiction of the Code.	No	No	0
<b>MC 6/2012</b>	6	1		File closed – No breach of the Code.	No	No	0
<b>MC 7/2012</b>	7	1		For further action see 15. File closed	Yes	No	0
<b>MC 8/2012</b>	8	1		File closed – No breach of the Code.	No	No	0
<b>MC 9/2012</b>	9	1		File closed	No	No	0
<b>MC</b>	10		1	File closed – Other Action taken –	No	No	0

**AGENDA ITEM 9  
STANDARDS  
COMMITTEE – 8<sup>th</sup> April 2014**

<b>Year</b>	<b>Number Received</b>	<b>PC</b>	<b>DC</b>	<b>Monitoring Officer's decision in consultation with the Independent Persons – action other than investigation.</b>	<b>Investigation</b>	<b>Hearing</b>	<b>Outstanding.</b>
<b>10/2012</b>				Councillor reminded of their obligations concerning sensitive information.			
<b>MC 11/2012</b>	11	1		File closed – No breach of the Code.	No	No	0
<b>MC 12/2012</b>	12	1		File closed – No breach of the Code.	No	No	0
<b>MC 13/2012</b>	13		1	File closed – No breach of the Code.	No	No	0
<b>MC 14/2012</b>	14		1	File closed – Insufficient information provided from Complainant to assess the complaint.	No	No	0
<b>MV 15/2012</b>	15	1		7 and 15 of 2012 are being dealt with together 8/2013 because they are related. File closed	Yes	No	0

Number (in addition to the above) rejected as being out of jurisdiction 2

**Complaints of Breach of the Code of Conduct – 2013**

<b>Year</b>	<b>Number Received</b>	<b>PC</b>	<b>DC</b>	<b>Monitoring Officer's decision in consultation with the Independent Persons – action other than investigation.</b>	<b>Investigation</b>	<b>Hearing</b>	<b>Outstanding.</b>
<b>MC 1/2013</b>	1		1	File closed – No breach of the Code.	No	No	0
<b>MC 2/2013</b>	2		1	File closed – Complaint did not fall within the jurisdiction of the Code.	No	No	0
<b>MC 3/2013</b>	3		1	File closed – No breach of the Code.	No	No	0
<b>MC 4/2013</b>	4		1	File closed –No breach of the Code.	No	No	0
<b>MC 5/2013</b>	5		1	File closed – Complaint did not fall within the jurisdiction of the Code.	No	No	0
<b>MC 6/2013</b>	6	1		File closed – No breach of the Code	No	No	0
<b>MC 7/2013</b>	7	1		File Closed - Withdrawn	No	No	0
<b>MC 8/2013</b>	8	1		7 and 15 of 2012 are being dealt with together with 8/2013. No breach. File Closed.	Yes	No	0
<b>MC 9/2013</b>	9	1		File closed – No breach of the Code.	No	No	0
<b>MC 10/2013</b>	10	1		File closed – No breach of the Code.	No	No	0
<b>MC 11/2013</b>	11	1		File Closed –Complaint did not fall within the jurisdiction of the Code.	No	No	0

**Complaints of Breach of the Code of Conduct – 2014**

<b>Year</b>	<b>Number Received</b>	<b>PC</b>	<b>DC</b>	<b>Monitoring Officer's decision in consultation with the Independent Persons – action other than investigation.</b>	<b>Investigation</b>	<b>Hearing</b>	<b>Outstanding.</b>
<b>MC 1/2014</b>	<b>1</b>		<b>1</b>				<b>0</b>

## STANDARDS COMMITTEE WORK PLAN 2013/14

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
1. Annual report to Council by Chairman of Standards Committee		• 7 <sup>th</sup> August 2013	•	Done
2. Review of training needs – District and Parish Councillors	<ul style="list-style-type: none"> <li>• District Councillors</li> <li>• Parish Councillors</li> <li>• Monitoring of attendance</li> </ul>	<ul style="list-style-type: none"> <li>• progress reports at each meeting</li> </ul>	<ul style="list-style-type: none"> <li>• District Cllrs – progress</li> <li>• Parish Cllrs – needs addressing once District Councillors training is completed. Consider using the Parish Council Liaison Meeting as a vehicle.</li> </ul>	Ongoing
3. Annual Reports -	<ul style="list-style-type: none"> <li>• Year end number of complaints against District and Parish Councillors.</li> <li>• Gifts and hospitality Registers</li> <li>• RIPA</li> </ul>	<ul style="list-style-type: none"> <li>• .</li> <li>• 13<sup>th</sup> August 2013.</li> <li>• 13<sup>th</sup> August 2013.</li> </ul>	<ul style="list-style-type: none"> <li>• The figures, including the previous years figures, are reported at each meeting</li> </ul>	<ul style="list-style-type: none"> <li>• Done</li> <li>• Done</li> <li>• Done</li> </ul>
4. Review of RIPA Policy	•	• 13 <sup>th</sup> August 2013.	•	• Done
5. Review of whistle	•	• 8 <sup>th</sup> April 2014	• A report is on this agenda.	• Ongoing



ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
blowing policy				
6. Review of Constitution	<ul style="list-style-type: none"> <li>• Through Constitution Working Group</li> </ul>		<ul style="list-style-type: none"> <li>• The following areas have been reviewed and approved: - Council Procedure rules, Contracts Standing Orders, Members allowances section, Members Code of conduct. It is recommended that the remainder is dealt with in 2 halves: the Delegation Scheme and the rest and that these are dealt with swiftly and not section by section.</li> <li>• The format for the Delegation Scheme has been agreed by the Constitution Working Group. The details of the Delegation Scheme are now being worked up with a view to the whole scheme coming before members at the next meeting. With regard to the rest of the Constitution, it is intended to deal with this in one go with the Constitution Working Party in October.</li> <li>• 11/2/14 – A verbal update will be given on the progress that has been made with this.</li> <li>• 8/4/14 – the draft Constitution is on this agenda as the next stage in the process.</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>
7. Development of the Annual Standards Committee work plan for 2014 to 2015	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• 8<sup>th</sup> April 2014</li> </ul>	<ul style="list-style-type: none"> <li>• Members are asked to consider what they would like including on the work plan for 2014/15. Suggestions would be in addition to the usual items on the work plan.</li> </ul>	Ongoing

**April 2014**