



**Standards Committee
Annual Report 2021/22**

Standards Committee Annual Report 2021/22

Foreword from the Chair of the Standards Committee

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.

I would like to take the opportunity to thank the Members on the Committee, the Independent Persons and officers of the Council, for their continued hard work and support in the work of the Committee during the year.

Mrs Ruth Jaffray

Co-opted Member

The Annual Report outlines the work of the Standards Committee during the municipal year 2021/22 and covers the following subjects:

- 1 Chair and Co-optees of the Standards Committee 2021/22
- 2 Independent Persons
- 3 Complaints received during 2021/22
- 4 Constitution Review Work
- 5 Policy Review Work
- 6 Gifts and Hospitality
- 7 Member Training Attendance
- 8 Other items considered by the Standards Committee

1 Chair and Co-optees of Standards Committee 2021/22

- 1.1 The Articles of the Constitution require 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.

2 Independent Persons

- 2.1 The Council had previously appointed Mr Stephen Wainwright to fulfil the role as Independent Person who advises the Monitoring Officer on complaints against District or Parish Councillors and also advises Councillors who were the subject of complaints.
- 2.2 Although the legislation required the appointment of only one Independent Person, the Council had agreed that a second appointment ensured flexibility and resilience and a second Independent Person, Mr Ian Kirk, was selected as a suitable candidate for a 4 year term in August 2017.
- 2.3 Mr Kirk's term was due to expire on 14th September 2021, however, it was considered, in the Monitoring Officer's opinion that he continue to be an ideal candidate for the role, and on that basis Council approved that Mr Kirk be offered a further four year term of engagement to carry out this service to the Authority until September 2025.

3 Complaints received during the period January 2021 to 19th April 2022

- 3.1 14 complaints against Members were received during the period January 2021 to 19th April 2022. Twelve related to parish councils and 2 related to the District Council. Thirteen were closed with no further action and 1 complaint was still being considered.

4 Constitution Review Work

- 4.1 One of the functions of the Standards Committee is to undertake an annual review of the Council's Constitution to ensure it is 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;

- Questions by Members (Scope and Withdrawal)
- Housing Allocations Review Panel (HARP) Terms of Reference
- Audit and Corporate Overview Scrutiny Committee Terms of Reference
- Delegation Scheme in relation to a new Senior Management Team
- Petitions Scheme
- Substitution Scheme
- Council Procedure Rules
- Scrutiny Procedure Rules
- Call In Procedure
- Budget and Policy Framework
- Minor wording changes or updating of job titles (housekeeping)

4.2 Changes made under Delegated Authority by the Monitoring Officer during the year included Planning Committee Procedure and Licensing Committee Terms of Reference.

4.3 New Code of Conduct for Councillors

The Council is required to have a Code of Conduct for Councillors by the Localism Act 2011.

Following the recommendations of the Committee for Standards in Public Life, the Local Government Association (LGA), had produced a new model Code of Conduct for Councillors.

Based on the LGAs model, the Standards Committee had considered a new draft Code of Conduct for Bolsover District Councillors, and had made suggestions to further strengthen the Code.

The Code was approved and adopted at Council in July 2021 and each District Councillor was written to requiring them to agree to be subject to the Code.

Two training sessions were held for District Councillors via zoom in December 2021 with 49% of Members attending between the two sessions. Post sessions, all Members were sent a recording of the training via YouTube.

The Committee had also agreed that following adoption of the Code at Council, all parish and town councils be written to recommending them to adopt the LGAs new Code, and that training on the Code take place for all parish and town Councillors.

A draft Code based on the new LGA Model for parish and town councils had been considered at Standards Committee in January this year and has been circulated to all parish and town councils for their consideration. However, parish and town councils could still use their own versions if they preferred.

If parish and town councils adopted the circulated Code then training would be provided to them by the Monitoring Officer.

5 Policy Review Work

5.1 Whistle-blowing Policy Review

The Council previously had a joint Whistle-blowing policy with North East Derbyshire District Council. This was recently adapted and is now a Bolsover only policy. The Council is committed to updating the policy on a regular basis to ensure it is fit for purpose and a review was conducted in January 2022 with no substantive changes being made other than housekeeping amendments.

The Monitoring Officer had overall responsibility for the maintenance and operation of the policy and would maintain a record of any concerns raised and the outcomes. The Monitoring Officer was also required to report as necessary to

the Council on instances relating to Whistleblowing. It was noted by the Standards Committee at its meeting in January 2022, that the policy was fit for purpose and there had been no instances of whistle blowing since the 2021 annual review.

5.2 RIPA Policy Review

The Council previously had a joint RIPA policy with North East Derbyshire District Council. The Standards Committee had considered a report regarding a review undertaken on the RIPA Policy, which covers the Council's activities under the Regulation of Investigatory Powers Act 2000 (RIPA). The policy had been amended to make it a Bolsover only policy and several changes had been highlighted which included keeping a log of surveillance and the introduction of control measures on the use of social media.

RIPA training for investigating officers and authorising officers had been provided by an external trainer in March 2022.

6 Gifts and Hospitality

6.1 The Council's Constitution specifies detailed arrangements for the registering of gifts and hospitality made to Members and officers.

6.2 The annual reporting of offers of gifts and hospitality made to Members and officers ensures that the Council's performance on this matter is monitored on a regular basis and that any changes in procedure can be introduced if necessary. The register of Gifts and Hospitality is also published on the Council's website.

6.3 In January this year, the Standards Committee received and noted an annual report in respect of offers of gifts and hospitality made to Members and officers for the period January 2021 to December 2021.

6.4 Members are reminded that advice is available from the Monitoring Officer, Deputy Monitoring Officer and Legal Services in relation to any offer of gift or hospitality and Members and officers are encouraged to seek this advice where they were unsure.

7 Member Training Attendance

Part of the Terms of Reference of the Standards Committee is to oversee Members training including attendance at courses. This was in relation to matters affecting their conduct and probity including relevant information provided to newly elected District Councillors.

A mid-term induction programme was held during May and June 2021 and all sessions were delivered internally by officers.

Other training sessions which had been on offer during the year, some internally and some informally, were drop in sessions for all Members to receive training and support with anything ICT related with the Members ICT and Training Officer, a workshop on Overview and Scrutiny run by East Midlands Councils, and a free

webinar run by the Centre for Governance and Scrutiny for Members of the Audit and Corporate Overview Scrutiny Committee.

Between November 2021 and March 2022, sessions had been arranged for Members to attend Safeguarding, New Councillor Code of Conduct, Section 106 Planning obligations (Planning Committee Members only) and a CIPFA webinar for Audit Committee Members in local authorities.

8 **Other items considered by the Standards Committee**

During the 2021/22 Municipal Year, the Standards Committee also considered;

- the Annual Letter from the Local Government & Social Care Ombudsman (2020/21)
- a report relating to Customer Service Standards and Compliments, Comments and Complaints (2020/21)

Footnote: If any Member would like a copy of any of the reports referred to in this report, they should contact the Governance Team on 01246 242528