

STANDARDS AND ETHICS COMMITTEE


Venue: Town Hall, Moorgate
Street, Rotherham. S60
2TH

Date: Thursday, 14 June 2018

Time: 2.00 p.m.

A G E N D A

1. Apologies for Absence
2. Declarations of Interest
3. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda
4. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency
5. Minutes of the previous meeting held on 1st May, 2018 (herewith) (Pages 1 - 6)
6. Training Plan - Verbal Update from Monitoring Officer following Parish Liaison Group
7. Local Codes and Protocols (herewith) (Pages 7 - 9)
8. Annual Report (herewith) (Pages 10 - 13)
9. Current Issues in Local Government Standards (information herewith) (Pages 14 - 21)
10. Standards and Ethics Committee - Consideration of Complaints (herewith) (Pages 22 - 26)
11. A Review of Concerns raised pursuant to the Whistleblowing Policy (herewith) (Pages 27 - 31)
12. ,Date and Time of Next Meeting - Thursday, 13th September, 2018 at 2.00 p.m.



SHARON. KEMP,
Chief Executive.

STANDARDS AND ETHICS COMMITTEE**Tuesday, 1st May, 2018**

Present:- Councillor McNeely (in the Chair); Councillors Allen, Andrews and Simpson and Mr. R. Swann (Parish Council Representative) and Mr. P. Edler (Independent Co-opted Member).

Apologies for absence were received from Councillors Brookes, Ireland and Mallinder, Mr. D. Bates and Mr. D. Rowley (Parish Council Representatives) and Mrs. A. Dowdall and Mrs. J. Porter (Independent Co-opted Members).

57. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

58. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the appendices for Minute Nos. 65 and 66 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

59. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH JANUARY, 2018

Consideration was given to the minutes of the previous meeting held on 18th January, 2018

Reference was made to Minute No. 52 (Outcome of Standards and Ethics Sub-Committee) and the need for training with Members on official capacity declarations. This would be actioned with the Democratic Services Manager in the new municipal year.

With regards to Minute No. 54 (Review of Concerns) it was noted that no recommendations had yet been received from Government.

Sub-Committee Hearings in relation to Minute No. 55 (Consideration of Complaints) would be arranged immediately following confirmation of the membership at Annual Council. With regards to (4) the Monitoring Officer would report back on future training sessions that incorporated social media issues.

Resolved:- (1) That the minutes of the meeting of the Standards and Ethics Committee held on 18th January, 2018 be approved as a true and accurate record of proceedings.

(2) That actions arising be reported back to the next meeting of the Standards and Ethics Committee.

60. REVIEW OF THE STANDARDS AND ETHICS COMMITTEE ORDER OF PROCEEDINGS FOR SUB-COMMITTEE HEARINGS

Further to Minute No. 53 of the meeting held on 18th January, 2018 consideration was given to the report presented by Stuart Fletcher, Deputy Monitoring Officer, which detailed the amendments which have now been incorporated into the Amended Order of Proceedings attached at Appendix 1.

In considering the amended Order of Proceedings, the Committee were asked if they wished to make any further suggestions for amendments and then approve the final version of the Order of Proceedings document.

Resolved:- That the final version of the Order of Proceedings, as submitted, be approved.

61. STANDARDS BULLETIN

Consideration was given to the report presented by Stuart Fletcher, Deputy Monitoring Officer, including the Standards bulletin prepared by North Yorkshire County Council (NYCC) for consideration by the Committee, and further circulation if appropriate.

Discussion ensued on accessibility of the information links, the appropriateness of parliamentary information, frequency of circulation and on the need to include Rotherham specific information prior to wider circulation.

Resolved:- (1) That the contents of the bulletin be noted.

(5) That the bulletin be amended to include Rotherham specific information and distributed to Members and Parish and Town Councils in Rotherham.

62. THE MEMBERSHIP OF THE STANDARDS AND ETHICS COMMITTEE AND THE APPOINTMENT OF INDEPENDENT PERSONS

Consideration was given to the report presented by Dermot Pearson, Monitoring Officer, which detailed the need for a review and refresh of the current membership of the Standards and Ethics Committee along with the arrangements and re-appointment of the Council's Independent Persons.

The current members of the Committee were appointed by the Council at its Annual Meeting in May, 2017. However the original four year terms of office of the representatives of Town and Parish Councils expired in 2017 and the terms of office of three of the Independent Members expired in

2016. It was, therefore, timely to invite the Town and Parish Councils in the Borough to nominate fresh representatives and for the current representatives to be re-appointed by Council pending new nominations.

On the previous occasion the Town and Parish Councils selected their nominees by a ballot of all Town and Parish Councillors, but the mechanism for selecting the nominees would be a matter for the Town and Parish Councils. It was suggested that this be raised at the next meeting of the Parish Council Network Meeting and an item placed on their agenda for consideration with the Chair and the Monitoring Officer attending.

Similarly, the Independent Co-opted Members of the Committee were appointed by the Council and it was timely for the Committee to review its independent membership given the current long term vacancy and appointments made in due course.

The Council had also previously appointed two Independent Persons, who were not members of the Committee, but their terms of office expired in 2017. It was now a matter of some urgency that Council make arrangements to re-appoint the current Independent Persons retrospectively or to appoint new Independent Persons to enable the Council to hold Hearings Panels in compliance with the statutory requirements.

It was noted the Council's Constitution Working Group was reviewing the Council's Constitution and that work would include the terms of reference of this Committee.

Discussion ensued on the role, value and knowledge of the Independent Members and the merits of their roles continuing. It was also noted that with the all-out elections in 2020 nominated representatives of Town and Parish Councils may be affected should they not be re-elected. It was, therefore, suggested that their terms of office expire to coincide with the elections and a re-election process then take place for four year terms.

Resolved:- (1) That the Council be asked to confirm the appointment of the current Town and Parish Council representatives until further nominations were received.

(2) That the Town and Parish Councils in the Borough be invited to nominate three representatives who were members of a Town or Parish Council to be members of the Committee until May, 2020.

(3) That Council be asked to confirm the appointment of the current Independent Co-opted Members of the Committee until the end of the 2018/19 municipal year.

(4) That Council be asked to confirm the retrospective re-appointment of the current Independent Persons until the end of the 2018/19 municipal year.

63. STANDARDS AND ETHICS COMMITTEE WORK PLAN

Consideration was given to a report presented by Stuart Fletcher, Deputy Monitoring Officer, which set out the draft Work Programme for the Standards and Ethics Committee for the period June, 2018 to December, 2019.

The Committee considered the detail of the Work Programme and suggested that the review of procedures for appointment to outside bodies should take place sooner in the calendar in order to coincide with the decisions made by Cabinet. This should be moved to March, 2019.

In terms of the Training Plan in June, 2018, it was suggested that some consideration be given to linking training to an existing Parish Council Meeting, natural demographic areas to group training for several Parish Councils, to training already taking place with the Yorkshire Local Councils' Association and for information to be shared via the Parish Council Network Group.

Whilst it was noted that some detail on the Work Programme extended beyond the next municipal year, it was helpful to be aware of what had been considered and when.

Resolved:- (1) That the Work Programme be received and the contents noted.

(2) That the finalised Work Programme for the period June, 2018 to September, 2019 be approved, subject to the amendments above.

(3) That the Chair and Monitoring Officer attend a meeting of the Parish Council Network Group at a date/time to be confirmed.

64. CONSULTATION BY COMMITTEE ON STANDARDS IN PUBLIC LIFE - REVIEW INTO ETHICAL STANDARDS IN LOCAL GOVERNMENT

Consideration was given to the report presented by Stuart Fletcher, Deputy Monitoring Officer, which detailed the circulated consultation document by the Committee on Standards in Public Life and its review of local government ethical standards running from 29th January, 2018 to 18th May, 2018.

The terms of reference for the review were to:-

- Examine the structures, processes and practices in local government in England for:-

- Maintaining codes of conduct for local councillors.
 - Investigating alleged breaches fairly and with due process.
 - Enforcing codes and imposing sanctions for misconduct.
 - Declaring interests and managing conflicts of interest.
 - Whistleblowing.
-
- Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government.
 - Make any recommendations for how they can be improved.
 - Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

Given the short timeframe for the consultation submission it was suggested that a small working group consider the consultation in detail, but that comments be welcomed from all members of the Committee for inclusion.

Resolved:- That the consultation document herewith be considered by a small working group on Friday, 11th May, 2018, to formulate a response for submission and that any other comments be invited and submitted in writing for consideration before this date.

65. A REVIEW OF CONCERNS RAISED PURSUANT TO THE WHISTLEBLOWING POLICY

Consideration was given to the report and appendix presented by Dermot Pearson, Monitoring Officer, which provided an overview of the Whistleblowing cases which have been received over the past year.

The appendix to the report set out clearly the description of the concerns received and action.

It was noted that the Constitution Working Group would consider the most appropriate avenue for oversight of matters being reported under the Whistleblowing Policy.

The Committee welcomed the report and considered the reported matters in detail. However, reference was made to concerns relating to academies and the most appropriate place for reporting. Liaison would take place with relevant officers to ascertain.

Resolved:- (1) That the Whistleblowing concerns raised over the previous year and the actions taken to address these matters be noted.

(2) That the Deputy Monitoring Officer liaise with School Organisation colleagues to ascertain reporting routes for whistleblowing concerns from Academies.

66. STANDARDS AND ETHICS COMMITTEE - CONSIDERATION OF COMPLAINTS

Consideration was given to the report presented by Stuart Fletcher, Monitoring Officer, detailing the progress with the handling of complaints relating to breaches of the Council's Code of Conduct for Members and Town and Parish Councillors. The report listed the current cases of complaint and the action being taken in respect of each one.

Details of each related case and recommended outcome were highlighted, some of which required the arrangement of a sub-committee hearing. It was suggested that these be arranged as soon as possible and possibly on the same day to aid diary management for panel members.

Resolved:- (1) That the report be received and the contents noted.

(2) That the progress in respect of each case be noted pursuant to the Standards and Ethics Committee Complaints Procedure.

67. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards and Ethics Committee take place on Thursday, 14th June, 2018 at 2.00 p.m. at the Town Hall.

Summary Sheet

Name of Committee and Date of Committee Meeting

Standards and Ethics Committee - 14 June 2018

Report Title

Local Codes and Protocols

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Service

Report Author(s)

Dermot Pearson, Assistant Director of Legal Services
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Ward(s) Affected

All

Executive Summary

This report considers what work the Committee might wish to do on the development of local codes and protocols to supplement the existing Code of Conduct for Members and Co-opted Members and the Member / Officer Protocol.

Recommendation

That the Committee appoint a Working Party to develop new local codes and protocols identified by the Committee

List of Appendices Included

None

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Local Codes and Protocols

1. Recommendations

- 1.1 That the Committee appoint a Working Party to develop new local codes and protocols identified by the Committee

2. Background

- 2.1 The Committee's terms of reference include:

To review and recommend such other protocols, local codes and guidance as may be considered desirable to build upon the rules contained within the Code of Conduct whilst not forming part of it.

And at present the only such protocol or code is the Member / Officer Protocol.

- 2.2 The topics which are covered by such protocols and codes would include:

- Planning Protocol [usually a matter for an authority's Planning Board]
- Use of Resources Guidance for Members
- Gifts and Hospitality Guidance for Members
- Social Media Guidance for Members

And councils may develop particular protocols in response to issues which arise or on topics where there is a demand from members for guidance.

3. Key Issues

- 3.1 The Committee is invited to consider which further protocol(s) or code(s) should be prioritised for development and to decide whether the appointment of a Working Group would be the appropriate mechanism.

4. Consultation

- 4.1 Not applicable.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Not applicable.

6. Financial and Procurement Implications

- 6.1 Not applicable

7. Legal Implications

- 7.1 The Council and the Standards and Ethics Committee have a statutory duty to maintain and promote ethical standards. Pursuant to the Localism Act 2011, the Council is required to adopt an appropriate Code of Conduct and arrangements for the investigation of allegations of breach of the Code of Conduct. Further Codes and Protocols which offer members guidance on issues arising from the Code of Conduct can assist in maintaining high ethical standards.

8. Human Resources Implications

- 8.1 None

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 None

10. Equalities and Human Rights Implications

- 10.1 None

11. Implications for Partners and Other Directorates

- 11.1 None

12 Risks and Mitigation

- 12.1 A failure to maintain high ethical standards among Borough, Town and Parish Councillors would undermine public confidence in individual councillors, in their local authorities and in local authorities generally.

13. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services

Summary Sheet

Name of Committee and Date of Committee Meeting

Standards and Ethics Committee - 14 June 2018

Report Title

Annual Report

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Service

Report Author(s)

Dermot Pearson, Assistant Director of Legal Services and Monitoring Officer
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Ward(s) Affected

All

Executive Summary

A report setting the work undertaken by the Standards Committee in the municipal year 2017/2018.

Recommendations

That the Committee notes the work undertaken by the Standards and Ethics Committee in the municipal year 2017/2018.

List of Appendices Included

None

Background Papers

Previous Agendas and Minutes of Standards Committee meetings

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Annual Report

1. Recommendations

- 1.1 That the Committee notes the work undertaken in the municipal year 2017/2018.

2. Background

- 2.1 This report summarises the work undertaken by the Standards Committee during the Municipal Year 2017/2018.
- 2.2 In June 2017 the Committee received reports in respect of proposed changes to the Council's Standing Orders [now referred to as the Council Procedure Rules and on the work done by the Working Group appointed by the Committee to review the Council's Code of Conduct and associated procedures. The amendments to Standing Orders were subsequently approved by Council. The Committee agreed amendments to the Procedure for considering complaints proposed by the Working Group.
- 2.3 In September 2017 the Committee received reports about the outcome of a hearing about an alleged breach of the code of conduct and updates on training and developments in standards.
- 2.4 In January 2018 the Committee received reports about the outcome of a hearing into an alleged breach of the Code of Conduct and a review of the Order of Proceedings for hearings. The Committee resolved to censure councillor who had been found to be in breach of the Code of Conduct and for this to be reported to the Leader of the majority group on the Council. The Committee noted the issue of how councillors were using social media and suggested a training session be dedicated to this subject in the future.
- 2.5 In May 2018 the Committee received a further report about the Order of Proceedings for hearings and reports about the membership of the Committee, the Work Plan for 2018/19 and the Committee on Standards in Public Life's consultation on its review of ethical standards in local government. The Committee agreed to form a small Working Group to prepare a response to the Committee on Standards in Public Life's consultation.
- 2.6 The Committee asked Council to confirm the appointment of the current parish and town council representatives on the Committee until further nominations were received, invited the town and parish councils to nominate three representatives as members of the Committee, asked Council to confirm the appointment of the current Independent Members as members of the Committee for the remainder of the 2018/19 municipal year and to confirm the retrospective reappointment of the Independent Persons for the remainder of the municipal year. Council accepted those recommendations.

2.7 The Committee received regular reports on complaints received about the conduct of Borough, town and parish councillors and on concerns raised via the Council's Whistleblowing Policy. Updates on developments in standards were also provided regularly.

2.8 A training session on standards was provided for town and parish councillors at the Lyric Theatre, Dinnington on 15 June 2017.

3. Key Issues

3.1 The key issues within each item are set out above.

4. Consultation

4.1 Not applicable

5. Timetable and Accountability for Implementing this Decision

5.1 Not applicable.

6. Financial and Procurement Implications

6.1 None.

7. Legal Implications

7.1 The Council has a duty under the Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members of the Council and has delegated that responsibility to the Standards and Ethics Committee.

8. Human Resources Implications

8.1 None.

9. Implications for Children and Young People and Vulnerable Adults

9.1 None.

10. Equalities and Human Rights Implications

10.1 None

11. Implications for Partners and Other Directorates

11.1 None

12. Risks and Mitigation

12.1 There is a risk of undermining public confidence in the Council and in local town and parish councils if high ethical standards and high standards of conduct are not maintained.

13. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services and Monitoring Officer

Summary Sheet

Name of Committee and Date of Committee Meeting

Standards and Ethics Committee - 14 June 2018

Report Title

Current Issues in Local Government Standards

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Service

Report Author(s)

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Ward(s) Affected

All

Executive Summary

This report presents to the Committee information about current issues and developments in local government standards, and related issues which affect local government. It draws on material published by North Yorkshire County Council's Standards Committee, with permission.

Recommendation

That the Committee notes the matters set out in the report and considers whether any action should be taken to disseminate the information.

List of Appendices Included

Appendix Recommendations made by the Committee on Standards in Public Life

Background Papers

Committee on Standards in Public Life – "Intimidation in Public Life – A Review by the CSPL" available at

<https://www.gov.uk/government/publications/intimidation-in-public-life-a-review-by-the-committee-on-standards-in-public-life>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Current Issues in Local Government Standards

1. Recommendations

- 1.1 That the Committee notes the matters set out in the report and considers whether any action should be taken to disseminate the information.

2. Background

- 2.1 In December 2017 the Committee on Standards in Public Life [CSPL] published "*Intimidation in Public Life – A Review by the CSPL*". This was in response to a request from the Prime Minister for the CSPL to undertake a review on the intimidation of Parliamentary candidates, considering the wider implications for public office-holders. The issue of intimidation of councillors was raised in the recent CSPL consultation to which this Committee responded.

- 2.2 In his covering letter to the Prime Minister the Chair of the CSPL noted:

A significant proportion of candidates at the 2017 general election experienced harassment, abuse and intimidation. There has been persistent, vile and shocking abuse, threatened violence including sexual violence, and damage to property. It is clear that much of this behaviour is targeted at certain groups. The widespread use of social media platforms is the most significant factor driving the behaviour we are seeing.

Intimidatory behaviour is already affecting the way in which MPs are relating to their constituents, has put off candidates who want to serve their communities from standing for public offices, and threatens to damage the vibrancy and diversity of our public life. However, the Committee believes that our political culture can be protected from further damage if action is taken now.

- 2.3 The recommendations made by the CSPL are set out in the Appendix to this report. The Government issued a press release on 6 February 2018 announcing it will consult on plans to remove the requirement for candidates standing as councillors in local elections to have their addresses published on ballot papers, in time for local elections in May 2019; and on a new electoral law offence of intimidating parliamentary candidates and their campaigners.

- 2.4 The recommendations of particular interest in a local government context are:

2.4.1 The government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count; and

2.4.2 Local Authority Monitoring Officers should ensure that members required to declare pecuniary interests are aware of the sensitive interests provisions in the Localism Act 2011.

- 2.5 The Council's Code of Conduct for Members and Co-opted Members reflects the relevant provisions in the Localism Act 2011 and provides:

You need not disclose the nature of any personal interest or disclosable pecuniary interest in an item of business where the Council's monitoring officer considers that disclosure of the details of the interest ("a sensitive interest") could lead to you or a person connected with you being subject to violence or intimidation.

- 2.6 In the case of *R v Ledbury Town Council ex parte Harvey*, a town councillor applied for judicial review of the Town Council's decision to impose sanctions on her under its grievance procedures. The allegations against the town councillor were of bullying, harassment and intimidation of staff. The Town Council had barred the councillor from sitting on committees and similar bodies and required her communication with specified officers to go through the Town Mayor. After a year the Town Council reviewed the sanctions, in the councillor's absence and decided to continue with them and extended them to bar the councillor from contact with all staff.
- 2.7 The County Council carried out a separate standards investigation which found no breach of the Town Council's Code of Conduct.
- 2.8 The High Court ruled that there was no general power to run a grievance procedure process in tandem with or as an alternative to the Code of Conduct process envisaged by the Localism Act 2011 and granted the relief sought by the councillor.

3. Key Issues

- 3.1 The key issues are set out above.

4. Consultation

- 4.1 Not applicable.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Not applicable.

6. Financial and Procurement Implications

- 6.1 Not applicable

7. Legal Implications

- 7.1 The Council and the Standards and Ethics Committee have a statutory duty to maintain and promote ethical standards. Pursuant to the Localism Act 2011, the Council is required to adopt an appropriate Code of Conduct and arrangements for the investigation of allegations of breach of the Code of Conduct.

8. Human Resources Implications

8.1 None

9. Implications for Children and Young People and Vulnerable Adults

9.1 None

10. Equalities and Human Rights Implications

10.1 None

11. Implications for Partners and Other Directorates

11.1 None

12 Risks and Mitigation

12.1 A failure to maintain high ethical standards among Borough, Town and Parish Councillors would undermine public confidence in individual councillors, in their local authorities and in local authorities generally.

13. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services

APPENDIX

Recommendations of the Committee on Standards in Public Life

- Government should bring forward legislation to shift the liability of illegal content online towards social media companies.
- Social media companies must develop and implement automated techniques to identify intimidatory content posted on their platforms. They should use this technology to ensure intimidatory content is taken down as soon as possible.
- Social media companies must do more to prevent users being inundated with hostile messages on their platforms, and to support users who become victims of this behaviour.
- Social media companies must implement tools to enhance the ability of users to tackle online intimidation through user options.
- All social media companies must ensure they are able to make decisions quickly and consistently on the takedown of intimidatory content online.
- Twitter, Facebook and Google must publish UK-level performance data on the number of reports they receive, the percentage of reported content that is taken down, and the time it takes to take down that content, on at least a quarterly basis.
- Social media companies must urgently revise their tools for users to escalate any reports of potential illegal online activity to the police.
- The social media companies should work with the government to establish a 'pop-up' social media reporting team for election campaigns.
- Social media companies should actively provide advice, guidance and support to Parliamentary candidates on steps they can take to remain safe and secure while using their sites.
- Those in positions of leadership within political parties must set an appropriate tone during election campaigns, and make clear that any intimidatory behaviour is unacceptable. They should challenge poor behaviour wherever it occurs.
- Political parties must proactively work together to tackle the issue of intimidation in public life.
- Political parties should set clear expectations about the behaviour expected of their members, both offline and online through a code of conduct for members which specifically prohibits any intimidatory behaviour. Parties should ensure that members are familiar with the code. The consequences of any breach of the code should be clear and unambiguous.
- Political parties must ensure that party members who breach the party's code of conduct by engaging in intimidation are consistently and appropriately disciplined in a timely manner.
- Political parties must collect data on the number of complaints against members for engaging in intimidatory behaviour, and the outcome of any disciplinary processes which result from these complaints.
- Leaders of political parties should always call out intimidatory behaviour, even when it is perpetrated by those in the party's fringes. Fringe group leaders and spokespeople should immediately denounce any intimidatory behaviour on the part of their members or supporters.
- The political parties must work together to develop a joint code of conduct on intimidatory behaviour during election campaigns by December 2018. The code should be jointly enforced by the political parties.

- Political parties must take steps to provide support for all candidates, including through networks, training, and support and resources. In particular, the parties should develop these support mechanisms for female, BAME, and LGBT candidates who are more likely to be targeted as subjects of intimidation.
- Political parties must offer more support and training to candidates on their use of social media. This training should include: managing social media profiles, block and mute features, reporting content, and recognising when behaviour should be reported directly to the police.
- The government should consult on the introduction of a new offence in electoral law of intimidating Parliamentary candidates and party campaigners.
- The government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count.
- Local Authority Monitoring Officers should ensure that members required to declare pecuniary interests are aware of the sensitive interests provisions in the Localism Act 2011.
- MPs should actively co-operate with the police and other security services working to address the security threats facing Parliamentarians and Parliamentary candidates.
- The National Police Chiefs Council should ensure that local police forces have sufficient training to enable them to effectively investigate offences committed through social media. Local police forces should be able to access advice and guidance on the context in which MPs and Parliamentary candidates work.
- The College of Policing Authorised Professional Practice for elections should be updated to include offences relating to intimidation, including offences committed through social media.
- The Home Office and the Department for Digital, Culture, Media and Sport should develop a strategy for engaging with international partners to promote international consensus on what constitutes hate crime and intimidation online.
- The National Police Chiefs Council, working with the Crown Prosecution Service and the College of Policing, should produce accessible guidance for Parliamentary candidates giving clear advice on behaviour they may experience during a campaign which is likely to constitute a criminal offence.
- Nobody in public life should engage in intimidatory behaviour, nor condone or tolerate it. All those in public life have a responsibility to challenge and report it wherever it occurs.
- Those in public life should seek to uphold high standards of conduct, adhering to the Seven Principles of Public Life, and help prevent a decline in public trust in political institutions through their own conduct.
- Those in public life must set and protect a tone in public discourse which is not dehumanising or derogatory, and which recognises the rights of others to participate in public life.
- Those in public life have a responsibility not to use language which engenders hatred or hostility towards individuals because of their personal characteristics.
- Press regulation bodies should extend their codes of conduct to prohibit unacceptable language that incites intimidation.

- News organisations should only consider stories from freelance journalists that meet the standards of IPSO's Editors Code, or the Editorial Guidelines of Impress, as appropriate, and ensure that freelance journalists are aware of this policy.
- Those in public life should not engage in highly personalised attacks, nor portray policy disagreements or questions of professional competence as breaches of ethical standards.

Summary Sheet

Name of Committee and Date of Committee Meeting

Standards and Ethics Committee - 14 June 2018

Report Title

Standards and Ethics Committee - Consideration of Complaints

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Service

Report Author(s)

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Ward(s) Affected

All

Executive Summary

A report updating the Committee on the Complaints received against Members of the Council, and Town and Parish Councillors alleging a breach of the Code of Conduct.

Recommendations

That the Committee notes the Complaints received, and the actions taken to deal with those complaints, pursuant to the Standards and Ethics Committee Complaints Procedure.

List of Appendices Included

Appendix 1 Schedule of Complaints and actions taken (Exempt)

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

The Appendix to this report will be considered in the absence of the press and public as being exempt under Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relates to an individual).

Standards and Ethics Committee - Consideration of Complaints

1. Recommendations

- 1.1 That the Committee notes the Complaints received, and the actions taken to deal with those complaints, pursuant to the Standards and Ethics Committee Complaints Procedure.

2. Background

- 2.1 A Schedule of complaints received and actions taken in respect of those complaints is at Appendix 1.
- 2.2 As the schedule includes unproven allegations, it is anonymised in order to prevent identification of the relevant subject member.

3. Key Issues

- 3.1 The nature of each complaint is set out in the Schedule at Appendix 1. Any common themes arising from the Committee's overview of complaints should be identified. Further the members of the Committee may make suggestions in relation to means of addressing common issues which arise in the complaints.

4. Options considered and recommended proposal

- 4.1 Options for dealing with the complaints are set out in the Complaints procedure and the action taken in respect of each complaint is set out in the Schedule.

5. Consultation

- 5.1 One of the Standards and Ethics Committee Independent Persons is consulted in respect of each complaint.

6. Timetable and Accountability for Implementing this Decision

- 6.1 N/A

7. Financial and Procurement Implications

- 7.1 The officer time in dealing with these complaints is met within existing Legal Services resources.

8. Legal Implications

- 8.1 The Council and the Standards and Ethics Committee have a statutory duty to maintain and promote ethical standards. Pursuant to the Localism Act 2011, the Council is required to adopt an appropriate Code of Conduct and arrangements for the investigation of allegations of breach of the Code of Conduct.

9. Human Resources Implications

9.1 None

10. Implications for Children and Young People and Vulnerable Adults

10.1 None

11. Equalities and Human Rights Implications

11.1 None

12. Implications for Partners and Other Directorates

12.1 None

13. Risks and Mitigation

13.1 None

14. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Summary Sheet

Name of Committee and Date of Committee Meeting

Standards and Ethics Committee – 14 June 2018

Report Title

A Review of Concerns raised pursuant to the Whistleblowing Policy

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Service

Report Author(s)

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Ward(s) Affected

All

Executive Summary

A report regarding concerns raised pursuant to the Whistleblowing Policy and the actions taken to address these matters.

Recommendations

1. That the Committee notes the Whistleblowing concerns raised over the previous year and the actions taken to address these matters.

List of Appendices Included

Appendix 1 Schedule of Whistleblowing Concerns (Exempt)

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

The Appendix to this report will be considered in the absence of the press and public as being exempt under Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to an individual).

A Review of Concerns raised pursuant to the Whistleblowing Policy

1. Recommendations

- 1.1 That the Committee notes the Whistleblowing concerns raised over the previous year and the actions taken to address these matters.

2. Background

- 2.1 This report provides an overview of the Whistleblowing cases which have been received over the past year.
- 2.2 A description of the concerns received over the past year, along with the relevant action to address these matters is at Appendix 1. This is appropriately anonymized in order not to identify the whistleblower, pursuant to the policy in respect of confidentiality.

3. Key Issues

- 3.1 Matters reported are described within Appendix 1. It is important for there to be oversight of matters being reported pursuant to the Whistleblowing Policy.

4. Options considered and recommended proposal

- 4.1 Recommendations have been referred to above.

5. Consultation

- 5.1 N/A

6. Timetable and Accountability for Implementing this Decision

- 6.1 N/A

7. Financial and Procurement Implications

- 7.1 Any work undertaken by Legal Services in dealing with these matters is within the budget for Legal Services.

8. Legal Implications

- 8.1 The Council has a statutory duty to provide an appropriate Whistleblowing Policy and arrangements for dealing with concerns raised through the policy.

9. Human Resources Implications

- 9.1 None

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 None

11. Equalities and Human Rights Implications

11.1 The Whistleblowing Policy is available to all employees, workers and contractors of the Council.

12. Implications for Partners and Other Directorates

12.1 None

13. Risks and Mitigation

13.1 There is a risk that if serious misconduct is not reported pursuant to the Whistleblowing Policy, serious issues will not be appropriately investigated and addressed.

14. Accountable Officer(s)

Dermot Pearson, Assistant Director of Legal Services

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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