

STANDARDS AND ETHICS COMMITTEE

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

Date: Thursday 18 November
2021

Time: 2.00 p.m.

A G E N D A

1. Apologies for Absence

To receive the apologies of any Member who is unable to attend today's meeting.

2. Declarations of Interest

To receive declarations of interest from Members in respect of items listed on the agenda.

3. Exclusion of Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

Agenda Items 5 and 6 both have appendices which are exempt from the press and public.

4. Minutes of the previous meeting held on 16th September, 2021 (Pages 3 - 6)

To consider and approve the minutes of the previous meeting held on 16th September, 2021 as a true and correct record of the proceedings.

5. A Review of Concerns Raised Pursuant to the Whistleblowing Policy (Pages 7 - 12)

To give consideration to a report regarding concerns raised pursuant to the Whistleblowing Policy and the actions taken to address these matters.

6. Consideration of Complaints (Pages 13 - 16)

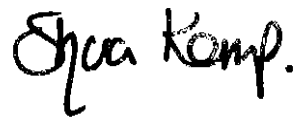
To give consideration to a report updating the Committee on the Complaints received against Members of the Council, and Town and Parish Councillors alleging a breach of the Code of Conduct.

7. Urgent Business

To determine any item which the Chair is of the opinion should be considered as a matter of urgency.

8. Date and Time of Next Meeting

The next meeting of the Standards and Ethics Committee will take place on Thursday, 20th January, 2022, commencing at 2.00 p.m.

A handwritten signature in black ink that reads "S. Kemp". The signature is written in a cursive, slightly slanted style.

S. KEMP,
Chief Executive.

STANDARDS AND ETHICS COMMITTEE
Thursday 16 September 2021

Present:- Councillor McNeely (in the Chair); Councillors Castledine-Dack, Cooksey, Griffin, Sylvester and Mr. R. Swann (Parish Council Representative) and also Mr. P. Edler and Mrs. K. Penney (Independent Members).

Also in attendance at the invitation of the Chair was Mr. P. Beavers and Mr. D.Roper-Newman, Independent Persons, along with the two newly nominated Parish Council Representatives Mr. A. Buckley and Mrs. M. Carroll.

Apologies for absence were received from Councillors Bacon, Collingham, Hughes, Mr. D. Bates and Mr. D. Rowley (Parish Council Representatives) and Mrs. A. Bingham and Mrs. M. Evers (Independent Members).

9. DECLARATIONS OF INTEREST

Councillor Sylvester declared a personal interest in Minute No. 16 (Complaints) on the grounds of having knowledge of one of the cases and left the meeting whilst it was considered.

10. EXCLUSION OF PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for Minute Nos. 15 and 16 (Whistleblowing and Complaints respectively) on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

11. MINUTES OF THE PREVIOUS MEETING HELD ON 17TH JUNE, 2021

Resolved:- That the minutes of the previous meeting held on Thursday, 17th June, 2021 be approved as a true and correct record of the proceedings.

12. APPOINTMENT OF PARISH COUNCIL MEMBERS TO THE STANDARDS AND ETHICS COMMITTEE

Consideration was given to the report presented by the Deputy Monitoring Officer, detailing a report recommending the appointment of Parish Council Members to the Standards and Ethics Committee following a ballot by the YLCA (Yorkshire Local Council Association).

The ballot for new members was due to take place in 2020, but due to the pandemic this was postponed until this year and the current Parish Council Members had their appointments extended, pursuant to the Coronavirus legislation.

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As such a ballot for new Parish Council Members had now been undertaken by the YLCA (Yorkshire Local Council Association) for a period of four years and the successful nominees were as follows:-

Parish Councillor A. Buckley (Brinsworth Parish Council)
Parish Councillor M. Carroll (Woodsetts Parish Council)
Parish Councillor R. Swann (Woodsetts Parish Council)

Whilst the Committee noted the four-year term of office for the Parish Council representatives would extend beyond the Borough and Parish Elections in 2024, it was suggested this be subject to their position of Parish Councillor not ceasing before that date.

Resolved:- (1) That Council approve the appointment of Parish Councillor Richard Swann, Parish Councillor Alan Buckley and Parish Councillor Monica Carroll as co-opted Parish Council Members of the Standards and Ethics Committee until the Annual General Meeting of the Council in 2025, unless their position of Parish Councillor ceased before that date.

(2) That formal thanks be recorded to the outgoing Parish Council Members David Rowley and Dennis Bates for their service and contribution to the Standards and Ethics Committee.

(Parish Councillor Buckley and Parish Councillor Carroll's terms of office would not be confirmed until the 29th September, 2021 by Council. The Chair asked that they, therefore, leave the meeting before confidential items were considered)

13. GUIDANCE ON LOCAL GOVERNMENT ASSOCIATION MODEL COUNCIL CODE OF CONDUCT

Consideration was given to the report presented by the Deputy Monitoring Officer, detailing the Local Government Association Guidance that had now been issued on the Model Council Code of Conduct (included as an appendix) which they developed and published in December, 2020, and which was subsequently adopted by the Council.

The consultation responses to the Local Government Association in respect of the Code of Conduct asked for supporting guidance to help understand some of the key provisions in greater depth with examples and case illustrations and this had now been provided within the Guidance.

The training which was also to be undertaken later this year during October and November in respect of the Code of Conduct and the use of Social Media by Councillors would refer to and take the LGA Guidance into account.

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A link to the Guidance was also to be included in the forthcoming edition of the Member bulletin, as well as on the Council's website.

The Guidance was also being sent to all Parish Clerks for further distribution to all Parish and Town Councillors.

Suggestions as to any further ways in which the content of the Guidance may be communicated to relevant Members was welcomed.

Given the importance placed on the Code of Conduct the Committee was surprised the Local Government Association was not hosting any training webinars and asked if contact could be made with them to see if this was a possibility that could be taken forward.

It was also suggested that an aide memoire consolidating the Guidance contents be provided and circulated.

The model Code of Conduct was wholeheartedly welcomed by the Committee, but it was questioned whether there were plans in place to monitor the effectiveness. Rotherham's reduction in complaints had been recognised and it was hoped with the adoption of the new Code the reduction would continue. This was also confirmed by the Deputy Monitoring Officer who pointed out that all complaints were recorded and closely monitored and kept under review so would form part of any evaluation process.

Resolved:- (1) That the report and Guidance and the ways in which this is to be disseminated to Borough Councillors and Parish and Town Councillors be noted.

(2) That any further suggestions as to any other ways in which the Guidance may be communicated to relevant Members be welcomed.

14. TRAINING UPDATE

Consideration was given to the update provided by the Deputy Monitoring Officer, referred to in the previous item relating to the model Code of Conduct, where training would be undertaken during October and November. This would include the use of Social Media by Councillors and would refer to and take the LGA Guidance into account.

Details of dates and format would be circulated as soon as they were confirmed.

Resolved:- That the update on training be received and noted.

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

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

Particular reference was made to the appendix to the report which set out clearly the description of the concerns received and action taken.

As an aid it was also noted that any future reports would include an acronym key for aid of reference.

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

16. CONSIDERATION OF COMPLAINTS

Consideration was given to the report presented by the Deputy 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.

Reference was made to each related case and recommended outcomes/actions identified were highlighted.

The Committee recognised the work that had been undertaken, reflected in the reduction in the number of complaints. This was also commented on positively by one of the Independent Persons.

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

(Councillor Sylvester declared a personal interest in this item and left the meeting whilst it was considered)

17. URGENT BUSINESS

The Chair advised that there were no urgent items of business requiring the Committee's consideration.

18. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards and Ethics Committee be held on Thursday, 18th November, 2021, at Rotherham Town Hall commencing at 2.00 p.m.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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