

STANDARDS AND ETHICS COMMITTEE

Date and Time:- Thursday 13 March 2025 at 2.00 p.m.

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

Membership:- Councillors Monk (Chair), Clarke (Vice-Chair), Beck, T. Collingham, Hall, Hughes, Jackson, Keenan, Mr. A. Buckley and Mrs. M. Carroll.

Independent Co-optees:- Mrs. A. Bingham, Mr. P. Edler and Mrs. K. Penney.

Independent Persons:- Mr. P. Beavers and Mr. D. Roper-Newman.

The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

AGENDA

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.

Under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for Agenda Items 5 and 6 (Consideration of Whistleblowing Policy and Complaints) on the grounds that their appendices involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

4. Minutes of the previous meeting held on 16th January, 2025 (Pages 3 - 7)

To consider and approve the minutes of the previous meeting held on 16th January, 2025 as a true and correct record of the proceedings and signed by the Chair.

5. A Review of Concerns Raised Pursuant to the Whistleblowing Policy (Pages 9 - 16)

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

6. Review of Complaints (Pages 17 - 24)

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. Standards and Ethics Committee - Work Plan (Pages 25 - 30)

To consider and approve the draft work programme for the Standards and Ethics Committee for the period January to November, 2025.

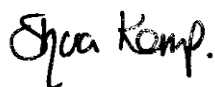
8. Membership of the Standards and Ethics Committee (Pages 31 - 34)

To review the current membership and make recommendations to refresh the membership of the Standards and Ethics Committee.

9. Urgent Business

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

**The next meeting of the Standards and Ethics Committee will
be held on 12th June, 2025 (provisional)
commencing at 2.00 p.m.
in Rotherham Town Hall.**



**SHARON KEMP OBE,
Chief Executive.**

STANDARDS AND ETHICS COMMITTEE**16th January, 2025**

Present:- Councillor Monk (in the Chair); Councillors Beck, Jackson and Mrs. M. Carroll (Parish Council Representative) and also Mrs. A. Bingham and Mr. P. Edler (Independent Members).

Also in attendance were Mr. P. Beavers and Mr. D. Roper-Newman (Independent Persons).

Apologies for absence were received from Councillors Clarke, T. Collingham, Hall, Hughes and Keenan and Mrs. K. Penney (Independent Member).

14. DECLARATIONS OF INTEREST

There were no declarations of interest.

15. 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. 19 and 20 (Whistleblowing and Complaints) on the grounds that the appendices to those reports involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

16. MINUTES OF THE PREVIOUS MEETING HELD ON 12TH SEPTEMBER, 2024

Resolved:- That the minutes of the previous meeting held on 12th September, 2024 were approved as a true and correct record of the proceedings and signed by the Chair, subject to the inclusion of apologies for Councillor Jackson and Mrs. M. Carroll.

17. CONSIDERATION OF GRANTING OF A DISPENSATION RELATING TO HOUSING MATTERS

Consideration was given to the report presented by the Deputy Monitoring Officer which set out in detail the granting of dispensations to enable Members of the Council who have Council tenancies to participate and vote on Council business related to Housing.

The Localism Act and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 introduced "Disclosable Pecuniary Interests" and new rules on the grant of dispensations to allow Council Members to take part in decisions or vote on matters in which they have a Disclosable Pecuniary interest ("DPI"). The grounds for the grant of a dispensation under Section 33(2) of the Localism Act were, if, after having regard to all relevant circumstances, the Council considers the five grounds set out in detail as part of the report.

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In order to obtain a dispensation on any of the five grounds set out under Section 33 of the Localism Act, a Member must make a written request to the Council's Monitoring Officer. Any grant of a dispensation must specify how long it lasts for, up to a maximum period of four years.

A discussion ensued that highlighted the dispensation could last for a period of four years. The proposal was seeking to widen the democratic process which would give every councillor the ability to speak within the debate.

Resolved:- That for any Members of the Council who are tenants of Rotherham Borough Council to be granted a dispensation pursuant to Section 33(2) (e) of the Localism Act to allow them to participate and to vote on matters in relation to housing (provided that those functions do not relate particularly to the tenancy or lease of the Council Member concerned). Such requests should be submitted in writing to the Monitoring Officer.

18. PROPOSED AMENDMENTS TO THE WHISTLEBLOWING POLICY

Consideration was given to the report presented by the Deputy Monitoring Officer which set out proposed minor amendments to the Whistleblowing Policy following a review of the Policy.

Oversight of the Whistleblowing Policy fell within the remit of the Standards and Ethics Committee and in accordance with good practice, the Whistleblowing Policy was kept under periodic review.

Following the latest review of the Whistleblowing Policy, a small number of minor "administrative" amendments were suggested which included a name change for the Head of Internal Audit and the inclusion of an additional name as a Whistleblowing Officer for the Assistant Director of Human Resources.

Resolved:- (1) That the proposed amendments to the Whistleblowing Policy be approved.

(2) That subject to (1) above the Committee approve the Whistleblowing Policy at Appendix 1.

19. 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 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.

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

20. REVIEW 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.

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

21. CONSULTATION ON STRENGTHENING THE STANDARDS AND CONDUCT FRAMEWORK FOR LOCAL AUTHORITIES IN ENGLAND

Consideration was given to a report presented by the Service Manager which asked for the Committee to contribute its views to the Government Consultation on strengthening the standards and conduct framework for local authorities in England.

The Government consultation related to ways of strengthening the standards and conduct framework, which may include a mandatory minimum prescribed Code of Conduct, the necessity for an authority to have a Standards Committee, publication of investigation outcomes and the empowerment of individuals affected by Councillor conduct to come forward.

Further matters related to the possible introduction of the power of suspension along with any associated safeguards necessary. The length of any possible suspension was also considered within the consultation, along with withholding allowances, premises and facilities bans, interim suspension, disqualification for multiple breaches and gross misconduct and whether any appeals process is necessary.

On this basis the Committee considered each of the forty questions in turn, debated and gave their view to allow the Monitoring Officer to submit a consultation response on behalf of the Committee.

The answers to the questions set out in the consultation on Strengthening the Standards and Conduct Framework for Local Authorities in England at Appendix 1 be as follows:-

STANDARDS AND ETHICS COMMITTEE - 16/01/25

Question	Response
1	District or Borough Council
2	Yes
3	Yes
4	Yes
5	Yes
6	Yes
7	Yes
8	Unsure
9	No
10	Nothing to add
11	No
12	No
13	And 13a Number to be inserted
14	Number to be inserted
15	For an individual
16	For an individual
17	For an individual
18	Yes
19	Yes
20	Yes
21	Yes
22	Infrequently
23	Yes
24	Yes
25	Yes

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26	Yes
27	Yes
28	Yes
29	Yes
30	Yes and 30a to review monthly
31	Yes
32	Yes
33	Yes
34	Yes, but with a timeframe of fourteen days
35	No
36	No
37	N/A
38	No
39	No
40	Neither

Resolved:- That the responses to the questions as part of the Government consultation in respect of strengthening the standards and conduct framework for local authorities be forwarded to allow the Monitoring Officer to submit a consultation response on behalf of the Committee.

22. URGENT BUSINESS

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

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Public Report
Standards and Ethics Committee

Committee Name and Date of Committee Meeting

Standards and Ethics Committee – 13 March 2025

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

N/A

Report Author(s)

Stuart Fletcher, Deputy Monitoring Officer/Service Manager, Legal Services
01709 823523 - stuart.fletcher@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report 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 two year and the actions taken to address these matters.

List of Appendices Included

Appendix 1 - Schedule of Whistleblowing Concerns

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).

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A Review of Concerns Raised Pursuant to the Whistleblowing Policy

1. Background

- 1.1 This report provides an overview of the Whistleblowing cases which have been received over the past two years.
- 1.2 A description of the concerns received over the past two years, along with the relevant action to address these matters is at Appendix 1. This is appropriately anonymised in order not to identify the Whistleblower, pursuant to the policy in respect of confidentiality.

2. Key Issues

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

3. Options considered and recommended proposal

- 3.1 Recommendations have been referred to above.

4. Consultation on Proposal

- 4.1 N/A

5. Timetable and Accountability for Implementing this Decision

- 5.1 N/A

6. Financial and Procurement Advice and Implications

- 6.1 Any work undertaken by Legal Services in dealing with this matter is within the budget for Legal Services.

7. Legal Advice and Implications

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

8. Human Resources Advice and Implications

- 8.1 None.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 None.

10. Equalities and Human Rights Advice and Implications

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

11. Implications for Partners

11.1 None.

12. Risks and Mitigation

12.1 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.

13. Accountable Officer(s)

Bal Nahal, Head of Legal Services

Report Author: Stuart Fletcher, Deputy Monitoring Officer/Service Manager,
Legal Services
01709 823523 - stuart.fletcher@rotherham.gov.uk

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Committee Name and Date of Committee Meeting

Standards and Ethics Committee – 13 March 2025

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

N/A

Report Author(s)

Stuart Fletcher, Service Manager (Commercial and Property)

01709 823523

stuart.fletcher@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report 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

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).

Standards and Ethics Committee - Consideration of Complaints

1. Background

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

2. Key Issues

- 2.1 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.

3. Options considered and recommended proposal

- 3.1 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.

4. Consultation on proposal

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

5. Timetable and Accountability for Implementing this Decision

N/A

6. Financial and Procurement Advice and Implications

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

7. Legal Advice and Implications

- 7.1 The Council and the Standards and Ethics Committee have a statutory duty to promote and maintain high standards of conduct. 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 Advice and Implications

None

9. Implications for Children and Young People and Vulnerable Adults

None

10. Equalities and Human Rights Advice and Implications

None

11. Implications for Partners

None

12. Risks and Mitigation

None

13. Accountable Officer(s)

Bal Nahal, Head of Legal Services

Report Author: Stuart Fletcher, Service Manager (Commercial and Property)
01709 823523 - stuart.fletcher@rotherham.gov.uk

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Committee Name and Date of Committee Meeting

Standards and Ethics Committee - 13 March 2025

Report Title

Standards and Ethics Committee – Work Plan

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

No

Strategic Director Approving Submission of the Report

N/A

Report Author(s)

Stuart Fletcher, Service Manager (Commercial and Property)

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Ward(s) Affected

Borough-Wide

Report Summary

A report setting out a draft Work programme for the Standards and Ethics Committee for the period Jan 2025 to Nov 2025.

Recommendations

That the Committee:

- i) Consider and comment on the draft Work Plan
- ii) Adopt a finalised Work plan for the period Jan 2025 to Nov 2025

List of Appendices Included

Appendix 1 - Draft Work plan

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

Standards and Ethics Committee – Work Plan

1. Background

- 1.1 A draft Work Plan for the period Jan 2025 to Nov 2025 is attached at Appendix 1.
- 1.2 Adoption of a Work Plan will ensure that the Standards and Ethics Committee is able to focus on a range of issues throughout the year and provide transparency in relation to the work of the Committee.
- 1.3 As such members are requested to consider the draft Work Plan, suggest any amendments, make any proposals as to any of other issues which would be beneficial for the Standards and Ethics Committee to consider, and thereafter adopt a finalised Work Plan.

2. Key Issues

- 2.1 The key issues are set out above

3. Options considered and recommended proposal

- 3.1 Recommendations are set out above.

4. Consultation on proposal

- 4.1 N/A

5. Timetable and Accountability for Implementing this Decision

- 5.1 The draft Work Plan covers the period Jan 2025 to Nov 2025

6. Financial and Procurement Advice and Implications

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

7. Legal Advice and Implications

- 7.1 The Council and the Standards and Ethics Committee have a statutory duty to promote and maintain ethical standards. The work of the Standards and Ethics Committee as set out in the draft Work Plan contributes to this.

8. Human Resources Advice and Implications

None

9. Implications for Children and Young People and Vulnerable Adults

None

10. Equalities and Human Rights Advice and Implications

None

11. Implications for Partners

None

12. Risks and Mitigation

None

13. Accountable Officer(s)

Bal Nahal, Head of Legal Services

Report Author: Stuart Fletcher, Service Manager (Commercial and Property)
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Draft Standards and Ethics Committee Work Programme 2025

Report Title/Subject	Date of Meeting/Agreed Schedule
Consultation – Strengthening the Standards Regime	January, 2025
Report on Dispensations – re Housing matters	January, 2025
Whistleblowing Policy - Review	January, 2025
Work Plan	March 2025
Annual Report	March 2025
Membership of the Committee	March 2025
Civility in Public Life - LGA Process	June 2025
Civility and Respect Pledge - Advice to Parish Councils	June 2025 - Then Every 6 Months
Review of the Code of Conduct	June 2025
Declarations of Interest - Parish Councillors	Sept 2025
Declarations of Interest - Borough Councillors	Sept 2025
Review of the Sub-Committee - Hearing Processes	Nov 2025
Review of the Complaints Procedure	Nov 2025

At each meeting there will be the regular Consideration of Complaints report received pursuant to the Standards and Ethics Complaints procedure, as well as the regular reports regarding Concerns raised pursuant to the Whistleblowing Procedure.

Further the above Work Plan is flexible to allow for other matters to be included on the agenda as they arise such as the outcome of the consultation in to Strengthening the Standards Regime, the outcomes of any Sub-Committee hearings as well as other matters of relevance to the Committee.

Committee Name and Date of Committee Meeting

Standards and Ethics Committee - 13 March 2025

Report Title

Standards and Ethics Committee – The Membership of the Standards and Ethics Committee

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

No

Strategic Director Approving Submission of the Report

N/A

Report Author(s)Stuart Fletcher, Service Manager (Commercial and Property)
01709 823523
stuart.fletcher@rotherham.gov.uk**Ward(s) Affected**

Borough-Wide

Report Summary

This report reviews the current membership of the Standards and Ethics Committee and makes recommendations to refresh the membership of the Committee.

Recommendations

That the Committee:

- i) Approve that arrangements be made for the nomination of Parish Council members to the Standards and Ethics Committee from the Parish and Town Councils in the Borough.
- ii) Approve for the vacant Independent Member roles on the Standards and Ethics Committee be advertised and recruited to.

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

Standards and Ethics Committee – The Membership of the Standards and Ethics Committee

1. Background

1.1 The current Standards and Ethics Committee was established in 2012 following the implementation of the Localism Act 2011. Article 11 of the Council's Constitution makes the following provision for the membership of the Committee:

11 The Council's Standards Committee Membership

(1) The Council's Standards Committee will be composed of –

- *eight Councillors other than the Mayor and Leader;*
- *three members of a town or parish councils within the Borough (parish members) to be appointed by the town and parish councils that have delegated their powers under Chapter 7 of the Localism Act 2011 to the Council; and*
- *five persons who are not councillors or officers of the Council (independent members).*

Independent members

(2) Independent members are not entitled to vote at meetings of the Council's Standards Committee.

Parish members

(3) Town and parish council members are entitled to vote at meetings of the Standards Committees.

Chairing the Committee

(4) The chair and vice-chair of the Committee shall be borough councillors.

2.2 The current Parish Council members of the Committee were appointed to the Committee in June 2021 for a period of 4 years. The 4 year terms of office are therefore due to expire shortly. It is therefore timely to invite the Town and Parish Councils in the Borough to nominate fresh representatives. 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.

- 2.3 In respect of the Independent Members of the Committee there are currently two vacancies and therefore, it would be also appropriate to advertise to try to fill these vacancies and renew this type of membership of the Committee.

2. Key Issues

- 2.1 As set out above in Section 2, it is timely for the Committee to invite the Town and Parish Councils to make nominations for their three representatives on the Committee and it is appropriate for the Committee to take steps to fill the vacant roles for Independent Members of the Committee.

3. Options considered and recommended proposal

- 3.1 Recommendations are set out above.

4. Consultation on proposal

- 4.1 N/A

5. Timetable and Accountability for Implementing this Decision

- 5.1 If the Committees approves the Recommendations within this report the appointments to the Parish and Town Council members and Independent Members of the Standards and Ethics Committee should be made at the June meeting of the Committee.

6. Financial and Procurement Advice and Implications

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

7. Legal Advice and Implications

- 7.1 The Council and the Standards and Ethics Committee have a statutory duty to promote and maintain ethical standards. A properly and fully constituted membership for the Standards and Ethics Committee is vital for this function to be undertaken.

8. Human Resources Advice and Implications

None

9. Implications for Children and Young People and Vulnerable Adults

None

10. Equalities and Human Rights Advice and Implications

None

11. Implications for Partners

None

12. Risks and Mitigation

None

13. Accountable Officer(s)

Bal Nahal, Head of Legal Services

Report Author: Stuart Fletcher, Service Manager (Commercial and Property)
01709 823523 - stuart.fletcher@rotherham.gov.uk

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