

Summary Sheet

Council Report

Standards Committee 4th December 2015

Title

Final report and recommendations of the Standards Committee Working Group

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

No

Strategic Director Approving Submission of the Report

Report Author(s)

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Ward(s) Affected

All

Executive Summary

This report outlines the work undertaken by the Standards Working Group between
16th July and 19th November 2015.

It also makes several recommendations to update and introduce new procedures as
well as increasing the profile of the Standards Committee. It is hoped that these
innovations will contribute to the development of healthier ethical standards within
the Council as well as contributing to the corporate governance and improvement
plan of the Council.

Recommendations

1. That the Standards Working Group be thanked for their work and that their recommendations be considered for implementation:
2. That :
 - i. The Terms of Reference for the Standards Committee, attached at Appendix 1, be adopted.
 - ii. A work plan be introduced by the Standards Committee.
 - iii. The supplement to the Code of Conduct attached at Appendix 3 be adopted by the Council.
 - iv. the following mission statement/strapline be adopted by the Standards Committee :

“Responsible for promoting ethical behaviour and building confidence in local democracy.”
 - v. the Standards Committee be called the Standards and Ethics Committee.
 - vi. The website be refreshed
 - vii. That the membership of the Committee remains as it was currently but that the Hearing Panels established to consider complaints be comprised of :
 - a) One Borough Council elected member from the majority party and one from an opposition party; one parish councillor and two independent members
 - viii. The revised procedure, at Appendix 4, for dealing with code of conduct complaints be adopted.
 - ix. That the revised procedure for the whistleblowing policy, at Appendix 5, be adopted.
 - x. That an annual report be produced

List of Appendices Included

- A) Report of the Standards Working Group
 - 1) Standards Committee Terms of reference
 - 2) Standards Committee workplan
 - 3) Code of conduct and Healthy system of democratic leadership and accountability supplement
 - 4) Code of conduct complaints procedure
 - 5) Whistleblowing policy and procedure

Background Papers

Model code of conduct

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

Yes as the recommendations will require a change to the council Constitution.

Exempt from the Press and Public

No

Title Final report and recommendations of Standards Committee Working Group

1. Recommendations

1. That the Standards Working Group be thanked for their work and that their recommendations be considered for implementation
2. That the Standards Committee agrees that:
 - i. The Terms of Reference for the Standards Committee, attached at Appendix 1, be adopted.
 - ii. A work plan be introduced by the Standards Committee.
 - iii. The supplement to the Code of Conduct attached at Appendix 3 be adopted by the Council as a voluntary addition to the formal code of conduct.
 - iv. The following mission statement/strapline be adopted by the Standards Committee :

“Responsible for promoting ethical behaviour and building confidence in local democracy.”
 - v. The Standards Committee be called the Standards and Ethics Committee.
 - xi. The website be refreshed
 - xii. That the membership of the Committee remains as it was currently but that the Hearing Panels established to consider complaints be comprised of :
 - b) One Borough Council elected member from the majority party and one from an opposition party; one parish councillor and two independent members
 - xiii. The revised procedure, at Appendix 4, for dealing with code of conduct complaints be adopted.
 - xiv. That the revised procedure for the whistleblowing policy, at Appendix 5, be adopted.
 - xv. That an annual report be produced

2. Background

- 2.1 The recent reports of Alexis Jay the Corporate Governance Inspection and report and the arrival of the Commissioners means that that the Standards regime in the Council needed to be reviewed in order to contribute to the improvement of the Council
- 2.2 It is clear that improvement within the Council is necessary to ensure healthy democratic leadership and accountability. A fresher, more prominent Standards Committee will contribute to the development of a healthier culture within the Council. To achieve this, the Standards Committee established a working group to consider the role of the Standards Committee and suggest any improvements that may be required.
- 2.3 The working group comprised Rotherham Councillors (Beck, Finnie and Hughes), an independent person (Mr P Beavers), an independent member (Mr P Elder) and a Parish Councillor (Mr D. Rowley) .

3. Key Issues

- 3.1 The working group met between 15th July and 19th November 2015 and discussed the issues outlined in the report.
- 3.2 The main relevant areas of the Council's Improvement Plan are:

‘a well run and high-performing Council’, ‘an effective cultural change programme’ and “trust and confidence in the Council and how it takes decisions.”

4. Options considered and recommended proposal

- 4.1 There were many options considered for each of the topics examined by the working group and these are outlined in the report of the working group at Appendix A to this report.
- 4.2 That the working group consider the report and agree the proposals outlined in the recommendations section to the report

5. Consultation

- 5.1 Internal consultation has been undertaken with colleagues in other teams e.g. website design. The working group itself was a forum for consultation between Councillors, the Independent Person, Independent member Parish Councillor and relevant officers.

6. Timetable and Accountability for Implementing this Decision

6.1 The decisions taken by this Committee will be referred to Council on 9th December 2015 for information. Implementation of the decisions agreed will be with effect from the beginning of the new Municipal year in May 2016, apart from recommendations viii and ix, which will come into effect immediately.

The Accountable Officer is the Monitoring officer.

7. Financial and Procurement Implications

7.1 None

8. Legal Implications

8.1 Since the Introduction of the Localism Act 2011, there is no legal obligation for the Authority to have a Standards Committee. However Rotherham Metropolitan Borough Council has decided to retain the Committee in order to demonstrate the Council's commitment to high ethical standards. The Council is, however, under a legal duty to:

- Promote and maintain high standards of conduct by members and co-opted members of the authority
- Ensure that a code of conduct is adopted by the authority.

In addition the Council

- Must have in place arrangements under which allegations can be investigated and
- Must have in place arrangements under which decisions on allegations can be made.

9.0 Human Resources Implications

9.1 The majority of this report relates to members and not officers. However the revision of the whistleblowing procedure should enable officers to report concerns without fear of recriminations.

10.0 Implications for Children and Young People and Vulnerable Adults

10.1 None

11.0 Equalities and Human Rights Implications

11.1 The code of conduct applies equally to all members and co-opted members.

12. Implications for Partners and Other Directorates

12.1 Some recommendations will require input from other Directorates for example, the website design and communications

13.0 Risks and Mitigation

13.1 There is a risk that without this report the Council could not demonstrate it was fulfilling its statutory duties.

14. Accountable Officer(s)

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Approvals Obtained from:-

Interim Assistant Director Legal & Democratic Services and Monitoring officer
Catherine A. Parkinson

Head of Procurement (if appropriate):-N/A