

Summary Sheet

Standards Committee Report

Standards Committee March 31st 2016

Title

Update Report and Transition to new Standards Arrangements

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)

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Ward(s) Affected

All

Executive Summary

This report outlines the progress in implementing the Recommendations made to refresh the Standards Committee, items on the Standards Committee Work Plan and the transition to the new Standards and Ethics Committee.

Recommendations

That the Standards Committees notes implementation of the new arrangements

List of Appendices Included

None

Background Papers

Files held by Legal Services

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Title Update Report and Transition to new Standards Arrangements

1. Recommendations

That the Standards Committees notes the implementation of the new arrangements

2. Background

2.1 Members will recall the various matters which came to the Standards Committee on 4th December 2015 as a result of the work of the Standards Committee Working Group. This work followed on from the Corporate Governance Inspection and report, and Government intervention whereby it was felt that the Standards regime in the Council should be reviewed in order to contribute to the corporate improvement of the Council. It was felt that a refreshed, more prominent Standards Committee would contribute to the development of a healthier culture within the Council.

3. Key Issues

It is important that members are kept informed as to the progress of the issues Previously considered and approved. As such the current status of the various matters approved by the Standards Committee is as follows:

3.1 By the time of the next Committee meeting, the Committee will be called the Standards and Ethics Committee. The resolution of the Standards Committee to that effect was approved by the Full Council meeting in January 2016. As such the new arrangements will be operative from the time of the new municipal year, and there will be a formal change to the constitution to that effect, from May 2016.

3.2 Similarly, the new Terms of Reference for the Standards Committee which were adopted at the meeting in December 2015 will be operative from the start of the new municipal year, whereby the main responsibility of the Committee is stated to be "The promotion of ethical behaviour and building confidence in local democracy".

3.3 The new Rotherham specific Code of Conduct which was approved by the Standards Committee at its meeting in December 2015 has been approved by Council and is now operative.

3.4 Similarly the new supplement to the Member/Officer Protocol which was approved by the Standards Committee at its meeting in December 2015 has been approved by Council and is now operative.

3.5 The new procedure for investigating complaints which was approved by the Standards Committee in December 2015 is now operative and is being used in respect of complaints received since that time.

3.6 The new Whistleblowing Policy which was approved by the Standards Committee in December 2015 was consulted upon with the Trade Unions and this did not produce any changes to the document which had been before the Standards Committee. As such the new Whistleblowing Policy has been adopted and has been operative as of 1st March 2016.

3.7 As members will recall a Work Plan for the year which would ensure that the Standards Committee considered everything within its Terms of Reference, was proposed in December 2015. The content of the Work Plan was agreed at the Standards Committee meeting in January 2016.

3.8 The matters within the Standards committee work plan in respect of this meeting included a review as to procedures in respect of members interests. This review has been undertaken by Internal Audit Department of the Council. Unfortunately this review is not fully complete but a report will be available for the next meeting of the Committee in June 2016.

3.9 Further it was agreed at the December 2015 meeting that an annual report as to the work of the Standards committee over the preceding year would be prepared. This will be brought to the next meeting in June 2016, in order that all matters considered by the Standards Committee within the municipal year can be included.

3.10 Further it was agreed as part of the Standards Committee work plan that appropriate and comprehensive training would be provided to members in respect of the "Standards and Ethical" regime. As such with the all-out elections in May 2016, and the likelihood that there will be a large influx of new members, it has been agreed with Democratic Services that training sessions will be provided in respect of the Code of Conduct, Members interests and the other areas within the remit of the Standards Committee, to form an important part of the Induction process. Further, existing members will be encouraged to attend this training.

3.11 The new part of the Council's website relating to the work of the Standards Committee should be fully operative by the time of the meeting on 31 March 2016 and it is hoped that its operation will be available to be shown to the Committee, by colleagues from IT.

3.12 A further recommendation made in December 2015 by the Standards Committee was that the work of the Committee should be further promoted and publicised. The profile of the Standards Committee has been raised with members, due to the extensive changes above having been taken to and discussed at the full Council meeting in January 2016. Further many of the changes referred to above have been included in the Commissioners 12

months update to DCLG, which was submitted at the time of the restoration of a number of powers to the Council. As stated above, the profile of Standards Committee will be further raised as part of the induction programme for new members following the all-out elections in May 2016.

3.13 It is further intended that the profile of the Standards Committee is raised within the Council staff, by employee briefings and discussion at senior manager meetings and briefings. Further communications work is intended to be undertaken at the time of the publication of the Committees Annual Report in June 2016.

4. Options considered and recommended proposal

4.1 There were many options considered for each of the issues examined by the working group and these are outlined in the report of the working group which was previously considered by the Standards Committee

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. Appropriate further consultation has taken place with Unions, in respect of for example the Whistleblowing Policy.

6. Timetable and Accountability for Implementing this Decision

6.1 Standards Committee: approval 10th December 2015

Council Meeting accepted recommendations January 2016

Implementation of changes as set out above May/June 2016.

Accountable Officer – 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 to have a Standards Committee. Rotherham Council has decided to retain the Committee to demonstrate the Council 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
- Secure 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. 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. Implications for Children and Young People and Vulnerable Adults

10.1 None

11 Equalities and Human Rights Implications

11.1 The Code of Conduct and overall Standards regime 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 e.g website design and communications

13. Risks and Mitigation

13.1 There is a risk that without an appropriate Standards regime public confidence in the Council will not be fully restored.

14. Accountable Officer(s)

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