

Summary Sheet

Standards and Ethics Committee Report

Standards and Ethics Committee – 29th June 2017

Title

Standards and Ethics Committee - Review of Code of Conduct and Associated Procedures (Procedure for Considering Complaints Alleging a Failure to Comply with the Members' Code of Conduct within Rotherham Borough Council)

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 Services

Report Author(s)

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Ward(s) Affected

All

Executive Summary

A report updating the Committee on the progress of the Standards and Ethics Committee Working Group, in its review of the Code of Conduct and associated procedures.

Recommendations

That the Committee

1. Notes the Working Group recommendation that the Code of Conduct remain the same; and
2. Approves with any suggested amendments the revised Procedure for Considering Complaints Alleging a Failure to Comply with the Members' Code of Conduct within Rotherham Borough Council.

List of Appendices Included

Appendix 1 - Revised Procedure for Considering Complaints Alleging a Failure to Comply with the Members' Code of Conduct within Rotherham Borough Council

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

Yes

Exempt from the Press and Public

No

Title

Standards and Ethics Committee – Review of the Code of Conduct and Revised Procedure for Considering Complaints Alleging a Failure to Comply with the Members' Code of Conduct within Rotherham Borough Council

1. Recommendations

1.1 That the Committee:

1. Notes the Working Group recommendation that the Code of Conduct remain the same; and
2. approves with any suggested amendments the revised Procedure for Considering Complaints Alleging a Failure to Comply with the Members' Code of Conduct within Rotherham Borough Council.

2. Background

- 2.1 At the meeting of the Standards and Ethics Committee on 12th January 2017, a Working Group was established to review the Council's Code of Conduct and associated procedures.
- 2.2 Meetings of the Working Group took place on 31st January, 6th March and 7th April 2017 and between officer and the Independent Person on 23rd March 2017. At those meetings, the Council's current Code of Conduct was considered along with the procedure for considering complaints alleging a failure to comply with the Members' Code of Conduct. Other versions of such a procedure were also considered as they were felt to provide a more efficient procedure for dealing with such complaints.
- 2.3 It was felt appropriate following consultation with former Lead Commissioner Sir Derek Myers that the Code of Conduct having recently been reviewed should remain in its current form.
- 2.4 The final draft Procedure is at Appendix 1.

3. Key Issues

- 3.1 The key issues are that the revised procedure is now more efficient and easier to use.

4. Options considered and recommended proposal

- 4.1 Recommendations are set out above.

5. Consultation

- 5.1 Any recommendations made by the Standards and Ethics Committee would need to be approved by full Council.

6. Timetable and Accountability for Implementing this Decision

6.1 None at this stage

7. Financial and Procurement Implications

7.1 None

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, Monitoring Officer and Assistant Director of Legal Services