

**STANDARDS AND ETHICS COMMITTEE
29th June, 2017**

Present:- Councillor McNeely (in the Chair); Councillors Allen, Andrews, Brookes, Ireland and Simpson, Mr. D. Bates, Mr. D. Rowley and Mr. R. Swann (Parish Council Representatives) and also Ms. A. Dowdall and Mr. P. Edler (Independent Co-optees).

Along with Mr. P. Beavers (Independent Person).

Apologies for absence were received from Mrs. J. Porter and Mr. D. Roper-Newman.

34. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

35. MINUTES OF THE PREVIOUS MEETING HELD ON 9TH MARCH, 2017

Consideration was given to the minutes of the previous meeting held on 9th March, 2017.

Resolved:- That the minutes of the meeting of the Standards and Ethics Committee held on 9th March, 2017 be approved as a true and correct record of the proceedings.

36. PROPOSED AMENDMENTS TO THE CONSTITUTION - STANDING ORDERS

Consideration was given to the report presented by James McLaughlin, Democratic Services Manager, and John Austin, Chairman of the Association of Democratic Services Officers, which detailed the proposals following the review of the effectiveness of the Constitution to strengthen accountability and transparency in decision making, which had been undertaken by the Association of Democratic Services Officers (ADSO) to provide external challenge and recommendations to strengthen various parts of the Constitution.

This report focused specifically on Association of Democratic Services Officers' recommendations to amend Standing Orders, which were found at Appendix 4 to the Constitution. It has been some time since Standing Orders have been reviewed in full and Association of Democratic Services Officers have compared the Council's current procedures to the good practice in other local authorities. This report summarised the main proposed changes to be made, which included simplifying language and removing unnecessary provisions or procedures which do not add value to the Council's governance framework.

A further updated copy of the recommended changes was circulated to all those present following consideration by the Constitution Working Group on 28th June, 2017 and their detailed comments identified.

The Committee discussed the suggested amendments in detail and were in agreement with all suggested and combined with the comments from the Constitution Working Group were happy to recommend to Council.

Resolved:- (1) That the Council be recommended to approve the amendments relating to Standing Orders set out in Appendix A.

(2) That the Council be recommended to approve the renaming of Standing Orders to Council Procedure Rules.

(3) That the Financial Regulations and Contract Standing Orders be included in an enlarged Appendix 5, to be known as Contract Procedure Rules.

37. TRAINING UPDATE AND STANDARDS BULLETIN (RECENT UPDATES IN STANDARDS AND ETHICS)

Consideration was given to the report presented by Sumera Shabir, Legal Services, which provided an update on recent training provided to members of Parish and Town Councils (15th June, 2017) on codes of conduct and standards and ethics generally

The report detailed the evening training session which was well attended.

The training highlighted the need for good governance and general discussion was facilitated around transparency.

The training was very well received as attendees were able to network with others in the session in groups and future themes for training were suggested. An invitation was also extended to the Chair, Vice-Chair and/or Independent Person to observe some Parish and Town Council meetings.

A further separate meeting with Parish Clerks was currently being arranged at a suitable location.

It was also noted that the Yorkshire Local Councils Association also provided specific training for Clerks as well as Town and Parish Councillors. Liaison would take place as to whether some joint training sessions could be accommodated.

Discussion ensued on the merits of providing voluntary training, location accessibility, whether training could be made mandatory and Parish Council training budgets.

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Additionally, a bulletin was circulated to all those present which reported on recent and key updates in standards and ethics (based on versions produced by the North Yorkshire Fire and Rescue Authority Bulletin and other such material) and for this to also be widely circulated to members of Parish and Town Councils in Rotherham.

Discussion again ensued on accessibility of the information links, length of the bulletin and ensuring it was as user friendly as possible.

Resolved:- (1) That the information about the training session be noted.

(2) That the actions to be taken following the training session be noted.

(3) That any future training initiatives to be undertaken with Parish and Town Councils be identified.

(4) That the content of the bulletin be noted.

(5) That the bulletin be distributed to Members and Parish and Town Councils in Rotherham.

38. **STANDARDS AND ETHICS COMMITTEE - REVIEW OF CODE OF CONDUCT AND ASSOCIATED PROCEDURES**

Consideration was given to the report presented by Stuart Fletcher, Deputy Monitoring Officer, which provided an update on the progress of the Standards and Ethics Committee Working Group, in its review of the Code of Conduct and associated procedures.

It was felt appropriate by the Working Group, following consultation with Commissioner Sir Derek Myers, that the Code of Conduct, having recently been reviewed, should remain in its current form.

The Working Group, having made several amendments to the procedure, were of the view that the version as now presented was more efficient and easier to use.

Further information was provided on the changed elements of the procedure and whether or not any complaints had a right to confidentiality. It was formally agreed that the decision notices on the outcome of the hearing should be made public.

Resolved:- (1) That the Working Group recommendation that the Code of Conduct remain the same be noted.

(2) That the revised Procedure for Considering Complaints Alleging a Failure to Comply with the Members' Code of Conduct within Rotherham Borough Council be recommended for approval by Council on the 13th September, 2017.

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

Consideration was given to the report presented by Stuart Fletcher, Deputy Monitoring Officer, which provided an update on concerns raised pursuant to the Whistleblowing Policy and the actions taken to address these matters.

A copy of the anonymised Whistleblowing record was circulated to all those present.

The Committee welcomed the report, but suggested for all future submissions an issue conclusion column be included.

Resolved:- That the Whistleblowing concerns raised since September, 2016 and the actions taken to address these matters be noted.

40. STANDARDS AND ETHICS COMMITTEE - CONSIDERATION OF COMPLAINTS

The Assistant Director, Legal Services (and Monitoring Officer) submitted a report detailing the progress with the handling of complaints relating to breaches of the Council's Code of Conduct for Members and Co-opted Members. The report listed nine current cases of complaint and the action being taken in respect of each one and also the conclusion date for a further five listed.

The Committee discussed the cases highlighted within the submitted report and commented on the timeframes for some of the investigations and the need for these to be concluded a little quicker.

The Deputy Monitoring Officer reported to the Committee that as part of the investigation of complaints a panel to consider one case had been convened and briefly shared the outcome. Further details would be provided to the next meeting in due course.

In addition, it was further reported that evidence had been requested in writing from the Secretary of State following letters to the Members of Parliament on the sanctions and powers that the Standards and Ethics Committee could impose on individuals that had been found guilty for breaches of the code of conduct.

Resolved:- (1) That the report be received and its contents noted.

(2) That the progress in respect of each case be noted.

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41. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting of the Standards and Ethics Committee take place on Thursday, 28th September, 2017 at 2.00 p.m.