

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Standards Committee
2.	Date:	12th September, 2013
3.	Title:	Update from the Monitoring Officer
4.	Directorate:	Resources

5. Summary

To update the Committee on matters that have been referred to the Monitoring Officer under the Code of Conduct and a revision to the Confidential Reporting Code.

6. Recommendations

That the Committee notes the steps that have been taken.

7. Proposals and Details

The Monitoring Officer has the responsibility to seek resolution of allegations of breaches of the Code of Conduct without formal investigation wherever practicable and for determining whether a complaint should be referred to a panel of independent members of the Standards Committee for further consideration. This is an update on the exercise of that function.

1. The informal resolution of the complaints relating to Anston Parish Councillors continues. The Independent Person, Phil Beavers, has attended a meeting of the public in Anston to gauge their views. This will be followed by the Independent Person and the Monitoring Officer attending meeting of the Parish Council in October. The Independent Person will share his findings with the Parish Council and make recommendations regarding future actions, such as training, to bring the matter to a close.
2. Two related complaints that a Borough Councillor had posted offensive remarks on Twitter. It was concluded that the Elected Member was tweeting in his private capacity and therefore the Code of Conduct was not engaged. David Roper-Newman, Independent Person, was consulted and reached the same conclusion.
3. A complaint that a Borough Councillor make incorrect allegations regarding a member of the public, on the elected member's Twitter account. It was concluded that the posting of the information by the Councillor was done in his private capacity and therefore the Code of Conduct was not engaged. David Roper-Newman, Independent Person was consulted and formed the same view.
4. Four queries with regard to the Register of interest of Elected Members. Following consultation with the relevant Members the forms were updated and the issue resolved. There was no evidence of a deliberate attempt by the Elected Members to deceive or withhold information.
5. A complaint regarding the content of a comment made by a Borough Councillor on the Rotherham Politics website. It was concluded that the comment had been made in the Councillor's private and not public capacity. Therefore, the Code of Conduct was not engaged. David Roper-Newman, Independent Person, was consulted upon the complaint and formed the same view.

Confidential Reporting Code.

Members will recall that the updating of this code (the "Whistle Blowing Policy") was reported to the last meeting. Since then the Enterprise and Regulatory Reform Act 2013 has introduced changes to the safeguards offered to employees who make such disclosures. Briefly the policy must now cover protected disclosures made in the public interest; the requirement that such disclosures must be made in good faith is removed; the position that employee's complaints regarding their own contract of

employment should be raised as a grievance is clarified and the policy must ensure that other employees do not mistreat whistle blowers.

The Council's Code has been amended accordingly.

8. Finance

None.

9. Risks and Uncertainties

The proper consideration of complaints under the Code of Conduct will enhance the standing of all councils and elected members with the Borough.

10. Background Papers and Consultation

Files held by the Monitoring Officer

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