

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Standards Committee</b>
<b>2.</b>	<b>Date:</b>	<b>12<sup>th</sup> December 2013</b>
<b>3.</b>	<b>Title:</b>	<b>Update from the Monitoring Officer</b>
<b>4.</b>	<b>Directorate:</b>	<b>Resources</b>

**5. Summary**

To review general issues that have arisen with regard to Standards matters since the previous meeting

**6. Recommendations**

That the Committee note the steps taken and, with regard to the appointment of two new Independent Members, determines the next steps.

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## 7. Proposals and Details

### (i) Independent Members

At the last meeting it was agreed that the vacancies for two independent members of the Committee would be advertised. An advert was placed in the Rotherham Advertiser for two weeks but no applications were received.

The Standards Committee comprises of 8 elected members, 5 independent members and 3 Parish Council Members.

The role of the independent member in the complaints process, is to sit on a panel that undertakes the preliminary consideration of those complaints and makes recommendations to the Standards Committee. The procedure provides that the panel shall comprise of :-

“not less than 3 or more than 5 co in-opted independent members”.

To ensure that the procedure for considering complaints can continue to function the Committee should consider whether there are alternative ways to recruit independent members, or whether to change the number of independent members upon the Standards Committee and panel (this would require approval by the full Council).

### (ii) Openness and Transparency on Personal Interests: A Guide for Councillors

The government issued guidance upon Openness and Transparency on Personal Interests in September, which relates to the requirement for councillors to register their Trade Union interests. The Rotherham Code of Conduct already contains this obligation. Nevertheless the Monitoring Officer wrote to all Borough Councillors and to the Clerks of Town and Parish Councils to provide them with the guidance to remind them of the obligations. Hard copies of the guidance will be available at the meeting.

### (iii) Workshop

David Roper Newman, Independent Person, attended a course upon the role of the independent person, and a copy of his report is attached as appendix A.

## 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 within the Borough.

#### **10. Background Papers and Consultation**

None

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**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

**Report to Monitoring Officer of attendance at workshop**

1. As agreed, I attended a workshop on 9 October 2013, at South Ribble Borough Council offices, on 'The Role of the Independent Person, One Year on'.
2. This was one of a series of similar workshops being run nationally by a private company (Hoey Ainscough Ltd), and there were 22 delegates including at least one councillor and a few monitoring officers, mainly from north of England authorities.
3. The day was led by Paul Hoey (formerly of Standards for England), and Jonathan Goolden, a lawyer who has been involved in a number of high-priority investigations and LA standards issues for many years.
4. The morning session comprised a very informative background presentation on local authority standards frameworks, including history up to the present day (supplemented by handouts which are available if needed). The afternoon was taken up with syndicate work on three case studies.
5. A number of questions were posed throughout the case studies, looking at initial assessment of cases, the investigation, and decision-making process. A lot of questions were posed throughout the case studies (probably too many in the time available), but that did serve to generate a lot of good discussion.
6. There was no attempt by the organisers to suggest any 'right or wrong' way in dealing with complaints against elected members. Throughout the presenters emphasised that authorities are able to apply whatever processes are best-suited to that authority (assuming that they act within the law of course). However, after listening to the various discussions and participating in the exercises, I personally felt assured that Rotherham's case handling procedures are consistent with what seems to be best practice, and intended by the relevant sections of the Localism Act.
7. The event did not seek to 'train' Independent Persons to act in any given way but did provide a really helpful perspective on the approach to and discharge of the role. Overall I found this to be a very useful and informative day.

David Roper-Newman  
Independent Person