

**STANDARDS AND ETHICS COMMITTEE**  
**Thursday, 13th June, 2019**

Present:- Councillor McNeely (in the Chair); Councillors Clark, Cooksey, Ireland, Sheppard, Short, Simpson, Vjestica and Bates and also Mrs. A. Bingham, Mr. P. Edler and Mrs. K. Penney.

Apologies for absence were received from Councillors Rowley and Swann and Mrs. M. Evers and Porter.

**38.           DECLARATIONS OF INTEREST.**

There were no declarations of interest reported by Members of the committee.

**39.           TO CONSIDER WHETHER THE PRESS AND PUBLIC SHOULD BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF ANY PART OF THE AGENDA.**

**Resolved:-**

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the appendices for Minute Nos. 44, 45 and 46 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

**40.           TO DETERMINE ANY ITEM WHICH THE CHAIRMAN IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY.**

The Chair reported that there were no items of business requiring the urgent consideration of the committee.

**41.           MINUTES OF THE PREVIOUS MEETING HELD ON 21ST MARCH, 2019**

In reviewing the minutes of the previous meeting, it was reported that the former Monitoring Officer and Assistant Director of Legal Services, Dermot Pearson, had recently left the authority. On behalf of the committee, the Chair requested that the thanks of members be recorded for the significant contribution made by Mr. Pearson during his time as Monitoring Officer at Rotherham MBC. It was further noted that Bal Nahal, Head of Legal Services, had recently been appointed as Monitoring Officer by the Council.

**Resolved:-**

That the minutes of the Standards and Ethics Committee held on 21 March 2019 be approved as a true and correct record of the proceedings.

**42. INTRODUCTION TO THE COMMITTEE FOR NEW MEMBERS.**

The Deputy Monitoring Officer provided a presentation to the Committee which provided an introduction to the role, functions and responsibilities of the Standards and Ethics Committee.

It was noted that the Standards and Ethics Committee was primarily responsible for promoting and maintaining high standards of conduct by councillors, independent members and co-opted members. It was also responsible for advising and arranging relevant training for members relating to the requirements of the code of conduct for councillors. Furthermore, it also had responsibility for:

- the initial assessment, investigation and determination of allegations of misconduct
- dealing with any alleged breaches by a councillor of other relevant council codes and protocols
- overseeing the probity aspects of internal and external audit
- overseeing the code of conduct for employees
- overseeing the council's confidential reporting code
- granting exemptions on the political restriction of officer posts
- overseeing the council's complaints handling arrangements and performance

Detail was provided in respect of the Code of Conduct and the processes supporting the complaints procedure and how decisions were made in respect of complaints. Reference was made to the information available to members of the public through the Council's website - [https://www.rotherham.gov.uk/homepage/300/standards\\_and\\_ethics\\_committee](https://www.rotherham.gov.uk/homepage/300/standards_and_ethics_committee) - and how complaints were to be managed.

The Chair reiterated the key messages from the introduction provided by the Deputy Monitoring Officer and welcomed new members to the first meeting of the 2019/20 municipal year.

**Resolved:-**

That the presentation be noted.

**43. COMMITTEE ON STANDARDS IN PUBLIC LIFE - REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS - BEST PRACTICE RECOMMENDATIONS**

Consideration was given to a report presented by the Deputy Monitoring Officer which provided an analysis of the Committee on Standards in Public Life recommendations of best practice, which, it was noted, the Council already complied with, along with an action plan for the Council to implement the other best practice recommendations.

Members welcomed the report and indicated support for the establishment of a working party. Discussions focused on the practicalities of attempting to undertake the work during the summer period and after some consideration it was agreed that the working group would meet in September 2019 and aim to present its findings to the Standards and Ethics Committee in December 2019.

**Resolved:-**

That a Working Group, to be chaired by the Vice-Chair, be established to decide on and, where possible, implement the steps be taken to introduce all of the best practice recommendations set out in the Committee on Standards in Public Life report.

**44. OUTCOME OF STANDARDS AND ETHICS SUB-COMMITTEE HEARING RE ALLEGED BREACH OF THE CODE OF CONDUCT**

Consideration was given to a report presented by the Deputy Monitoring Officer which detailed the outcome of a Standards and Ethics Sub-Committee Hearing which took place on 3 May 2019, in relation to an alleged breach of the Code of Conduct by Maltby Town Councillor Bill Spillsbury.

Detail was provided to the committee in respect of the response received from Town Councillor Spillsbury. Members discussed the need to reiterate that responsibility for implementation of the recommendations from the Sub-Committee rested with the Town Council and asked the Deputy Monitoring Officer to progress this on behalf of the committee.

**Resolved:-**

1. That the outcome of the Standards and Ethics Sub-Committee Hearing on 3 May, 2019 be noted.
2. That a letter be forwarded to the Chair of Maltby Town Council to reiterate the need for the Town Council to implement the recommendations from the Standards and Ethics Sub-Committee.
3. That the Decision Notice be published on the Council's website

**45. COMPLAINTS UPDATE**

Consideration was given to the report presented by the Deputy Monitoring Officer, detailing the progress with the handling of complaints relating to breaches of the Council's Code of Conduct for Members and Town and Parish Councillors. The report listed the current cases of complaint and the action being taken in respect of each one.

Details of each related case and recommended outcome were highlighted, some of which required the arrangement of a sub-committee hearing. These would be arranged soon as possible in line with the relevant procedure.

**Resolved:-**

That the update report in respect of complaints be noted.

**46. REVIEW OF CONCERNS RAISED PURSUANT TO THE WHISTLEBLOWING POLICY**

Consideration was given to the report and appendix presented by the Deputy Monitoring Officer, which provided an overview of the Whistleblowing cases which have been received over the past year.

The appendix to the report set out clearly the description of the concerns received and action.

The Committee welcomed the report and considered the reported matters in detail which would identify if there were any particular trends or issues.

**Resolved:-**

That the Whistleblowing concerns raised over the previous year and the actions taken to address these matters be noted.

**47. ANNUAL REPORT**

Consideration was given to the report presented by the Deputy Monitoring Officer which summarised the work undertaken by the Standards and Ethics Committee during the Municipal Year 2018/2019.

The report detailed the specific activities of the Standards and Ethics Committee, its sub-committees and hearing panels, as well as responses to consultations from central government and the Committee for Standards in Public Life.

Having digested the reflections on the work of the previous municipal year, the Chair paid tribute to and thanked those Members who had participated in the activities of the committee and its subsidiary bodies.

**Resolved:-**

That the work undertaken by the Standards and Ethics Committee during the 2018/19 municipal year be noted.

**48. DATE AND TIME OF NEXT MEETING - THURSDAY, 12TH SEPTEMBER, 2019 AT 2.00 P.M.**

**Resolved:-**

That the next meeting of the Standards and Ethics Committee be held on Thursday 12 September 2019 commencing at 2.00 p.m. at Rotherham Town Hall.