

**Minutes of the Meeting of
Sandwell Metropolitan Borough Council**

**17th April, 2018 at 6.00pm
at the Sandwell Council House, Oldbury**

Present: The Mayor (Councillor Haque);
The Deputy Mayor (Councillor Eaves);

Councillors Ahmed, Allcock, Allen, Ashman, Bawa, Carmichael, Cherrington, Costigan, Crompton, S Crompton, Dr T Crompton, K Davies, P Davies, Dhallu, Downing, Edis, Edwards, Eling, Gavan, E A Giles, E M Giles, Goult, Hackett, Hadley, Hartwell, Hevican, L Horton, R Horton, D Hosell, S Hosell, P M Hughes, P Hughes, Dr Jaron, Jarvis, I Jones, S Jones, Khatun, Lewis, Lloyd, Marshall, Melia, Millard, Moore, Phillips, Piper, Preece, B Price, R Price, Sandars, Shackleton, Shaeen, Taylor, Tranter, Trow, Underhill, Webb, White and Worsey.

Apologies: Councillors S Davies, Y Davies, Garrett, Hickey, O Jones, Meehan and Rouf.

37/18 Declarations of Interest

The following members declared an interest:-

Agenda Item	Subject	Member	Interest
11	General Purposes and Arbitration Minute No. 4/18 – Polling Stations	Councillor Eling	Pecuniary – Director/Trustee Warley Woods Community Trust who hire a room for use. Left the meeting and took no part in debate.

[ILO: UNCLASSIFIED]

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Agenda Item	Subject	Member	Interest
11	General Purposes and Arbitration Minute No. 4/18 – Polling Stations	Councillor Khatun	Pecuniary – works for Bangladeshi Womens Association who receive a fee for use of Jubilee Community Centre. Left the meeting and took no part in debate.

38/18 Minutes

Resolved that the minutes of the meeting held on 6th March, 2018 be confirmed as a correct record.

39/18 Mayor's Announcements

Details of Mayoral engagements since the last meeting of the Council had been circulated to members.

Following the retirement of Councillors Gill and Sidhu, the Mayor wished to place on record his thanks for the service they had both provided and to wish them well in the future.

40/18 Petitions Under Standing Order No. 5

No petitions were received under Standing Order No. 5.

41/18 Questions Under Standing Order No. 6

No questions were received under Standing Order No. 6.

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42/18

**Annual Report of the Ethical Standards and Member
Development Committee 2017-18**

In accordance with the Council's arrangements for the principal member with responsibility for key Council functions to report periodically to the Council on the activities of the relevant committee or decision making body, the Chair of the Ethical Standards and Member Development Committee, Councillor Lewis, presented the annual report of the Ethical Standards and Member Development Committee for 2017-18.

The Localism Act 2011 introduced significant changes to the ethical framework, including the removal of the requirement for a national code of conduct and statutory standards committee and set out a light touch framework for a new ethical regime. The Act placed an obligation on the Council to have a code of conduct and promote and maintain high standards of Elected Member conduct.

Whilst there was no requirement to have a standards committee, standards issues and casework must still be dealt with. As part of addressing the Council's statutory obligation to promote high ethical standards, the Council retained its standards committee and broadened its remit to include elected member development.

During 2017/18, the Ethical Standards and Member Development Committee met on five occasions and considered the following:

Member Development Programme

The Committee had overseen a new Member Development Programme designed specifically to assist Elected Members to lead their own development. The new Programme would ensure that Elected Members developed/acquired the requisite knowledge, experience and skills to succeed in their various councillor roles.

The Council sought to build upon its successes as a member-led Council and recognised that, to do so, all Elected Members had an important role to play. It recognised that Elected Members could be appointed to various roles during their period of office (whether one or over several terms).

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The Member Development Programme had been designed purposely to facilitate discussions and debate with all Elected Members; and specifically consider the roles of Chairperson, Vice Chairperson, Committee Member and representatives on outside bodies.

Elected Members had undertaken annual personal development plans previously and many undertook a wide range of training and other forms of development courses. However, the Committee acknowledged that there was a need to better understand the needs of Elected Members; and the Member Development Programme sought to do this more effectively. The development programme would be aligned to those needs and would ensure that any development and training was delivered in a manner that ensured Elected Members found engaging, thought-provoking and informative.

The Member Development Programme would seek to engage all Elected Members so that their needs could be properly examined and met. The programme would challenge and inform Elected Members so that they were equipped to meet the requirements of the 2030 Vision. The programme would be supported by facilitators such as the Local Government Association, Member Peers (as far as possible) and use of Elected Member networks locally, regionally and nationally. Importantly, it encouraged Elected Members to share their expertise, local knowledge and experience to inform the whole development programme.

The Council's Member Development Programme had been acknowledged and praised by the LGA. It was specifically referenced in the Peer Review completed in January 2018 which supported the approach and outcomes sought.

The new Member Development Programme would be rolled out in June 2018 onwards.

Training and Development

The Committee was responsible for advising on and arranging training for Elected and Co-opted Members of the Council on matters relating to the Council's Members' Code of Conduct.

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The Monitoring Officer delivered relevant training to all Elected and Co-opted Members on behalf of the Committee.

In light of recent cases that had been, and were being, dealt with, the Committee recommended that all Elected and Co-opted Members should familiarise themselves with the facts and issues that had arisen in these cases; and attend annual training on the Members' Code of Conduct, so as to ensure they maintained a sound understanding of it.

The Committee considered summaries of cases of national interest to ensure that it was up to date with how complaints about Elected Member misconduct were being dealt with in other authorities around the country, so that Elected Members could bring this knowledge to any cases being dealt with in Sandwell.

The Committee would continue to develop its own skills and expertise as part of its own continuous improvement drive. As appropriate, the Committee would periodically receive a 'lessons learned' report on local and national cases to ensure the Committee and all Elected and Co-opted Members were kept abreast of the latest developments in standards cases and matters.

Committee on Standards in Public Life

The Ethical Standards and Member Development Committee had a duty to promote high ethical standards amongst Elected and Co-opted Members. As well as complying with legislation and guidance, the Committee needed to demonstrate learning from issues arising from local investigations and case law. The Committee was kept informed of any issues arising out of the Annual Report of the Committee on Standards in Public Life.

The Committee on Standards in Public Life had recently launched a stakeholder consultation on the Local Authority Ethical Framework which would close at 5pm on 18th May 2018. The Chair of the Ethical Standards and Member Development Committee would be responding to the consultation on behalf of the Council. However, each Member and Co-opted Member, in their own right, was entitled to respond to consultation, and free to make their own comments.

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Each Elected and Co-opted Member was encouraged to respond to the consultation and responses could be made on the website for the Committee on Standards in Public Life.

The Council's Monitoring Officer would also be responding to the consultation in his statutory role.

Members' Code of Conduct

The Council's current Members' Code of Conduct was adopted with effect from 18th October 2016. It assisted Members and Co-opted Members to understand the standard of conduct expected of them. The Code was required to meet the provisions of the Localism Act 2011 and was available on the Council's website.

All candidates for election were issued with a copy of the Members' Code of Conduct on appointment and were required to sign a Declaration to comply with the Code. Elected Members also received induction training, and subsequent refresher training, on the provisions of the Code, and how to carry out their duties in line with it. This training was delivered by the Monitoring Officer. The Monitoring Officer also issued guidance to Councillors appointed to outside bodies by the Council to assist them in understanding the impact of the Members' Code of Conduct.

Arrangements for Dealing with Standards Allegations

The Localism Act 2011 required authorities to adopt arrangements for dealing with complaints concerning alleged breaches of the Members' Code of Conduct.

The arrangements for dealing with standards allegations had been revised by the Council on 17th January, 2017.

The arrangements ensured fairness to all the parties concerned. The effectiveness of the arrangements was kept under review in order to maintain public confidence in the Council's Ethical Framework. The public expected Elected Members to conduct themselves in accordance with the Members' Code of Conduct; and where they were alleged to fall short of that standard, be held to account.

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The arrangements and the operation of those arrangements must have regard to the rules of natural justice. The nature of complaints, and the manner in which complaints against Elected Members were dealt with, had a direct impact on the reputation of the Council.

As part of the Council's drive for continuous improvement, the Committee had established a Working Group to review the Council's Ethical Framework. It was anticipated that any proposed amendments to the Ethical Framework would be referred to Full Council for approval on or before July 2018.

Allegations of Misconduct by Members

Under the Council's Ethical Framework, all complaints of misconduct came directly to the Monitoring Officer. The Monitoring Officer reviewed every complaint received and took a decision (after seeking the views of an Independent Person) as to whether it merited formal investigation, local resolution or some other action/approach. Where the Monitoring Officer was unable to resolve the complaint informally and felt it merited formal investigation, after consultation with the Independent Person(s), an Investigating Officer would be appointed to prepare a report. The report would conclude whether or not there was evidence of a failure to comply with the Members' Code of Conduct.

If the Monitoring Officer concluded that there was evidence of a failure to comply with the Code of Conduct, he would either send the matter for local hearing before a Sub-Committee or, after consulting the Independent Person, seek local resolution. If referred to a Sub-Committee, a decision would be reached as to whether the subject member had breached the Code; and if so, determine what sanctions (if any) should be imposed.

This year, the Committee and its Sub-Committees had dealt with long-standing, complex matters that had been both challenging and time-consuming.

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A number of standards cases had attracted considerable attention from both the public and media. However, the conduct of two Elected Members (namely, Councillor Mahboob Hussain and Councillor Ian Jones) had adversely impacted upon the reputation of the Council, locally, regionally and nationally. Both members were found to have breached the Code, with Councillor Hussain being found to have breached it a total of twelve times. The impact and effect of their poor conduct should not be underestimated or overlooked.

The Committee and Sub-Committees dealing with these matters had demonstrated considerable resolve, and considered each case on the evidence presented and consistent with their legal and constitutional duties and obligations. These standards cases had involved extensive investigations and took a considerable amount of time and cost to conclude - this was particularly the case in respect of the complaints made against Councillor Hussain.

The Committee had managed complaints by adopting a robust but fair and open approach. The Sub-Committees were advised by a strong Independent Person and an external legal adviser, both of whom had provided impartial opinion, advice and guidance. The Sub-Committees carefully considered each case on its merits; examining all the relevant evidence; and having regard to aggravating and mitigating factors. The Sub-Committees spent several hours deliberating over these two standards cases. The hearings were all held in public and streamed (as much as possible) in real time, and subsequently made available to view on the Council's website. All agendas and written decisions including sanctions had been published openly on the Council's website, including preliminary decisions made in relation to legal points, such as requests for adjournments.

One specific case (complaint against Councillor Hussain) involved a legal challenge through a Judicial Review. Whilst the Council could not be held responsible for such challenges, it defended robustly its' position and actions. The Council was vindicated by the High Court Judge who dismissed the Judicial Review in its entirety and awarded costs in favour of the Council. The Council was seeking £181,668 in costs of which £50,000 had been paid by Councillor Hussain. The remainder would now be determined by the Court. The Council would also be considering how it might recover other losses and costs incurred in dealing with this case, including the lost value of the property that was sold.

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Despite the challenges faced by the Sub-Committees, they balanced confidently the strong public interest, and need to progress cases effectively and expeditiously, against the need to ensure the rules of natural justice were followed; while ensuring each case was dealt with fairly and appropriately.

The Committee believed that the way in which it had progressed these standards cases had demonstrated its' determination to deal properly with cases brought before it, and intended to continue this approach in the future.

The Council had been subjected to considerable criticism, particularly from two local MPs (James Morris MP and Adrian Bailey MP), as well as high-profile coverage from national media organisations including the Telegraph and Daily Mail. The MPs had criticised the council, its' governance arrangements, made allegations against certain Elected Members and/or made negative comments on how the Council had dealt with complaints against Elected Members. James Morris MP criticised the Council extensively during a Parliamentary Adjournment Debate in January 2018. He did this despite being advised that the Local Government Association would be reporting the findings of its Peer Review of Sandwell Council the following week. It was regrettable that the above-named commentators failed to seek information from the Council, or Monitoring Officer, before making their comments; or to familiarise themselves with the legal and constitutional framework within which the Council was operating.

The Committee was of the firm view that the above-named commentators failed to provide an appropriate, fair or informed account of the issues they raised.

Whilst the Committee acknowledged that the conduct of certain Elected Members fell below the standards expected of them, it did not accept that the Committee, its' Sub-Committees; or those engaged in dealing with standards cases were under the influence of others, or that the process followed in dealing with standards complaints was inadequate.

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The Committee felt that the Council had demonstrated that it had dealt with, and was dealing with, standards issues without fear or favour; and in an open and fair manner.

Unfortunately, there was a misconception among some and the media that the Council had the power to prosecute, suspend and/or disqualify an Elected Member who had breached the Members' Code of Conduct. Such powers were not within the remit of the Council. The power to disqualify sat with the Magistrates Court and it was only the Director of Public Prosecutions that was empowered to bring a prosecution against an Elected Member for breaches of the Code.

The approach and arrangements of the Council in developing and progressing its 2030 Vision; dealing with standards cases; and planned good practice review of its governance arrangements had all been acknowledged and supported by the Local Government Association Peer Review.

However, it was recognised nationally that the current statutory ethical framework lacked 'teeth' and, as such, required changes to primary legislation. The stakeholder consultation of the Committee on Standards in Public Life, provided an opportunity for councils to share their experiences and call for changes to the current statutory framework. The Chair of the Committee had been authorised to respond formally to the consultation, on behalf of the Council.

The Committee recognised however that any legislative change (if made) would take time; and some of the issues that had arisen during the course of dealing with standards cases, particularly those before its Sub-Committees, would need to be addressed in the interim. Accordingly, a working group established by the Committee would review the Members' Code of Conduct and the arrangements for dealing with complaints in the coming months.

The working group would review the procedures adopted and consider what was working well as well as those issues that undermined and/or hindered the effective administration/progress of standards complaints. As part of this continuous improvement drive, the working group through the Committee would recommend changes to Full Council at its July meeting.

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Dealing with standards cases had also exposed the legislative limitations of the current Ethical Framework.

The opportunity for prolonged delays, the ambiguity around the minimum level evidence required for specific actions (such as adjournments) and the limited sanctions afforded to councils, all had the potential to (i) undermine public confidence in the legislative and Council's Ethical Framework, and (ii) the ability of the council to deal with standards matters in a more effective and expeditious manner.

The Committee Chair would be formally responding to the consultation launched by the Committee on Standards in Public Life and would make reference to the issues encountered and proposing that a more robust legislative framework should be introduced that:-

- addressed the need for more effective sanctions, such as the power to suspend an Elected Member for up to one year;
- allowed councils to reduce (up to 50%) the basic allowance paid to the subject member for serious/significant breaches of the Code;
- issued clear criteria or guidance to the Director of Public Prosecutions on when a prosecution should be pursued against an Elected or Co-opted Member, or in the alternative, gave the power to prosecute to councils;
- defined minimum evidence levels where specific applications were made to the Sub-Committee;
- defined what amounted to an abuse of process in standards cases;
- established the level of weight and importance to be attached to the public interest;
- provided a clear timeframe within which standards cases must be heard (unless exceptional circumstances existed to extend the timeframe) to avoid delays in standards cases being heard;
- provided a power to recover costs against the subject member where a breach of the Code was found; and to seek payment of such costs through the basic allowance paid to that member.

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Notwithstanding the standards cases that had been dealt with and were ongoing, Council should not ignore the fact that the conduct of the vast majority of Elected and Co-opted Members had been exemplary. Elected and Co-opted Members worked incredibly hard, balancing many competing priorities and demands - and did so conducting themselves consistently within the Code, and as strong ambassadors for the Council and the Borough.

The Committee would continue to support all Elected and Co-opted Members in their Council duties and responsibilities, and focus on the duty to promote high standards to ensure public confidence was maintained in Elected and Co-opted Members and the Council.

In response, the following comments were made by members:-

- the Chair, members of the Ethical Standards and Member Development Committee and officers were congratulated and thanked for their commitment in dealing with the recent standards matters;
- those members named and found to have breached the Code should be ashamed. They had held positions of importance and should have been an example to future members, however, they had brought shame and humiliation to the authority. Positions had been abused for self gain and excuses used to cause delays to the process. The members had been proven to be guilty of misuse of their position and had let down the community they served and, at the very least, should apologise;
- the limitations in place were set in place by law;
- the Committee was thanked for its tireless work and also the work around getting the penalties increased;
- the MPs concerned should have correctly researched the facts and not have tarnished the Council with incorrect statements;
- when members signed their member acceptance they agreed to abide by the Nolan principles. The Committee had proven that the members concerned had acted without fear of retribution and, as a consequence, Sandwell's good name had been brought into question and confidence now needed to be regained as people thought that all the members behaved in the same manner;

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- each member had been tarnished without good reason with unwarranted criticism from two local MPs who had criticised the authority without the full facts;
- the silver award from the LGA Peer Review was not easily achieved;
- members wished to place on record their apologies to the electorate for the actions of the few and were prepared to help the Ethical Standards and Member Development Committee in any way to prevent this situation occurring again;
- with regard to the response to the Committee on Standards in Public Life, one member suggested that no person should be named until a complete and transparent investigation had taken place;
- the authority's hands were currently tied with regard to sanctions and this was something this Council would try to influence. At present, the law failed the Council, the people Elected Members represented, natural justice and democracy and there was currently an opportunity for Sandwell to lead the way of reform in Government;
- every member had been shocked by the level of corruption which had taken place and it was disappointing that it had taken over two years to deal with the matters;
- it was expected that the Council would lobby for tougher powers and sanctions;
- there was a need to register congratulations to officers and Standards members for resolve, determination, impartiality and commitment over the last two years to finally bring to a conclusion this important achievement;
- these cases reflected important matters of public interest involving significant offences against obligations of members to the Code of Conduct. Financial misconduct, bullying and misuse of power betrayed the principles of honesty and integrity required of all elected members;
- the public had asked about the delay and why councillors had not immediately been suspended. Legislative change was required in Parliament to apply across the country and a submission would be made formally. There was a requirement for powers to be available to suspend and cut allowance payments, directly prosecute and also to set a time limit for delays to prevent abuse of the process. Public interest should be given maximum weight;

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- it was clear that Elected Members and people in the community felt that everyone had been tarred with the same brush by the actions of a small number of people and this should not be perpetuated. The principal issues were the powers available to the Council and interference by local MPs were totally unsatisfactory. Previously there had been proper sanctions in place, however, the Localism Act had introduced the current regime. Councils needed the ability to impose proper penalties. One of the MPs had stood and criticised the authority for the weakness of the standards legislation of the 2011 Act despite him being one of the MPs present who voted in favour of the changes. Other statements by other MPs were grossly unacceptable and appeared to have been fed by fake news;
- the Committee on Standards in Public Life were undertaking consultation and there was a need to bring forward recommendations nationally for a change in law. This Council could add real value to the work of the Committee based on experience;
- the LGA Peer Review identified the Council as one of the better performers and this had been achieved whilst battling through this standards process.

Councillor Lewis thanked members for the confidence they had shown in the decisions taken by the Committee/Sub Committee in dealing with these matters. Councillor Lewis proposed a motion, which was seconded by Councillor Trow and a named vote was called upon. The required support to the request was achieved and the motion put to a named vote as follows:-

For:

Councillors Ahmed, Allcock, Allen, Ashman, Bawa, Carmichael, Cherrington, Costigan, Crompton, S Crompton, Dr T Crompton, K Davies, P Davies, Dhallu, Downing, Eaves, Edis, Edwards, Eling, Gavan, E A Giles, E M Giles, Goult, Hackett, Hadley, Haque, Hartwell, Hevican, L Horton, R Horton, D Hosell, S Hosell, P M Hughes, P Hughes, Jarvis, I Jones, S Jones, Khatun, Lewis, Lloyd, Marshall, Melia, Millard, Moore, Phillips, Piper, Preece, B Price, R Price, Sandars, Shackleton, Shaeen, Taylor, Tranter, Trow, Underhill, Webb, White and Worsey.

Against:

None.

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Resolved:-

- (1) that the annual report of the Ethical Standard and Member Development Committee 2017-18 and the views and opinions expressed by members be noted;
- (2) that the Council reaffirms its full commitment to promoting the highest standards of conduct amongst all Elected and Co-opted Members in accordance with its statutory duty under the Localism Act 2011;
- (3) that the Council recognises that, whilst the conduct of those members identified in the annual report has been damaging, the Council has demonstrated a firm and resolute commitment in holding members to account whenever they are alleged to have fallen below the standards of conduct expected of them;
- (4) that the Chair of the Ethical Standards and Member Development Committee make formal representations, on behalf of the whole Council, to the Committee on Standards in Public Life in response to its current stakeholder consultation, the response to include:-
 - specific reference to the challenges and issues raised by the standards cases detailed in the annual report;
 - full Council's strong endorsement of the changes proposed in the annual report to strengthen the ethical framework and to provide councils with significantly increased powers of investigation and sanction; and
 - a summary of the views and opinions expressed by members of full Council in relation to the matters raised in the annual report and the deficiencies and limitations of the current governing legal framework.

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43/18

**Minutes and Policy/Strategic Recommendations of the
Cabinet**

The Council received the minutes of the meeting of the Cabinet held on 21st March 2018.

In response to questions raised by members, the Leader responded as follows:-

- Sandwell was now one of the few councils that provided free swimming for pensioners and children. There was a good take-up, however, it was important to ensure that free swimming was publicised as much as possible;
- with regard to highway/pavement obstruction, the Leader expressed support to the changes the LGA was seeking in legislation. Additional frustration had been caused by decriminalisation of parking offences which had created a split between the duties of enforcement of parking restrictions and enforcement of obstructions to the highway. Obstruction to the highway remained a responsibility of the Police, however, decriminalised functions sat with the local authority. Successful campaigns had been undertaken in the past, however, it was important that future campaigns were publicised regularly. Reductions to the Police budgets meant that it became more difficult for them to allocate their time to such exercises. The Council would continue to investigate an extension to powers of enforcement, similar to those which London had;
- additional funding had been approved by Cabinet on 21st March 2018 for highway repairs following extensive damage over the winter period.

(Councillors Gavan and P Hughes declared a non-pecuniary interest in relation to Minute No. 47/18 (Free Swimming) as they were Board Members of Sandwell Leisure Trust.)

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The Council considered the recommendations of the Cabinet on the following matters of strategic significance:-

43/18(a) **Financial Regulations (Key Decision Ref. No. SMBC13/03/2018)**

Resolved that the Financial Regulations be approved.

43/18(b) **Procurement and Contract Procedure Rules (Key Decision Ref. No. 13/02/2018)**

Resolved that the Procurement and Contract Procedure Rules be approved.

44/18 **Minutes of the Audit and Risk Assurance Committee**

The Chair of the Audit and Risk Assurance Committee, Councillor Preece, presented the minutes of the meeting of the Audit and Risk Assurance Committee held on 22nd March 2018.

No questions were asked of the Chair.

45/18 **Minutes of the Ethical Standards and Member Development Committee**

The Chair of the Ethical Standards and Member Development Committee, Councillor Lewis, presented the minutes of the meeting of the Ethical Standards and Member Development Committee held on 9th March 2018.

No questions were asked of the Chair.

46/18 **Minutes of the General Purposes and Arbitration Committee**

The Chair of the General Purposes and Arbitration Committee, Councillor Dhallu, presented the minutes of the meeting of the General Purposes and Arbitration Committee held on 19th March 2018.

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The Council considered the recommendations of the Committee on the following matters:-

46/18(a) Polling Stations

Resolved:-

- (1) that the polling stations for the local elections 2018, as set out in Appendix 1, be approved;
- (2) that the Director – Monitoring Officer undertake a statutory review of UK Parliamentary polling districts and polling places between 1st October 2018 and 31st January 2020 (inclusive);
- (3) that a further report outlining the findings and any recommendations of the statutory review, referred to in Resolution (2) above, be submitted to the General Purposes and Arbitration Committee as soon as possible thereafter.

(Councillors Eling and Khatun left the meeting during consideration of this item)

46/18(b) Nomination for the office of Mayor and Deputy Mayor 2018/19

Resolved:-

- (1) that Councillor Joy Edis be nominated to the office of Mayor of the Borough of Sandwell for the 2018/19 Municipal Year;
- (2) that Councillor Carol Goult be nominated to the office of Deputy Mayor of the Borough of Sandwell for the 2018/19 Municipal Year.

No questions were asked of the Chair of the Committee.

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47/18

Appointment of Statutory Posts – Senior Information Risk Owner, Data Protection Officer and Statutory Scrutiny Officer

Approval was sought to the appointment of three key statutory posts within the Council.

Senior Information Risk Owner (SIRO)

In 2013, the Information Commissioner (ICO) and the then Permanent Secretary for the Department for Communities and Local Government wrote to councils to raise awareness of the significant new powers available to the ICO to penalise local authorities for data security breaches and made recommendations on how local authorities may avoid such penalties. One key recommendation, which still remained valid today, was the appointment of a Senior Information Risk Owner (SIRO) who was a member of the council's Leadership Team.

The Senior Information Risk Owner (SIRO) was the officer responsible across the whole Council for Information Governance. The SIRO was responsible for the Council's information management and governance strategy, acted as an advocate for good practice in Information Governance, and was required to provide a statement of assurance as part of the Council's Annual Governance Statement.

Information governance meant the effective management of information in all its forms and locations. It encompassed efficient ways of handling information, robust management of the risks involved in the handling of information, and compliance with regulatory and statutory guidance including General Data Protection Regulation (GDPR) and Freedom of Information. Information governance included electronic and paper based information, how it was held, used and shared.

Information governance was also concerned with keeping information safe and secure and ensuring it was appropriately shared when necessary to do so. This was a significant challenge for all organisations but particularly so for large complex public-sector organisations such as Sandwell Council dealing with a wide range of functions.

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The SIRO would take overall ownership of the Council's Information Risk Policy, act as champion for information risk on the Leadership Team and provide advice on the content of the Council's Statement of Internal Control regarding information risk.

The SIRO would lead on and implement the Information Governance risk assessment and management processes within the Council and advise the Executive, Elected Members and the Officer Leadership Team on the effectiveness of information risk management across the Council.

Statutory Data Protection Officer (DPO)

The forthcoming General Data Protection Regulations (GDPR) (to be implemented on 25th May 2018) required each Public Authority to appoint a named officer to the post of Statutory Data Protection Officer (DPO), there had been no requirement prior to this to have this post.

This role encompassed the implementation of GDPR as well as the enforcement of GDPR from 25th May 2018. The DPO would be the Council's main point of contact for any data protection issues and would provide both the interpretation of legislation as well as the practical implementation on operational issues. The DPO would also be the single point of contact with the Information Commissioner's Office.

The role required the named post to be independent of processing personal information to ensure that no conflict of issue could occur between the processing and the advice around processing.

Statutory Scrutiny Officer (SSO)

All local authorities were required under Section 31 of the Local Democracy, Economic Development and Construction Act 2009 to have a named officer appointed to the Statutory Scrutiny Officer post. The current named officer had retired from service on 31st March 2018.

The scrutiny function was managed and supported through the Democratic Services Team, which was overseen by the Democratic Services Manager.

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The SSO would:

- promote the role of the authority's scrutiny committee(s);
- provide support to the authority's scrutiny function and to local councillors; and
- provide guidance to members and officers of the council in relation to scrutiny functions.

The SSO could not be the Council's Head of Paid Service, Section 151 Officer or Monitoring Officer.

Resolved:-

- (1) that Mr Surjit Tour (Director – Monitoring Officer) be appointed as the Council's Senior Information Risk Owner (SIRO) with immediate effect;
- (2) that Mr Philip Tart (Deputy Monitoring Officer) be appointed as the Council's Statutory Data Protection Officer (DPO) with immediate effect;
- (3) that Mrs Suky Suthi-Nagra (Democratic Services Manager) be appointed as the Council's Statutory Scrutiny Officer (SSO) with immediate effect.

48/18

**Establishment and Appointment to Commonwealth Games
2022 Aquatic Centre Steering Group**

At its meeting on 31st January 2018, the Cabinet gave approval to develop a new aquatic centre in Smethwick that would provide new, state-of-the-art and much needed facilities for Sandwell residents which would also be utilised to host the aquatic events for the Commonwealth Games 2022.

At its meeting on 6th March 2018, the Council gave approval to the establishment of a Member Steering Group to steer the Commonwealth Games 2022 Aquatic Centre – Project Board as progress was made with the delivery of the Commonwealth Games 2022 Aquatic Centre Project.

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In addition to the above, the Council also gave approval to the establishment of a Member Steering Group to steer the Sandwell Sport and Leisure Built Facilities Strategy. Appointments and Terms of Reference for this Steering Group would now be reported to the annual meeting of Council on 22nd May 2018.

The Council was required to appoint members to the Commonwealth Games 2022 Aquatic Centre – Members Steering Group in line with the Terms of Reference.

The governance structure that had been adopted for the delivery of the Commonwealth Games 2022 Aquatic Centre Project was in line with requirements of the Commonwealth Games 2022 Organising Committee.

Resolved:-

- (1) that the terms of reference for the Commonwealth Games 2022 Aquatic Centre – Member Steering Group, as set out in Appendix 2, be approved;
- (2) that the following members be appointed to the Commonwealth Games 2022 Aquatic Centre – Member Steering Group:-

Councillor Eling
Councillor P Hughes
Councillor Dr Jaron
Councillor Moore
Councillor Sandars;
- (3) that the terms of reference and appointments to the Sandwell Sport and Leisure Built Facilities Strategy Steering Group be reported to the annual meeting of Council on 22nd May 2018.

(The meeting ended at 7.23pm)

This meeting was webcast live and is available to view on the Council's website (<http://sandwell.public-i.tv/core/portal/home>).

Contact Officer: Trisha Newton Democratic Services Unit 0121 569 3193

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Appendix 1

**Schedule of Polling Stations
Local Elections 3 May 2018**

PS No	Polling District(s)	Polling Station
1	ABA	St Hilda`s Church Hall, Abbey Road
2	ABB	Abbey Infant School, Nursery Building, Maurice Road
3	ABC	Thimblemill Library, Thimblemill Road, Smethwick
4	ABD	Bearwood Primary School, Ethel Street
5	ABE	St Mary's Hall, St. Mary's Road, Smethwick
6	ABF	St Gregory's R.C. Primary School, Park Road & Wigorn Road Entrances
7	ABG	The Pavilion, Warley Woods Community Trust, 101 Lightwoods Hill
8	BLA	Blackheath Central Methodist Church, entrance from John Street
9	BLB	Rowley Regis Disability Centre, Rowley Village
10	BLC	Community Lounge, St. Giles Court, Reservoir Road
11	BLD	The Parish of The English Martyrs, 297 Oldbury Road
12	BLE	Blackheath Primary School, (Assembly Hall), Britannia Road
13	BLF, BLG	Highfields Primary School, Beeches Road
14	BLH	Blackheath Central Methodist Church, entrance from John Street
15	BRA	Langley Swimming Centre, Vicarage Road, Oldbury
16	BRB, BRC	Baptist Church Hall, Bristnall Hall Road, Oldbury
17	BRD, BRH	Our Lady & St Hubert's R C Primary School, Moat Road
18	BRE	Community Hall, Hurst Road, Smethwick
19	BRF	George Road Community Church, George Road, Oldbury
20	BRG	Barlow Homes Community Centre, Pound Road, Oldbury
21	CHA	Connor Education Centre, Connor Road
22	CHA, CHF	Connor Education Centre, Connor Road
23	CHB, CHC	Church of St. Mary Magdalene, Beaconview Road
24	CHD	Great Barr Hotel, Festival Suite, Pear Tree Drive
25	CHE	Grove Vale Primary School, Monksfield Avenue
26	CHG	West Bromwich Community Centre, Gayton Road
27	CRA	Temporary Hut, Mary MacArthur Memorial Gardens
28	CRB, CRC	Corngreaves Primary School, Plant Street
29	CRD, CRE	Holy Trinity Church, Halesowen Road, Cradley Heath
30	CRF	Temple Meadow Primary School, Clifton Street
31	CRG	Haden Hill Leisure Centre, Barrs Road

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32	CRH	Timbertree Primary, Early Years, Valley Road
33	FPA	Woods Methodist Church, Coronation Road, Wednesbury
34	FPA	Woods Methodist Church, Coronation Road, Wednesbury
35	FPB	Priory Primary School, Dorsett Road, Opp. School Road
36	FPB	Priory Primary School, Dorsett Road, Opp. School Road
37	FPC	Tameside Primary School, Entrance From, Price Road
38	FPD	Mesty Croft Academy, St. Luke`s Road
39	GYA	Yew Tree & Tame Bridge Community Centre, Redwood Road
40	GYA	Yew Tree & Tame Bridge Community Centre, Redwood Road
41	GYB	Q3 Academy, Community Entrance, Wilderness Lane
42	GYC	Great Barr War Memorial Hall, Corner of Chapel Lane &, Birmingham Road
43	GYD, GYE	Great Barr Library, (car park entrance Readers Walk), Birmingham Road
44	GYF	Holy Name R.C. Parish Centre, Birmingham Road, Great Barr
45	GYG	Temporary Hut 1, Woodruff Way, Walsall
46	GYG	Temporary Hut 2, Woodruff Way, Walsall
47	GBA	Jubilee Park Community Centre, Jubilee Park, Powis Avenue
48	GBA	Jubilee Park Community Centre, Jubilee Park, Powis Avenue
49	GBB	Great Bridge Primary School, (Community Room), Mount Street
50	GBC	Great Bridge Library & Children's Centre, Sheepwash Lane, Tipton
51	GBD	New Testament Church of God, Horseley Heath
52	GGA	Ryders Green Primary School, Claypit Lane
53	GGB	Hanbury Primary School, (Former Guns Village Primary), Hanbury Road
54	GGC	Lodge Road Community Centre, Lodge Road
55	GGD, GGE	Lyng Primary School, Horton Street, West Bromwich
56	GGF	Hanbury Primary School, (Former Guns Village Primary), Hanbury Road
57	GGG	Farley Park Lodge Community Centre, Whitehall Road
58	HHA	St John Bosco School, Monmouth Drive, West Bromwich
59	HHB	Moorlands Methodist Church Hall, (Cornerstone Fellowship), Hydes Road
60	HHC	Holy Cross R.C. Church Hall, Hall Green Road
61	HHD	Hall Green Primary School, Westminster Road
62	HHE	Sandwell Community School, West Bromwich Campus, Former Bridge Centre
63	HHF	West Bromwich Community Centre, Gayton Road
64	HHG	Hargate Primary School, Tantany Lane/Law Street Entrance

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65	HHH	Hateley Heath Primary School, Huntingdon Road
66	LAA	St James' C E Primary School, Shelsley Avenue
67	LAB, LAG	Temporary Hut, York Road
68	LAC	Langley Lodge Community Centre, Langley High Street
69	LAD	Zion United Reformed Church Hall, Langley Green Road
70	LAE	Brandhall Golf Club (Coffee Shop), Heron Road
71	LAF	Causeway Green Primary School, Penncricket Lane
72	NEA	St Bernard's Church, Broome Avenue, Great Barr
73	NEB	Temporary Hut, Meadowside Close, Great Barr
74	NEC	Ferndale Primary School, Ferndale Avenue
75	NED	Community Room Hamstead House, Coniston Crescent
76	NEE	Tanhouse Community Centre, Hamstead Road
77	OLA	Methodist Centre Dudley Port, Entrance From Tividale Street
78	OLB	Tipton Road Methodist Church, Tipton Road
79	OLC	The Meadows Sports College, Dudley Road East
80	OLD	Christchurch C of E Church, Birmingham Street
81	OLE	Rounds Green Primary School, Brades Road
82	OLF	Tividale Community Primary School, Dudley Road West
83	OWA	Brandhall Primary School, Brennand Road, Oldbury
84	OWB, OWC	Lightwoods Primary School, (Peter Wells Community Hall), Wolverhampton Road Site
85	OWD	Warley Baptist Church, Castle Road East, Oldbury
86	OWE,OWF	Brandhall Library, Tame Road, Oldbury
87	OWG, OWH	Perryfields Maths & Computing College, Oldacre Road
88	PEA	William Perry Boxing Club, High Street
89	PEB	Wednesbury Oak Academy, Greenacre Road
90	PEC	St Mark's Church Hall, Ocker Hill Road
91	PED	Glebefields Primary School, Sandgate Road
92	PEE	Glebefields Library, St. Mark`s Road, Tipton
93	PEF, PEG	St John the Evangelist Church Hall, Upper Church Lane
94	ROA	Rowley Regis Sure Start Centre, Dudley Road
95	ROB	Rowley Regis Sure Start Centre, Dudley Road
96	ROC	Rowley Hall Primary School, Windsor Road
97	ROD	Temporary Hut, Blue Stone Walk/, Portway Hill
98	ROE	Rowley Regis Disability Centre, Rowley Village
99	ROF	Brickhouse Primary School, Dudhill Road
100	ROG	St James' W.R. Church, Wesleyan Centre, Highgate Street
101	SMA, SMB	Temporary Hut, Car Park at, Londonderry Lane Playing Fields
102	SMC	Smethwick Fire Station, Entrance Green Street, Smethwick
103	SMD	Holy Trinity Church, Church Hill Street

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104	SME, SMG	Akrill Memorial Methodist Church, The Uplands, Entrance from Taylors Lane
105	SMF	Dorothy Parkes Centre, Church Road
106	SMH	St Mark's Church, Junction of Hales Lane/, Thimblemill Road
107	SVA	Smethwick Baptist Church, Regent Street
108	SVB	Windmill Community Centre, Messenger Road, Smethwick
109	SVC	Community Action Project, Windmill Lane
110	SVD	Ron Davis Family Educ., & Training Centre, Ballot Street
111	SVE	Cape Primary School, Durban Road, Smethwick
112	SVF	Shireland Hall Primary Academy, Montague Road
113	SVG	Hadley Park Stadium, Entrance Waterloo Road, Smethwick
114	SVH	Smethwick Heritage Centre, Victoria Park Lodge, High Street
115	SPA	St Johns Community Centre, St Johns Church, St Johns Road
116	SPB	Rood End Primary School, Rood End Road
117	SPC	Galton Village Play Centre, 25 Woodland Drive
118	SPD	North Smethwick Resource Centre, Cambridge Road
119	SPE	Galton Valley Primary School, Brasshouse Lane
120	SPF	West Smethwick Methodist Church Parlour, Holly Lane
121	SPG	St Alban's Community Centre, St Alban's Road
122	SPG	St Alban's Community Centre, St Alban's Road
123	TGA	Grace Community Church, Newhall Street, Tipton
124	TGB	The Nursery, St Paul's Academy, Robert Road
125	TGC	Multi Agency Centre, St. Martin`s Primary School, Lower Church Lane
126	TGD	Church of Sacred Heart & Holy Souls, (Church Hall), 31 Victoria Road
127	TGE	Silvertrees Academy, Silvertrees Road, Tipton
128	TGF	Church Hall Rear of St. Matthew`s Church, Dudley Road
129	TIA	Oakham Primary School, Darby`s Hill Road, Tividale
130	TIB	Tividale Hall Primary School, Regent Road
131	TIB	Tividale Hall Primary School, Regent Road
132	TIC	Oakham Library, Poplar Rise
133	TID	Grace Mary Primary School, School Hall, Hawfield Road
134	TIE	Residents Lounge Darley House, (Rear Entrance), Wallace Close
135	WNA	Temporary Hut , Cemetery, Beebee Road
136	WNB	Albert Pritchard Infant School, Coleman Road & Crew, Road Entrances
137	WNC	St Bartholomew's Church Hall, Church Hill
138	WND	Wood Green Junior School, Hobs Road
139	WND	Wood Green Junior School, Hobs Road

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140	WNE	Holyhead Primary Academy , Holyhead Road
141	WSA, WSB	Leabrook Methodist Church Hall, (entrance via Bannister Road), Leabrook Road North
142	WSC	Wesley Centre, Central Methodist Church, Springhead
143	WSD	Moorlands Primary School, Winchester Road
144	WSE	Hill Top Methodist Church, New Street, Hill Top
145	WSE, WSF	Hill Top Methodist Church, New Street, Hill Top
146	WSG	Harvills Hawthorn Primary School, Wolseley Road, West Bromwich
147	WBA	Hallam Street Methodist Church, Community Room, Lewisham Street
148	WBB	The Park Inn Hotel, Birmingham Road, (Access Europa Avenue)
149	WBC	Holy Trinity Church Hall, Mary Road
150	WBD	Kenrick Park Community Centre, Rear Entrance, 70 Glover Street
151	WBE	West Bromwich African Caribbean Resource Centre, Thomas Street, West Bromwich
152	WBF	St Philips Church, Beeches Road, West Bromwich
153	WBG	West Bromwich Town Hall, Committee Room A, Entrance From Lodge Rd
154	WBH	Greets Green Access Centre, Tildasley Street

Commonwealth Games 2022 Aquatic Centre – Members Steering Group

Terms of Reference

Members of the Commonwealth Games 2022 Steering Group will steer the delivery of the aquatics centre, the legacy of the Commonwealth Games, and community involvement in the delivery.

Purpose

To steer the Commonwealth Games 2022 Aquatic Centre Project Board in the delivery of a new aquatics centre.

Responsibilities

1. To steer the Commonwealth Games 2022 Aquatic Centre Project Board and ensure that appropriate control and accountability measures are in place.
2. To receive reports and monitor progress on the various elements of the Commonwealth Games 2022 Aquatic Centre project.
3. To monitor the key dates and milestones in the Programme and highlight and mitigate any issues that impact on the development to ensure the project is delivered to the agreed timescale.
4. To consider risks to delivery of the project, review and provide advice and feedback on mitigation measures.
5. To ensure integration of the various elements of the project and that information is shared among all relevant parties.
6. To ensure that the appropriate channels and styles of communication are in place to actively engage the Games partners.

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7. To ensure stakeholders are suitably engaged, consulted and kept informed of progress.

8. To steer on matters related to:

- Planning
- Design
- Health and safety
- Accessibility
- Environment/sustainability
- Community consultation
- Procurement
- Technical development
- Construction
- Transport
- Legacy

9. To submit its findings and recommendations to the Cabinet and Council as appropriate.

Composition

The Working Group will be made up of five members.