

Minutes of the Ethical Standards and Member Development Committee

**7th December, 2018 at 2.30 pm
at the Sandwell Council House, Oldbury**

- Present:** Councillor Lewis (Chair);
Councillors P Hughes, Sandars, Shackleton, Trow
and Underhill.
- Observer:** Mr Tew (Independent Person).
- Apologies:** Councillors E M Giles and Hartwell.

11/18 Minutes

Resolved that the minutes of the meeting of the Ethical Standards and Member Development Committee, held on 28th September 2018, be confirmed as a correct record.

12/18 Update on the Member Development Programme

The Elected Member Development Programme had been designed and led by Members and was an ambitious two year programme taking a holistic approach to member development by focusing on effective development, learning and support.

The Member Development Working Group provided strategic direction with an officer project board co-ordinating and supporting the various workflows underpinning the development of the Member Development Programme.

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Since February 2018, successful discussions and engagement sessions with Elected Members had enabled key areas of learning and focus to be ascertained which had then informed the Programme.

The development of the Programme had involved interactive sessions which had ensured that Members had been able to effectively engage in exercises to help identify their development and learning needs as well as prioritise them.

The approach adopted had enabled Elected Members to openly engage in defining not only what should form part of their development and learning programme but confirm how they would like their learning to be delivered.

A Member Development Programme brochure was circulated to the Committee which set out the areas of development, learning and support that Elected Members had requested, including essential learning, requested learning, member wellbeing and resilience and support arrangements. It also contained information on Personal Development Plans and a Digital Solution, which was currently being created.

Throughout this and the next municipal year various development, learning and training sessions would be organised for Members based on the areas of focus detailed in the brochure. It was also proposed that a quarterly bulletin should be issued to Elected Members providing details of up and coming events as they were organised and available.

Following discussions with Elected Members, it was recognised that the current ICT support for Members varied and had an impact on the ability of Elected Members to undertake their various roles as many Elected Members used different ICT solutions. The Member Development Programme provided the opportunity for detailed discussions to take place with Elected Members concerning their ICT needs so as to ensure they were fully supported in the future.

The Programme sought to ensure Members possessed the requisite skills needed to use ICT confidently and had the equipment to enable them to work in a flexible manner. During development of the Programme, Elected Members were keen to have easier access to information relating to Council business.

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To this end, a project board made up of Member Champions, the Director – Monitoring Officer, the Head of ICT and Revenues and Benefits and the Civic and Member Services Manager had been established to help drive this agenda. To assist with this workstream, a working group consisting of officers from the Council's Digital Transformation Team, ICT, Communications and Civic and Member Services had also been established.

In response to questions raised whether there should be mandatory training in some areas, the Committee was advised that essential training sessions were offered to all members, however, where there were gaps in knowledge this would also be identified and addressed at individual personal development meetings. Consideration would also be given to an individual's skills, experience and expertise when making appointments to positions.

Officers were also requested to look at other training methods for members, such as on-line training and briefing sessions.

The Committee welcomed the approach and the genuine tool which would be made available to all elected members to shape their own development.

Resolved:-

- (1) that the progress of the Member Development Programme to date and the future approach be endorsed;
- (2) that the Member Development Programme brochure be approved for submission to all Elected Members;
- (3) that the proposal to provide Member Development Programme quarterly bulletins highlighting planned development, learning and training sessions to Elected Members be approved.

13/18

Committee on Standards in Public Life – Annual Report for 2017-18

The Annual Report of the Committee on Standards in Public Life 2017-18 was received.

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The Committee awaited the outcome of the stakeholder consultation in relation to Local Government ethical standards, the Committee on Standards in Public Life had indicated that a report would be published by the end of the year.

An update would be provided to the Committee in due course.

Resolved that a report be submitted to a future meeting on the findings of the stakeholder consultation undertaken by the Committee on Standards in Public Life in relation to Local Government ethical standards.

14/18

Annual Review – Register of Members’ Interests and Gifts and Hospitality Register

The statutory requirements relating to the Register of Members’ Interests were set out in Section 29 of the Localism Act 2011 which required the Monitoring Officer to establish and maintain a Register of Members’ Interests, including co-opted members.

The statutory requirements also provided that the Council must ensure that copies of the Register were available at an office of the authority for inspection by members of the public at all reasonable hours. The Register was available for inspection at the Sandwell Council House upon a request being made to the Monitoring Officer.

The Members’ Register of Interests was also available for the public to view on the Council’s website.

The Council’s arrangements enabled the public to view details of each individual Member’s interests (including co-opted members) on the Council’s website via the Committee Management Information System (CMIS).

One to one meetings with the Monitoring Officer and senior legal staff had been offered to members and the Registers were periodically reviewed by the Monitoring Officer.

Gifts and Hospitality Register

Guidance was available to all members on how to treat offers of gifts and hospitality and the process for declaring such offers. This guidance formed part of the Council’s Constitution.

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The Monitoring Officer maintained a public register of members' interests and also a record of any gift or hospitality received with an estimated value of at least £100.00. The Register of Members' Gifts and Hospitality was available for inspection by the public at all reasonable hours. Declarations of gifts and hospitality by individual members were also recorded on the Committee Management Information System (CMIS) on the Council's website and could be accessed at any time from the internet.

The Registers were periodically reviewed by the Director - Monitoring Officer.

The work programme of the Committee provided for an annual review of both the Register of Members' Interests and the Gifts and Hospitality Register. The Registers were available at the meeting for members to peruse.

15/18 Allegations Update

The Committee received an update on outstanding allegations as follows.

Case Reference: MC/02/0717

Allegations concerning land sales to a Councillor when displaced from his home by a Compulsory Purchase Order. The matter had been subject to an investigation and a draft report prepared. Some further investigation was required which meant the report was still to be completed. The report would then be considered further by the Monitoring Officer once it had been finalised.

Case Reference: MC/17/0218

Allegations concerning a Councillor's Register of Interests containing incorrect/false information in relation to property and employment matters. The investigation was ongoing and would be considered further by the Monitoring Officer once the investigation had been concluded and a report prepared.

Other Matters

There was one further matter that was the subject of preliminary enquiries by the Monitoring Officer in accordance with the Arrangements for Dealing with Standards Allegations under the Localism Act 2011.

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National Cases

The Committee considered an external case relating to a Westminster City councillor who had received gifts or hospitality from property firms involved in half of the planning applications his committee ruled on in 2016, an investigation revealed.

The councillor had stood aside from his council roles after it had been reported that he had been entertained or received gifts almost 900 times, often from property industry figures, between 2012 and 2017 whilst in charge of planning in the London borough.

The councillor had chaired the planning committee for 17 years but a detailed analysis of the 120 planning applications he considered in 2016 showed he was entertained by the applicant or their agents in 63 cases, and his committee granted permission on all but five of those occasions.

Westminster City announced an investigation into the council's planning system and had appointed an independent barrister to assist the investigation.

The internal investigation found that the councillor had breached the authority's code of conduct and the councillor, criticised for receiving hospitality or gifts 893 times over six years from property developers seeking planning permission, had resigned.

The review found that by accepting the large scale of gifts and hospitality, the councillor had not promoted and supported high standards of conduct through leadership and by example.

There was no evidence of any inappropriate conduct or illegality but the scale of the hospitality was "extraordinary".

(Meeting ended at 3.34 pm)

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