

**Minutes of the Ethical Standards
and Member Development Committee**

**19th March, 2019 at 1.30 pm
at the Sandwell Council House, Oldbury**

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

17/19 **Minutes**

Resolved that the minutes of the meeting of the Ethical Standards and Member Development Committee, held on 7th December, 2018, be confirmed as a correct record.

18/19 **Annual Report of the Ethical Standards and Member
Development Committee and associated matters**

Annual Report

The Ethical Standards and Member Development Committee's terms of reference required the Committee to produce an annual report detailing the activities undertaken throughout the municipal year. The annual report would be referred to Full Council for consideration at its meeting on 9th April 2019.

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Allegations Update

The Committee received details of complaints received in relation to member conduct and the progress on the complaints as follows:-

Case Reference: MC/02/0717 - Councillor B S Bawa

Allegations concerning land sales to the Councillor when displaced from his home by a Compulsory Purchase Order. The matter had been subject to an investigation and a report prepared. Although no breach of the Code of Conduct had been found in relation to the substantive allegations, there were associated matters that were the subject of further investigation. The Monitoring Officer would consider this matter further following completion of the investigatory work.

Case Reference: MC/17/0218 - Councillor M Rouf

Allegations concerning the Councillor's Register of Interests containing incorrect/false information in relation to property and employment matters. The matter had been subject to an investigation and a report prepared. A breach of the Code of Conduct had been found. The Monitoring Officer had determined that this matter could be dealt with by way of local resolution and the subject Member undertake training in relation to Registration of Interests.

The Director of Law and Governance and Monitoring Officer confirmed that there were currently two matters outstanding.

Resolved:-

- (1) that the Chair of the Ethical Standards and Member Development Committee be authorised to agree the content and final version of the Annual Report for submission to Full Council at its meeting on 9th April 2019;
- (2) that the update provided in respect of complaints received in relation to member conduct be noted.

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19/19 **Committee on Standards in Public Life – Local Authority
Ethical Standards – Stakeholder Consultation Outcome Report**

The Committee on Standards in Public Life had invited responses to its consultation to inform its review of local government ethical standards.

The report on Local Authority Ethical Standards had now been published, following responses to its consultation to inform its review of local government ethical standards.

The report contained a list of recommendations to Government and also included a list of best practice aimed at local authorities.

It was agreed that the report be referred to the Standards Working Group to consider the recommendations/best practice and report back to the Committee.

Resolved that the Committee on Standards in Public Life – Local Authority Ethical Standards report be submitted to the Standards Working Group to consider and report back to a future meeting of the Committee with recommendations.

20/19 **Interim report relating to a review of personal safety of Elected
Members to include their surgeries**

It was reported that there had been recent incidents, reported by some Elected Members, that had raised concerns about personal safety when carrying out their day to day role.

The Director of Law and Governance and Monitoring Officer had been asked to oversee a review relating to the personal safety of Elected Members in pursuance of their role.

Senior officers from Civic and Member Services and the Council's Health and Safety team would conduct this review which would encompass all aspects of personal safety for Elected Members and follow the most up to date guidance literature that had been produced regionally and nationally.

Existing processes and procedures relating to personal safety would be assessed to explore if they were relevant to Elected Members and fit for purpose.

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The review had already included a survey of Elected Members in relation to their surgeries, as well as discussions with specialist officers from West Midlands Police who had agreed to provide the requisite advice and guidance to help mitigate any actual, or perceived, risks moving forward.

Following this interim report, information obtained from further research and discussions would be finalised, with proposals formed for consideration at the next Ethical Standards and Member Development Committee.

The Committee welcomed the review and expressed concerns that there was a culture of not reporting incidents and the necessary reporting mechanisms needed to be put in place. Committee Members recognised that Elected Members are subjected to a range of inappropriate and aggressive behaviours, which is both physical but increasingly online. Concerns were raised over the adverse impact such behaviour has or could have on Elected Members' well-being. Committee Members suggested that the Committee's Annual Report be amended to include this review given its importance.

The Director of Law and Governance and Monitoring Officer confirmed that it was important to be alert to incidents through proper reporting channels. He stressed that serious incidents were few and far between and any proposed measures would need to be proportionate, providing a sufficient level of safety. There was also an opportunity to incorporate the subject matter into the Member Development Programme.

Resolved:-

- (1) that a further report detailing recommendations and options to mitigate the risks that Elected Members may face when carrying out their roles be submitted to a future meeting;
- (2) that the Committee's annual report be amended to include reference to the review into personal safety of Elected Members that is currently underway.

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21/19 **Update on the Member Development Programme**

An updated on the Elected Member Development Programme was received.

In January 2019, the Local Government Association Peer Review team participated in a follow up visit to Sandwell and were briefed on the progress relating to the Member Development Programme. Feedback was outstanding describing the progress relating to the programme as phenomenal, adding the programme was an exemplar relating to the approach taken and delivery to date.

Since the last report to the Ethical Standards and Member Development Committee a number of sessions had been held, including Universal Credit Training Sessions, a partnership marketplace event, Corporate Parenting and Safeguarding.

A review on the Member Development Programme looking at areas of strength and for improvement would take place later in the year.

The Committee welcomed the update and praised the long awaited programme which was tailored to members' individual needs, with the new approach being well received.

22/19 **National Cases**

The Committee received details of three national cases relating to:-

- inappropriate and disrespectful language used by a councillor;
- a councillor's mileage claims;
- a councillor deliberately attempting to circumvent rules on the disclosure and declaration of interests.

(Meeting ended at 2.25 pm)

Contact Officer: Trisha Newton Democratic Services Unit 0121 569 3193
