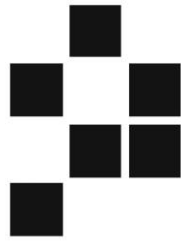


Chairs Announcement

Please note that members of the public and the press are now allowed by law to film, audio record, take photographs, blog or tweet at this meeting. I would ask at this point if anyone is intending to film the meeting? I would ask anyone who is recording to avoid any disruption of the meeting and to avoid filming members of the public. If you do film members of the public there is the potential for civil action against you by anyone who has not given their permission to be filmed.

We are not expecting a fire drill, so in the event of the fire alarm sounding, please leave the building as quickly as possible. The Governance Services Officer will direct you to the appropriate exit and assembly point.



Sandwell
Metropolitan Borough Council

**Ethical Standards and Member
Development Committee**

**Friday, 7 December, 2018 at 2.30 pm
in Committee Room 1 at the Sandwell Council House, Oldbury**

Agenda

(Open to Public and Press)

1. Apologies for absence.
2. Members to declare any interest in matters to be discussed at the meeting.
3. To confirm the minutes of the meeting held on 28 September 2018, as a correct record.
4. Update on the Member Development Programme.
5. Committee on Standards in Public Life – Annual Report for 2017-18.
6. Annual Review – Register of Members' Interests and Gifts and Hospitality Register.
7. Allegations Update.
8. National Cases.

J Britton
Chief Executive

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution:

Councillor Lewis (Chair)

Councillor E M Giles (Vice-Chair);

Councillors Hartwell, P Hughes, Sandars, Shackleton, Trow and Underhill.

Mr Tew [Independent Person].

**Agenda prepared by Trisha Newton
Democratic Services Unit
Tel No: 0121 569 3193
E-mail: trisha_newton@sandwell.gov.uk**

This document is available in large print on request to the above telephone number. The document is also available electronically on the Committee Management Information System which can be accessed from the Council's web site on www.sandwell.gov.uk

Please note that this meeting may be filmed by members of the public and press, and may be filmed by the Council for live or subsequent broadcast on the Council's web site.

Apologies

To receive any apologies from members

Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

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

**28th September, 2018 at 2.30 pm
at the Sandwell Council House, Oldbury**

Present: Councillor Lewis (Chair);
Councillor E M Giles (Vice-Chair);
Councillors Hartwell, P Hughes, Sandars,
Shackleton and Trow.

Observers: Councillors Hadley, I Jones, O Jones and B Price.

Apology: Councillor Underhill;
Mr Tew (Independent Person).

5/18 **Declarations of Interest**

In relation to Minute No. 9/18 below, Councillor P Hughes declared an interest as he was a member of Hill Top Association Committee. Councillor Hughes left the room and took no part in the debate in relation to matters pertaining to Hill Top Association Committee.

Councillor E M Giles declared that she worked at Walsall Council and Councillor I Jones was previously her manager. Councillor Giles did not leave the meeting.

6/18 **Minutes**

Resolved that the minutes of the meeting of the Ethical Standards and Member Development Committee, held on 9th March 2018, be confirmed as a correct record.

Ethical Standards and Member Development Committee
28th September, 2018

7/18

Appointment to Ethical Standards Sub Committees and Standards Working Group

The Localism Act 2011 required authorities to adopt arrangements for dealing with complaints about breaches of the Member Code of Conduct. The Council's arrangements for dealing with complaints provide for a Sub-Committee of the Ethical Standards and Member Development Committee to consider investigation reports referred to it by the Monitoring Officer and to conduct hearings (including the imposition of sanctions).

The Council, at its annual meeting held on 22nd May 2018, agreed the membership of the Ethical Standards and Member Development Committee for the 2018/2019 municipal year. It was now necessary for the Committee to make appointments to the Ethical Standards Sub Committees for this municipal year.

At its meeting on 9th March 2018, the Ethical Standards and Member Development Committee gave approval to the establishment of a Standards Working Group to review the Council's Ethical Framework. Confirmation was sought as to which three members would be appointed to the Group, alongside the Chair.

Resolved:-

- (1) that two Ethical Standards Sub-Committees be established for the 2018/19 municipal year, with flexibility between membership to cater for availability and workload, with delegated powers to carry out the functions set out in the following terms of reference, and with the membership set out below:

Terms of reference

- To consider investigation reports referred to it by the Monitoring Officer.
- To conduct hearings (including the imposition of sanctions).

Ethical Standards and Member Development Committee
28th September, 2018

Membership

SUB-COMMITTEE 1		SUB-COMMITTEE 2	
Member	Substitute	Member	Substitute
Lewis	E M Giles	E M Giles	Lewis
Hartwell	P Hughes	P Hughes	Hartwell
Shackleton	Sandars	Sandars	Shackleton
Trow	Underhill	Underhill	Trow

- (2) that Councillors P Hughes, Lewis, Sandars and Shackleton be appointed to the Standards Working Group.

8/18

Appointment of Independent Persons

In accordance with the Localism Act 2011, arrangements must be put in place for the appointment by the Council of at least one Independent Person whose views must be sought and taken into account by the Council before it made a decision on an allegation against an elected member that it had decided to investigate.

The Independent Person's views may be sought by a member or co-opted member of the Council if that person's behaviour was the subject of an allegation, and may also be sought by the Council in relation to an allegation it had not yet decided to investigate.

The Council had decided to have three Independent Persons. Following the expiry of the term of office for two Independent Persons, there were two vacancies.

To improve the prospects of securing successfully the appointment of two further Independent Persons, the Director – Monitoring Officer had liaised with the Monitoring Officer at Walsall MBC with a view to undertaking a joint recruitment exercise.

Ethical Standards and Member Development Committee
28th September, 2018

The benefits of a joint recruitment exercise included:

- a broader remit attracting a broader pool of potential candidates;
- greater opportunities for the sharing of knowledge and support amongst the Independent Persons;
- increased opportunities to gain greater experience; and
- a joint recruitment exercise would mean the costs of the recruitment could be shared between both councils.

Any successful recruitment exercise would be on the basis that the person(s) appointed would act as an Independent Person for both councils. Each authority would however need to confirm the appointment of the Independent Person through their respective Full Council. Each Council would therefore still retain control over the appointment.

It was proposed that the arrangements for the recruitment exercise principally followed the same processes that had been undertaken in the past, such as an advert being placed in the local newspaper, Council website and other forums, etc. and that both Council details and contact information were on relevant recruitment literature.

One change that was proposed was for the Recruitment Panel to be reconfigured as a joint panel made up of an equal number of Committee Members from both councils. The Chair and Vice Chair of the Panel would be agreed by the Panel Members. Any successful candidate would be by majority decision in favour.

It was proposed that the Chair be authorised to approve a new joint job role with Walsall Council for the purposes of this recruitment exercise and to agree all necessary recruitment arrangements/ procedures between both Councils to ensure an effective recruitment exercise is undertaken.

Resolved:-

- (1) that, in relation to the appointment of Independent Persons for dealing with standards matters, the proposal for a joint recruitment exercise to be undertaken with Walsall Council be approved;

Ethical Standards and Member Development Committee
28th September, 2018

- (2) that the Chair of the Ethical Standards and Member Development Committee be authorised to approve a new job role for the Independent Person and to agree all necessary recruitment arrangements/procedures between both Councils, in consultation with the Director - Monitoring Officer and Walsall Council.

9/18

Elected Member Standards Complaints – Update

The Ethical Standards and Member Development Committee received reports periodically on the complaints received in respect of Elected Member conduct and their progress and outcome.

Only two 'live' standards cases currently remained outstanding. Over the last twelve months, a considerable number of standards complaints had been dealt with either at the preliminary stage, by local resolution or by the standards sub-committee.

There could be little dispute over the Council's commitment and determination to (i) openly and effectively deal with standards complaints, and (ii) challenge and hold to account those Elected Members whose conduct was alleged to fall below the standard of conduct expected of them. The approach taken by the Council was consistent with its representations to the LGA Peer Review and the recommendations of the Peer Review provided in January 2018 to continue to effectively deal with all standards complaints against Elected Members.

It was important to note that the majority of the more significant complaints related to events that went back several years – with one relating to events going back as far as 1999. Complaints that related to events dating back many years required careful consideration as the passage of time could lead to evidential difficulties and unfair prejudice, particularly as memories faded over time. Such factors needed to be weighed up against (i) the public interest, (ii) probative value of an investigation, and (iii) ensuring the public's confidence in the Council's Ethical Framework and Arrangements for dealing with complaints against Elected Members was maintained.

Ethical Standards and Member Development Committee

28th September, 2018

The Committee was asked to note that the vast majority of Sandwell Elected and Co-opted Members all observed the Code of Conduct appropriately and had exemplary records of conduct.

Four specific complaints related to two former Elected Members, namely Mahboob Hussain and Richard Marshall and were received when they were both Elected Members. Unfortunately, it was not possible to complete the investigations and hold an Ethical Standards Sub-Committee (in accordance with the Arrangements) into all four complaints prior to the aforementioned persons ceasing to be Elected Members following their terms of office coming to end in May 2018.

Once a person ceased to be an Elected Member, the Code of Conduct ceased to apply to that person and in turn the Arrangements for dealing with the complaint also ceased to apply. Accordingly, notwithstanding both persons being found to have breached the Members' Code of Conduct following independent investigations (during their respective terms of office), it was not possible to progress these matters to an Ethical Standards Sub-Hearing (and consider potential sanctions (if appropriate)). However, this did not preclude the Committee considering the reports given the Council's overarching statutory duty to promote and maintain high standards of conduct pursuant to section 27, Localism Act 2011, and the high public interest arising in respect of these matters.

Given the statutory duty and the Committee's duties and responsibilities arising under its terms of reference, the Committee was entitled to consider and determine what other action ought to be taken (if any) in the interests of promoting and maintaining high standards of conduct amongst Elected and Co-opted Members in light of the update provided.

A brief summary was provided on complaints that had been addressed, together with investigating officers' reports and findings in those cases that had been subject to investigation. All complaints were dealt with in accordance with the Arrangements for dealing with standards allegations under the Localism Act 2011.

Ethical Standards and Member Development Committee
28th September, 2018

(Councillor P Hughes left the room)

Complaints subject to formal investigation that do not require a hearing of the Ethical Standards Sub-Committee

Case Reference: MC/02/0517a - Councillor I Jones

Allegations concerning community events at Hill Top Park and Radcliffe Park and the indication that Councillor I Jones may have included the names of Council officers on official documents as organiser of an event without their knowledge and failure to follow appropriate Council procedures in arranging the events.

Finding: No breach of Code.

Case Reference: MC/02/0517b - Councillor O Jones

Allegations concerning community events at Hill Top Park and Radcliffe Park and an alleged failure of Councillor O Jones to register her interest as Vice-Chair of Hill Top Community Development Association and failure to follow appropriate Council procedures in arranging the events.

Finding: Breach of Code – training

The Director – Monitoring Officer advised the Committee that various steps had now been implemented by the Council to help ensure that both Elected Members and Officers better understood the grant applications process and decision-making arrangements. (Councillor P Hughes returned)

Case Reference: MC/05/0717 - Former Councillor M Hussain

Allegations concerning land sales to the Councillor when displaced from his home by a Compulsory Purchase Order. In addition, further matters relating to housing allocated to individuals, including family members.

Finding: Breach of Code.

Elected Members found the case alarming particularly as this was not the only case considered by the Committee in relation to M Hussain's conduct. The thread was similar to others, including consistent lack of co-operation going back for a long period of time.

Ethical Standards and Member Development Committee

28th September, 2018

No action could be taken in this case as M Hussain was no longer a councillor.

During the investigation, there was a question of witness willingness to provide statements of evidence. Two witnesses withdrew their willingness to engage in the investigation for fear of social media 'attacks'. Witnesses felt that due to the rise of social media abusive blogs they did not feel safe in providing evidence. The Committee acknowledged that such abuse should not take place and felt that there should be more protection for witnesses in these circumstances.

It was proposed that the Standards Working Group looked at a policy of providing greater assurance to officers/witnesses (where possible).

Committee Members acknowledged that certain councillor behaviours had not been acceptable. Officers needed safeguarding from bullying and repercussions of giving evidence. The Council and Committee should learn from the evidence and move on from these practices.

The Director – Monitoring Officer confirmed that the Chair of the Audit and Risk Assurance Committee had written to the Director of Public Prosecutions expressing the Committee's dissatisfaction with no action being taken by the Police/CPS in relation to behaviours that fell so short of the conduct expected of Elected Members.

The Director – Monitoring Officer also confirmed that a formal response had been submitted in respect of the consultation by the Committee on Standards in Public Life which was conducting a review of the current Ethical Framework in Local Government. The Council had sought additional and more robust powers and sanctions given that the existing sanctions and powers were considered ineffective when dealing with serious breaches of the Code of Conduct.

The Council had therefore demonstrated that it had been proactive and willing to address issues that it considered undermined public confidence in the Ethical Framework.

Case Reference: MC/05/0717 - Councillor B S Bawa

Allegations concerning land sales to the Councillor when displaced from his home by a Compulsory Purchase Order.

Ethical Standards and Member Development Committee
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A draft report had been prepared. Councillor Bawa had requested further information. Due to an inaccuracy in the email to the Monitoring Officer, there had been a delay in the Maxwellisation process being completed. Councillor Bawa would be provided with a copy of the report and given two weeks for Maxwellisation to be undertaken. The report would be finalised thereafter and reported to the next meeting of the Ethical Standards and Member Development Committee in December 2018.

Finding: To be determined.

Case Reference: MC/07/1017(a) - Councillor Eling

A complaint had been received concerning alleged “Whats App” texts published on a local blog site entitled “In the Public Domain”.

The allegations included disclosure of confidential information and inappropriate and disparaging references to individuals.

An independent investigation was undertaken.

Finding: No breach of Code.

Case References: MC/07/1017(b); MC/08/1017; MC/09/1117
- Former Councillor Richard Marshall

Three complaints including a self-referral from (then) Councillor Richard Marshall concerning alleged “Whats App” texts published on a local blog site entitled “In the Public Domain”.

These allegations included disclosure of confidential information and inappropriate and disparaging references to individuals.

Finding: Breach of Code.

Members expressed concern with regard to Elected Members and officers being bullied or intimidated, which was considered to be wholly unacceptable. The Committee expressed deep regret that Elected Members and officers had been subjected to such a degree of disrespect by one Elected Member who had brought the authority into disrepute. The Committee strongly criticised the conduct in question, expressing its dissatisfaction of the behaviour that had been uncovered.

Ethical Standards and Member Development Committee

28th September, 2018

The Committee acknowledged that there were lessons to be learned from the evidence and this would be further investigated by the Standards Working Group to ensure that witnesses were safe, to prevent bullying of staff and to ensure that policies and procedures were in place.

The complainant, Melanie Dudley, was afforded the opportunity of addressing the Committee. Ms Dudley acknowledged the actions taken by the Council in addressing her complaint and the positive steps taken and to be taken by the Council to ensure lessons were learned. Ms Dudley outlined the impact the conduct of Richard Marshall had upon her.

Complaints subject to proposed local resolution or other resolution

Case Reference: MC/11/1217 - Councillor I Jones

Complaint concerning comments made by Councillor I Jones during his appearance before the Ethical Standards Sub-Committee on 1st December 2017 in relation to a named individual which the complainant stated were both defamatory and untrue.

The Monitoring Officer considered the matter and consulted with the Council's Independent Person. As a result, the Monitoring Officer determined that this was a matter that could be dealt with by informal resolution, namely by way of an apology from Councillor Jones to the complainant. This was because the statement made by Councillor Jones contained unfounded allegations that had no relevance to the Code of Conduct Complaint that the Sub-Committee was dealing with on 1st December 2017 in relation to Councillor Jones' own conduct; and also such comments were made at a public hearing where the complainant was not present and unable to respond.

Councillor I Jones had refused to apologise for the comments made.

Paragraph 8.1 of the arrangements for dealing with standards allegations under the Localism Act 2011 provided that if a member failed to comply with the local resolution within the timescales set, the matter would be referred to the Standards Committee and full Council for information.

Ethical Standards and Member Development Committee
28th September, 2018

This matter would be referred to the Standards Working Group when considering revisions to the processes and procedures as part of the review of the arrangements for dealing with complaints.

The Committee expressed concern that the failure on the part of Councillor Jones to accept the Monitoring Officer's reasonable offer of local resolution was another example of bringing the Authority into disrepute.

Case Reference: MC/06/0817

Two separate, but related, allegations concerning failure to declare an interest at a Planning Committee in relation to a local company who the Councillor in question had solicited donations from for the benefit of a local organisation.

Following preliminary enquiries the Monitoring Officer, having consulted with the Council's Independent Person, determined that the matter should be dealt with by way of advice to the Member concerned in relation to declarations of interests and no formal investigation was necessary.

Complaints in respect of which no further action is to be taken at the preliminary stage

Case Reference: MC/18/0318

Allegations concerning failure by the subject Councillor to attend a meeting with the complainant at a local school and failure to assist the complainant in relation to various aspects of his complaint concerning the school.

Following preliminary enquiries, the Monitoring Officer, having consulted with the Council's Independent Person, determined that the complaint did not merit formal investigation and no further action was necessary in relation to the complaint.

Case Reference: MC/01/0618

Allegations concerning Committee and Cabinet decision making in 2012, 2013 and 2017 in relation to a Legal Options Agreement concerning a proposed land development.

Ethical Standards and Member Development Committee
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Following preliminary enquiries which included consideration of a due diligence exercise undertaken in relation to the history of the matter, and the obtaining of Counsel's advice, the Monitoring Officer, having consulted with the Council's Independent Person, determined that the complaint did not merit formal investigation and no further action was necessary in relation to the complaint.

Case Reference: MC/10/1117 - Former Councillor Marshall and Councillor Eling

There was nexus of fact and law in respect of this complaint which overlapped with complaint references: MC/07/1017, MC/08/1017 and MC/09/11/17.

The complaint principally covered the same evidential material and issues raised in the three separate complaints referred to above.

The Monitoring Officer, in consultation with the Council's Independent Person, determined that no further investigation was necessary and to do so would simply be a duplication of the investigatory work already undertaken and lead to the unnecessary expenditure of Council funds and resources.

The Monitoring Officer was of the view that any public interest in ensuring this complaint had been properly and fairly considered and determined had been achieved through the detailed investigations of the three complaints referred to above.

The Monitoring Officer acknowledged that this complaint included three additional matters which did not fall within the scope of complaints MC/07/1017, MC/08/1017 and MC/09/11/17. These three separate matters were considered in accordance with the arrangements for dealing with complaints and the Monitoring Officer after seeking the views of the Independent Person determined that no further action was required in relation to the same.

Other Complaints

There was one matter currently the subject of a formal investigation in accordance with the arrangements for dealing with standards allegations under the Localism Act 2011 and would be considered further by the Monitoring Officer once the investigation had been concluded.

Ethical Standards and Member Development Committee
28th September, 2018

Resolved:-

- (1) that the matters arising from the investigations into standards complaints be referred to the Standards Working Group to consider as part of the review of the Council's Arrangements for Dealing with Standards Allegations, in particular procedures in relation to protection of officers and members where they become involved in investigations and actions available to the Committee should a member fail to comply with local resolutions;
- (2) that, in connection with (1) above, a report be submitted to a future meeting of the Ethical Standards and Member Development Committee with the findings of the Standards Working Group in relation to the review of the Council's Arrangements for Dealing with Standards Allegations.

10/18 **Work Programme 2018/19**

The Committee considered the draft work programme for 2018/19.

Resolved that the work programme for 2018/19 be approved and kept under review during the year.


(Meeting ended at 4.09 pm)

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: Suky Suthi-Nagra Democratic Services Unit 0121 569 3479

Ethical Standards and Member Development Committee

7 December 2018

Subject:	Update on the Member Development Programme
Director:	Director – Monitoring Officer – Surjit Tour
Contribution towards Vision 2030:	
Contact Officer:	Phil Challoner Phil_challoner@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Ethical Standards and Member Development Committee:

1. Notes the progress of the Member Development Programme to date.
2. Approves the Member Development Programme brochure and agrees to it being shared with all Elected Members.
3. Approves the proposed approach of providing quarterly bulletins on Member Development Programme planned development, learning and training sessions to Elected Members.

1 PURPOSE OF THE REPORT

- 1.1 For the Ethical Standards and Member Development Committee to note the progress of the Member Development Programme to date.
- 1.2 Seek approval of the Member Development Programme brochure and quarterly bulletin detailing planned development, learning and training sessions to Elected Members.

2 **IMPLICATIONS FOR SANDWELL'S VISION**

- 2.1 Elected Members with the requisite skills, knowledge and understanding of subject matters impacting upon their role will result in implications for each Vision 2030 ambition.

3 **BACKGROUND AND MAIN CONSIDERATIONS**

- 3.1 The Elected Member Development Programme ('MDP') has been designed and led by Members.
- 3.2 The MDP is an ambitious two year programme that takes a holistic approach to member development by focusing on effective development, learning and support. The approach puts members at the centre and has have been devised by engaging members and gauging their development and learning needs.
- 3.3 The Member Development Working Group provides strategic direction with an officer project board co-ordinating and supporting the various workflows underpinning the development of the MDP.
- 3.4 Since February 2018, successful discussions and engagement sessions with Elected Members have enabled key areas of learning and focus to be ascertained which have then informed the MDP.
- 3.5 The MDP development has involved interactive sessions, such as 'Market Place' sessions, 'Thinking Hats' sessions and 'Paired Comparison' exercises. These sessions/exercises have ensured that Members have been able to effectively engage in exercises to help identify their development and learning needs as well as prioritise them.
- 3.6 The approach adopted has 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.

MDP Brochure

- 3.7 A MDP brochure has been produced which sets out the areas of development, learning and support that Elected Members have requested. The MDP brochure will be formally tabled at the Committee meeting and the Committee is asked to approve the same. It is proposed that the brochure, if approved, will then be shared with all Elected Members.
- 3.8 The brochure details all 'Essential Learning', 'Requested Learning', 'Member Wellbeing and Resilience' and 'Support Arrangements'

requested by Members, playing back to them their requests of what the Member Development Programme should look and feel like. It also contains information on their Personal Development Plans (PDPs) and a Digital Solution, which is currently being crafted (see below).

- 3.9 Throughout this and next municipal year various development, learning and training sessions will be organised for Members that are based on the areas of focus detailed in the MDP brochure. It is proposed that a quarterly bulletin be issued to Elected Members providing details of up and coming MDP events as they are organised and available. The Committee is asked to agree this approach.
- 3.10 The first training session delivered under the Member Development Programme was in relation to Universal Credit and its implementation. The session was interactive and informative, with all those attending rating the session as “good” or higher.
- 3.11 In early January 2019, the first ‘A Focus On...’ session will take place that will involve key stakeholders across the Council and the Borough. The event will include representatives from:
- Sandwell and West Birmingham CCG.
 - WM Employers
 - SCVO
 - West Midlands Police
 - NHS
 - Private sector partners
- 3.12 Additional learning events are detailed in a table appended to this report, it shows events from January 2019 until March 2019.

Digital Solutions for Members

- 3.13 Arrangements have been established for Elected Members and officers to explore/refresh digital solutions for Members.
- 3.14 As part of the MDP discussions with Elected Members, it was recognised that the current ICT support for Members varied and that was having an impact on the ability of Elected Members to undertake their various roles. Many Elected Members used different ICT solutions. The MDP has provided the opportunity for detailed discussions to take place with Elected Members concerning their ICT needs so as to ensure they are fully supported in the future.
- 3.15 The MDP support discussion seeks to ensure Members possess the requisite skills needed to use ICT confidently and have the necessary equipment to enable them to work in a flexible and agile manner. During the

development of the MDP Elected Members were keen to have greater and easier access to information relating to Council business. Ensuring Elected Members have effective ICT equipment and possess the requisite to utilise it is essential to address their request for greater and easier access to information.

To this end, a project board made up of Member Champions, the Director – Law and Governance, Head of ICT and Revenues & Benefits and Civic and Member Services Manager has 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 has also been established.

4 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 4.1 Elected Members have been consulted at each stage of the process, feeding into the design and delivery of the Member Development Programme.

5 ALTERNATIVE OPTIONS

- 5.1 Alternative options have not been considered that the MDP have been developed with Members and the purpose of the MDP is to deliver development and learning as designed by Members themselves.

6 STRATEGIC RESOURCE IMPLICATIONS

- 6.1 The MDP will involve a range of providers and support being utilised to ensure effective development and learning. The costs of such support will be met from existing approved budgets.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

- 7.1 An effective Member Development Programme will help ensure the council make informed decisions and empower Members in undertaking their various roles.
- 7.2 Members in relation to regulatory matters/functions are required to undertake specific kinds of training such as planning, licensing, standards, safeguarding.
- 7.3 Supporting Members in their development, training and support needs strengthens the council’s governance arrangements.

8 EQUALITY IMPACT ASSESSMENT

8.1 The Members Development Programme will address any Equality Act implications and issues arising.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 Personal Development Plans remain confidential and any discussion concerning the same would be held in confidence.

10 CRIME AND DISORDER AND RISK ASSESSMENT

10.1 There are no such implications arising.

11 SUSTAINABILITY OF PROPOSALS

11.1 The Member Development Programme is a two year initiative designed to ensure Elected Members have the requisite skills, support and knowledge necessary to undertake their various roles.

12 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

12.1 There are no such implications arising.

13 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

13.1 There are no such implications arising.

14 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

14.1 Designed by Members through involvement at every stage of the process, the Member Development Programme is a fit for purpose solution which seeks to provide Elected Members with the skills, knowledge and support mechanisms necessary to undertake their role.

14.2 Approval of the recommendations will allow for the next phase of the two year programme to commence – primarily the circulation of the MDP brochure and the commencement of training sessions; the content of which identified by Members as critical to their role.

15 BACKGROUND PAPERS

15.1 None.

16 **APPENDICES:**

- Appendix 1 Member Development brochure.
- Appendix 2 Member Development Governance Arrangements.
- Appendix 3 Member Development Programme Learning Timetable.



**Sandwell Council Elected
Member Development
Programme**

2018 - 2020



Working to deliver Vision 2030

Councillor Geoff Lewis
Chair of the Member Development Working Group

As the Chair of the Member Development Working Group, it gives me great pleasure to endorse this document.

Member Development is integral to our roles; we must refresh our knowledge, gain new knowledge, and have an adequate support infrastructure in place to ensure we can carry out the various roles we undertake effectively.

In my role as Chair of the working group, myself and my colleagues, Councillor Steve Trow and Councillor Joyce Underhill have put in place robust tests to ensure this

will be a programme that works for us all, but has the flexibility to ensure it still meets our own varied and individual needs.

For this programme to be a success, and for the sake of all our development, I urge every Elected Member to attend the training sessions offered and to contribute to this programme.

Elected Members with reaffirmed and newly acquired knowledge will help to achieve positive outcomes for the Borough.

Clr Geoff Lewis



Surjit Tour
Director – Monitoring Officer

Since the turn of the year, officers within my Directorate have been working towards developing this bespoke plan, rooted in a holistic approach that will serve the needs of you; Sandwell Council's Elected Member.

At every turn, we have sought to ensure this is an inclusive process which all Elected Members have had the opportunity to contribute to in order for us to craft a programme that meets not only your specific needs, but the strategic priorities and needs of all Elected Members and the Council as a whole going forward.

This document lays out what you can expect from the MDP with regard to training and support arrangements. A lot of work has gone in to the design and delivery of this programme, with aspects still being developed.

Throughout this programme both myself and my officers will be on hand to guide you through this process. Elected Members will be entitled to as much or as little support as they'd like.

I hope you enjoy this document and are enthused about this refreshed and revitalised programme.

Surjit Tour

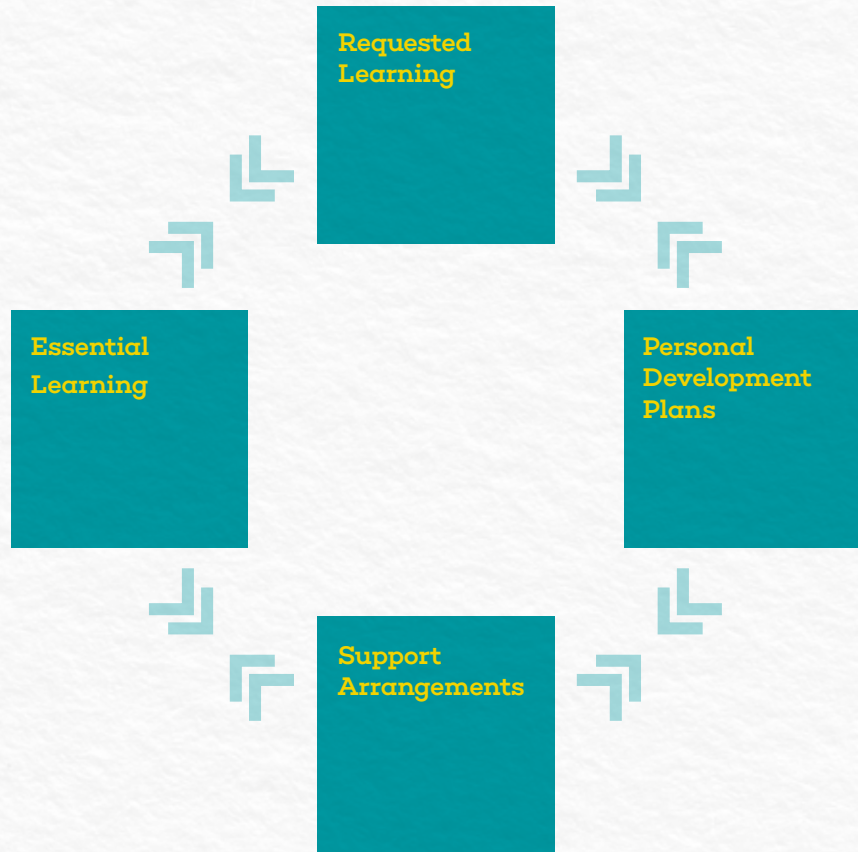
The Approach

The Member Development Programme has been produced by you as Elected Members, through consultation at every stage of the process. This continual input from you has allowed officers to construct an offer that incorporates your wishes to ensure it remains fit for purpose and responsive to your needs. Underpinning this inclusivity throughout the process is a four-sided solution that should enable and empower you in your growth and development moving forward. These are shown opposite this text.

Each of these elements, working in isolation and as a whole are designed to assist you in every part of the refreshed Member Development Programme.

It is important to stress that the Member Development Programme is not a one size fits all process, suited for only one use. This programme has been developed with a holistic approach in mind that will, over the next few years, as it grows and develops, respond to your emerging learning and support needs as and when they arise. Underpinning this will be the commitment to ensuring the Vision 2030 for Sandwell is reflected at each and every stage and throughout the entirety of this process.

This is an ambitious, forward-thinking and undoubtedly challenging initiative. However, support from officers will be readily available to you at any stage throughout this process; both in 1-2-1 support but also in the development of infrastructure mechanisms, such as a Member Portal which will better assist you in your role. ■



What to Expect

This document will outline the delivery of your Member Development Programme and what you should expect from it. As shown in the diagram previously, it comprises of 4 key elements:

1

Essential Learning

The learning which all Members must undertake to ensure they have the requisite skills, competencies and knowledge to undertake their role.

2

Requested Learning

Delivery of sessions based on the learning themes that Elected Members stated they'd like to learn more about following interactive workshops designed to identify their needs.

3

Support Arrangements

A joined up approach designed to support Elected Members in every aspect of the Member Development Plan and in their roles.

4

Personal Development Plans

A refreshed and invigorated scheme designed to help Elected Members identify what matters to them personally.

Linking into Sandwell's Strategic Ambitions

Sandwell Council's guiding philosophy over the coming years is the Vision 2030.

Containing 10 challenging ambitions; five focusing on Sandwell the place and 5 focusing on the people of Sandwell, the work which both Elected Members and Officers undertake will feed towards achieving the aim that by 2030,

Sandwell is a thriving, optimistic and resilient community.

This Elected Member Development Plan will ensure that Elected Members are alive to the Vision and will ensure, through the training and development they undertake, they are actively working towards its achievement.



In addition to the Vision and its ambition statements, the Council at all times adheres to its guiding values of Trust, Unity and Progress. These values guide officers of the Council in all the work that they undertake and as representatives of the council, and borough for those

working on a regional level, Elected Members should also articulate these values. That is why this Member Development Programme will work towards the implementation of these values. ■

You Said, We Will

The following is a 'you said, we will' based on comments and feedback that have been shared with officers throughout the Member Development Plan, and officers are acting upon these to develop a plan suited to your needs:

Can you ensure the MDP offers the support we need outside of training e.g. ICT?

A key integral part of the new MDP will include extensive support infrastructure around ICT which will feature a review of current/future kit, using technology effectively, a new Elected Member Portal, learning to increase confidence plus advice and guidance.

We'd like sessions to be less 'death by PowerPoint' please?

Officers are talking with external/internal learning providers to ensure sessions are more interactive and not dominated by presentations.

Can you please make sure sessions are shorter to allow for our busy schedules?

Many of the learning sessions that will feature will be 'bitesize' and no more than an hour.

Sometimes we feel the learning is the same every year and doesn't always meet our needs?

We've used the Paired Comparison technique to prioritise your individual learning needs.

Q Some of us want less formal training style and a choice of learning methods?

A We are taking this on board and speaking with providers to ensure there are more interactive workshops, group sessions as well as on-line training you can do at home.

Q Please ensure we use a mix of in-house and external training providers to keep costs down?

A We are working our in-house officers plus external providers such as the LGA who can source many trainers for free.

Q We need to ensure any learning and development makes us answer the question 'now what do I/we do with this?'.

A Again, we are meeting with all learning and development providers to ensure Elected Members can utilise the outputs as part of their role(s).

The Member Development Programme will deliver:

- Bitesize sessions
- Interactive training
- Various training methods (online, group, workshop)
- Topics based on your priorities.
- Working with internal and external stakeholders.
- Develop support mechanisms
- Developing training to answer, 'Now what do I/we do with this?'

Artemis

Online modules designed to cover the following topics:

- Child Protection Level 1
- Child Sexual Exploitation
- Domestic Violence and Abuse
- Information sharing

Equalities and Religious Awareness

Designed to focus on equality topics such as:

- Equality Act 2010
- General Duty and the impact this has on Councillors and their duty to uphold it

Licensing

Training designed to cover key licensing issue such as:

- Taxi licencing
- Liquor licencing
- Gambling licencing

Your Essential

AIM

Through a mix and match of training methods essential topics which will aid their development to be rolled out from early 2019

Council Values

Interactive session facilitated by Human Resources designed to:

- Raise awareness of Trust, Unity and Progress
- How Elected Members can display these values
- What promoting the values can do for the Council

Code of Conduct

Facilitated by the Director – Monitoring Officer to ensure Elected Members:

- Understand the code of conduct
- Why and how they can adhere to it
- Know which information is essential to declare

Corporate

Parenting

Led by Officers from Sandwell Children's Social Care Trust for Elected Members to understand:

- The role of the Trust
- The role of the Council as a corporate parent

Health and

Safety

Providing Members with an awareness of issues such as:

- General Health and Safety practices
- Agile working
- Staying safe in the working environment

Learning list

... sessions, providing Elected Members with knowledge on ...
... ment, facilitated by professional training providers

Planning

Sessions designed to cover issues such as:

- Ensuring Elected Members have essential planning knowledge
- Having the tools to deal effectively with constituent enquiries

LET'S WORK TOGETHER

Scrutiny

Facilitated by the Council's Scrutiny Unit, these sessions are designed to cover issues such as:

- Helping Elected Members understand the importance of effective scrutiny.
- The types of scrutiny.
- The roles they can play in the scrutiny process

Safeguarding

Training with mini-workshops and quizzes designed to cover topics such as:

- 5 categories of abuse
- Children's Safeguarding
- Adult's safeguarding
- What you can do to ensure proper safeguarding

Requested Learning

AIM

To implement the learning topics identified by Elected Members in the interactive workshop sessions held in Spring 2018 and prioritised accordingly; individually and collectively through the paired comparison prioritisation exercise.



Working with both internal and external providers, including West Midland Employers and the Local Government Association these sessions are currently being developed, ready to be rolled out from early 2019. The order in which they are listed are results of the collective prioritisation scores taking into account the feedback of all Elected Members. Subject to availability of trainers, the learning rollout will follow the ranked order.

Understanding Sandwell's Vision 2030, the WMCA, how they interlink and how I can make an impact

Enabling Elected Members to achieve a greater level of awareness around Sandwell's Vision 2030, the role it plays within the Borough; the importance of the West Midlands Combined Authority and how these two strategic priorities for the authorities interlink.

Embracing technology to transform and enhance new ways of working

Providing Elected Members with insight on how to develop and embed new ways of working via the use of technology, this session will give Elected Members the mechanisms by which to work more effectively and confidently in an ever-changing environment.

'A Focus On...' Sessions; inviting Council officers, businesses, public sector partners and the VCS to share what they do and improve networking opportunities:

Working with suppliers internally and externally, these sessions will enable Elected Members to engage with key stakeholders active within Sandwell, learn more about the work they do, the challenges they face and how joint working can lead to positive outcomes for the people of Sandwell.

Following on from these initial sessions, further sessions will involve more collective and collaborative sessions with partners working on key issues around the Vision 2030 and its ambitions.



Theory of Change

Underpinning the work with our partners through the 'Focus On...' sessions is something commonly known as the 'Theory of Change' approach. This focuses first on what outcome is being sought, then considers all the things that need to be in place to make it happen. For the 'Focus On...' sessions, this means increasing opportunities and awareness of collaborative working with our partners, exploring strategic and operational opportunities and how we can deliver better outcomes for the Borough.

Accessing and managing information to make me a more effective Elected Member

This training module has been designed to enable Elected Members to find the information that is essential to their role and how to manage information generally, as well as handling personal information regarding constituents, keeping in line with the Data Protection Act 2018 legislation.

Empowering Communities – What does this mean for me and how can I use it in my role effectively?

These sessions, underpinned by the newly developed Town Plans of Sandwell offer Elected Members the opportunity to find out how their role can achieve greater levels of community engagement within Sandwell and their role as facilitators and enablers within the community.

Requested Learning

Being commercially savvy and dealing with our commercial partners, including negotiating skills



Developing the commercial skills and knowledge of Elected Members, as well as building skills around developing relationships with businesses, this module will also help Elected Members with their negotiating skills, feeding into their role as a community leader, enabler and facilitator.

Understanding Council Finances – Budgeting, Procurement and Governance arrangements



This training intervention has been designed to give Elected Members, from a Sandwell specific viewpoint, the finances of the Council and wider Borough.

Drawing on the expertise within the Council's Finance and governance areas, Elected Members will leave with a heightened knowledge of the Council's initiatives to save money in the face of austerity and how they can contribute to sustainable budget management.

How my role impacts upon effective scrutiny

Led by the Council's Scrutiny Unit, these sessions will help Elected Members understand further the different types of scrutiny and how in their role, they can promote and enhance good and effective scrutiny within Sandwell Council, as well as realising what the benefits of good scrutiny can be for the borough.

Understanding and using social media strategically and effectively

In the age of social media, where leading public sector bodies, businesses, politicians and the world at large can communicate easily, quickly and effectively with each other, these sessions will provide Elected Members with the tools to promote effectively the work that both they do and the Council do.

Given the varied needs of Elected Members, time will also be devoted to how beginners to social media can engage with it confidently and effectively.

Successful facilitation and conflict resolution techniques

In their role as community leaders, Councillors can find themselves key facilitators both in their Ward and at a borough level, but also as a mediator in times of conflict.

These sessions will equip Elected Members with the skills by which they can further develop these skills to achieve positive benefits for Sandwell.

Member Wellbeing and Resilience

The role of an Elected Member is fast changing, with numerous relentless demands placed upon your time and resources. That is why a robust support plan centred around your wellbeing and resilience is just as critical as learning and development, ICT and broader support arrangements.

Our partners at the LGA have produced a workbook to assist you. Online, please enter the following link to access the information:

LGA Stress Management and Personal Resilience Workbook

www.local.gov.uk/councillor-workbook-stress-management-and-personal-resilience

This and other workbooks related to your role, such as community leadership, supporting residents with complex issues and engaging young people can all be found on

LGA Councillor Workbooks

www.local.gov.uk/councillor-workbooks

They will support some of the learning you have requested and we will send reminders via regular bulletins over the coming months. Information will also be made available through the Elected Member Portal which is currently being created.



Support Arrangements

AIM

To compliment the Essential and Requested Learning elements of the Elected Member Development Programme, support arrangements on a variety of issues have been developed to ensure Elected Members feel empowered and enabled not only to participate in the Programme, but also in their role.



The support arrangements are as follows:

- 1 Day-to-day Civic and Elected Member Services support. A first point of contact for the help and advice you need.
- 2 Refreshed enquiry system for you to log, progress and chase your Ward enquiries.
- 3 Personal Development Plans tailored to your individual learning and support needs.
- 4 Fit for purpose ICT hardware and software that meets your requirements.
- 5 Complete ICT support package designed to cater for all abilities.
- 6 ICT Elected Member Champions – representing your voice when developing ICT solutions.
- 7 Provision of 'Advice on a Page' bulletins for guidance on frequently asked questions or key subject matters as required by you as Elected Members.
- 8 Regular training bulletins keeping you up to date on the latest learning available.
- 9 'What you need to know' communications designed to keep you informed on current/topical issues and matters facing the council.
- 10 Development of a fit for purpose Elected Member Portal by Autumn 2019, to serve as a one-stop shop for you to find the key information that you want.

Your Digital Solution

Officers recognise that to date, there hasn't been appropriate level of resources or awareness focused on ICT for Elected Members. From online infrastructure to the very equipment Elected Members use, the current system simply isn't fit for purpose and isn't responsive to the ever increasing and changing demands and needs for Elected Members. During the interactive workshop sessions, Officers took on board a vast range of comments in relation to Elected Members' digital needs. The following points have been developed, and are currently under implementation to provide support in the form of a digital solution to Elected Members:

{ COMING
SOON }

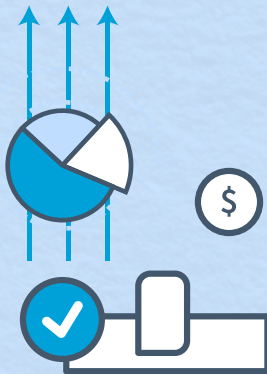


ICT workshops for Elected Members to ascertain how a digital solution could help Elected members undertake their tasks more more efficiently and effectively in the future; the current functionality of ICT equipment and the sort of updates they'd expect to receive as Elected Members.

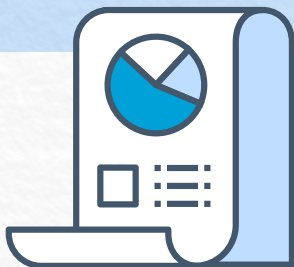
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A review of the current case management system, in consultation with Elected Members, regarding whether more effective, streamlined processes can be developed to ensure Elected Member enquiries are answered in a detailed yet efficient manner.



Development of a bespoke, fit for purpose, Elected Member Portal that will act as a source of problem resolution, guidance and information to Elected Members. An officer Working Group has been established with two Elected Member 'Champions' to relay the thoughts, views and opinions of Elected Members on how they would like a Portal to look and feel. A review of LGA identified best practice has also been conducted, with a Councillor Toolkit from Plymouth Council the example that Sandwell shall seek to work with and build upon.



Your Development Plans

Alongside the relaunch of the Member Development Programme, the Personal Development Plan (PDP) process has also been refreshed, taking into account all of the above elements; Essential Training, Requested Learning (with focus on individual paired comparison scores within the PDP) and support arrangements in relation to Elected Members ICT requirements and preferred learning styles.

For all Elected Members, officers from Civic and Member Services will conduct their PDP. Following this, taking on board the comments from Members,

officers will seek to develop learning interventions designed to suit and assist Elected Members in whichever way they can.

A close-up photograph showing a person's hand holding a pair of blue-handled scissors, cutting a small white rectangular piece of paper. The paper has the words "I can't do it" written on it in a bold, black, sans-serif font. The scissors are positioned diagonally across the paper, with the blades cutting through the text. The background is a soft, out-of-focus light color.

Your Member Development Timeline

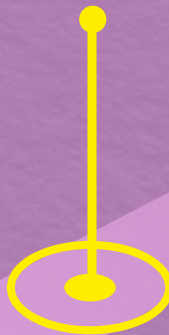
1 Essential Training launch and commencement of delivery

Winter 2018



2 Requested Learning Training launch and commencement of delivery

Spring/Summer 2019



3 Development of a bespoke, fit for purpose, Elected Member Portal to provide support and guidance to Elected Members

Autumn 2019



Your Civic and Member Services Team



Please send enquiries regarding Member Development to member_development@sandwell.gov.uk and expect bulletins throughout 2019.

Member Development Programme



Member Development Working Group



Member Development Officer Project Board

Member's Development



Members Digital Solution Project Board



Members Digital Solution Working Group

Member Development Working Group

Membership: Councillor Geoff Lewis (Chair); Councillor Steve Trow; Councillor Joyce Underhill

To provide overall governance by way of authorisation and approval on all aspects of the Member Development Programme, covering training, Members Digital Solution and all other involved aspects.

Member Development Officer Project Board

Membership: Surjit Tour Director – Monitoring Officer; Phil Challoner – Civic and Member Services Manager; Harpreet Dhillon – Communications Officer; Neil Hickman – Civic and Member Services Officer; Andrew Grant – Project Support Officer

To project manage the implementation of the Member Development Programme including the sourcing and provision of training for Members – Essential and Requested – as well as linking in with the Members Digital Solution workstream and the Member Development Brochure.

Member's Development

Membership: Surjit Tour – Director Law and Governance; Phil Challoner – Civic and Member Services Manager; Neil Hickman – Civic and Member Services Officer; Andrew Grant – Project Support Officer – Governance

To project manage the implementation of the Member Development Programme including the sourcing and provision of training for Members – Essential and Requested – as well as linking in with the Members Digital Solution workstream.

Members Digital Solution Project Board

Membership: Surjit Tour – Director Law and Governance; Sue Knowles – Service Manager – ICT and Revenues & Benefits; Phil Challoner – Civic and Member Services Manager; Councillor Liam Preece

To provide a strategic steer on matters surrounding Members ICT including the development of a Members Portal, roll out of hardware and software and skills and proficiency of ICT.

Members Digital Solution Working Group

Membership: Phil Challoner – Project Manager; Nicola Biddle – Portal Development; Manjit Kaur – Digital Inclusion; Uresh Patel & Dave Guest – Cabinet Members ICT Pilot; Steve Jones – Comms; Neil Hickman – Content Co-ordinator; Councillor Hartwell- Member Champion

Ensuring a joined up approach to all matters regarding the digital solution for Members to feed up to the Project Board.

MDP Learning Timetable

January - March 2019

Session Title	Content	Date	Venue
Trustee Training	To ensure Members have an up to date knowledge on the different roles and responsibilities they have on the various outside bodies they are appointed to by Council.	04/12/2018 17.30 – 19.30	Sandwell Council House – Annexes 1 & 2
'A Focus On..' Partnership Session	Session – Inviting key partners who work with the Council to deliver Vision 2030 for the Borough to inform Members on what they do and opportunities for partnership working.	07/01/2019 11.00 – 13.00 17.00 – 19.00	Sandwell Council House Chamber and Annexes
Corporate Parenting	Designed to assist Members in understanding their role as a Corporate Parent and what the role can enable them to do for the Looked After Children (LAC) of Sandwell.	17/01/2019 11.30 – 13.30 22/01/2019 17.00 – 19.00 24/01/19 11.00 – 13.00 17.00 – 19.00	Sandwell Council House Chamber and Annexes

MDP Learning Timetable

January - March 2019

<p>Council Finances: Finance, Procurement and Governance Arrangements</p>	<p>Giving Elected Members an understanding of the Council's budgeting, procurement and finance arrangements and the role they can undertake in helping achieve sound financial management across the Council.</p>	<p>January 2019 (specific date to be sent to Members in bulletin)</p>	<p>Sandwell Council House Chamber and Annexes</p>
<p>Safeguarding</p>	<p>Covering Adult and Children's safeguarding; equipping Members with knowledge on each subject area, how to be aware of issue and what to do if they have safeguarding concerns.</p>	<p>14/02/2019 17.00 – 19.00 21/02/2019 11.00 – 13.00 28/02/2019 10.30 – 12.30</p>	<p>Sandwell Council House Chamber and Annexes</p>
<p>Understanding Vision 2030, the West Midlands Combined Authority (WMCA) and how they interlink</p>	<p>Providing Members with further information on the WMCA, the role it plays within Sandwell, how it links with the Vision 2030 and the role Members can play in ensuring Sandwell maximises the opportunities both present.</p>	<p>March 2019 (specific date to be sent to Members in bulletin)</p>	<p>Sandwell Council House Chamber and Annexes</p>
<p>Understanding and Using Social Media Effectively</p>	<p>Facilitated by an LGA accredited provider, this session will equip Members with the information they need to utilise social media effectively in their role and to promote the strategic priorities of the Council.</p>	<p>March 2019 (specific date to be sent to Members in bulletin)</p>	<p>Sandwell Council House Chamber and Annexes</p>

Ethical Standards and Member Development Committee

7 December 2018

Subject:	Committee on Standards on Public Life – Annual Report for 2017-18
Director:	Director - Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer(s):	Trisha Newton Trisha_newton@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Ethical Standards and Member Development Committee:

- 1.1 Consider and comment on the Annual Report of the Committee on Standards in Public Life at Appendix 1.

1 PURPOSE OF THE REPORT

- 1.1 Within its terms of reference, the Ethical Standards and Member Development Committee has a duty to promote high ethical standards amongst Members. As well as complying with legislation and guidance, the Committee will need to demonstrate learning from issues arising from local investigations and case law. Furthermore it is advisable for the Committee to be kept informed of any issues arising out of the Annual Report from the Committee on Standards in Public Life as they may also add to learning at the local level.
- 1.2 On 17 July 2018, the Committee on Standards in Public Life published its annual report for 2017-18.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 High standards of conduct are an essential part of good corporate governance and this in turn has a direct relationship with the delivery of high quality services.

3 STRATEGIC RESOURCE IMPLICATIONS

- 3.1 There are no strategic resource implications arising from this report.

4 LEGAL AND GOVERNANCE CONSIDERATIONS

- 4.1 By noting the work of the Committee on Standards in Public Life members will be better informed to discharge their duty to promote high ethical standards.

5 EQUALITY IMPACT ASSESSMENT

- 5.1 An equality impact assessment is not required.

6 DATA PROTECTION IMPACT ASSESSMENT

- 6.1 A data protection impact assessment is not required.

7 CRIME AND DISORDER AND RISK ASSESSMENT

- 7.1 A crime and disorder and risk assessment is not required.

8 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 8.1 None.

9 APPENDICES:

The Committee on Standards in Public Life Annual Report 2017-18.

Surjit Tour
Director – Monitoring Officer

**Committee on
Standards
in Public Life**

Annual Report

2017-18

THE SEVEN PRINCIPLES OF PUBLIC LIFE

The Seven Principles of Public Life apply to anyone who works as a public office holder. This includes all those who are elected or appointed to public office, nationally or locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, Non Departmental Public Bodies, and in the health, education, social and care services. The Principles also apply to all those in the private sector delivering public services.

SELFLESSNESS

Holders of public office should act solely in terms of the public interest.

INTEGRITY

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

OBJECTIVITY

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

ACCOUNTABILITY

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

OPENNESS

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

HONESTY

Holders of public office should be truthful.

LEADERSHIP

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the Principles and be willing to challenge poor behaviour wherever it occurs.

The Seven Principles were established in the Committee's First Report in 1995; the accompanying descriptors were revised following a review in the [Fourteenth Report](#), published in January 2013.

Foreword

I am delighted to present the Committee on Standards in Public Life's Annual Report 2017-2018. This is the last Annual Report I shall present on behalf of the Committee as my five-year term of appointment comes to an end in August 2018.

The Committee sits within an increasingly complex ethical landscape with a remit extending across the whole of public life. In this Annual Report we set out our purpose and focus within that broad landscape, reaffirm our strategic objectives, and review our work during the past year.

This year, we have considered a range of important, topical issues, from MPs' outside interests to the continuing importance of ethical standards for those private companies providing public services – all the more timely given the collapse of Carillion early in 2018, one of the largest private providers of public service. We are now six months into our 12-month review of local government ethical standards. Amongst all this, we have contributed to consultations by others including on pre-appointment scrutiny of public appointments, local public accounts committees and the draft Behaviour Code for Parliament, and have worked with others to highlight and promote a wide range of standards issues.

Perhaps most notably this year, we looked at the growing problem of intimidation in public life. In July 2017, the Prime Minister invited the Committee to review this area, with a particular focus on the 2017 General Election, and to report back by the end of the year. The Committee agreed to undertake and prioritise this work in view of the impact of intimidation on our democracy, and its potential impact on those willing to stand for election. As the evidence base grew, the Committee felt that we were at a turning point in our political culture and that an urgent and concerted response was required. We published our report to a warm reception in December 2017 and welcomed the Government's positive response, which accepted almost all of our recommendations, in March this year.

There is always a risk that concerns relating to standards remain under the radar for a long period, and later emerge to public prominence. This is the case with the allegations of bullying and harassment at Westminster that gained public prominence in November 2017. It is critical that Parliament has fair and timely processes in which those who have made complaints, and those who are the subject of complaints, as well as the public, can have trust. We await the outcome of the various reviews commissioned by Parliament to address these serious issues.

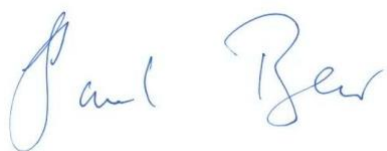
To that end, in 2018/19, the Committee intends to maintain a close watching brief on culture and behaviour in Westminster, as well as other standards issues, including lobbying, and the operation of the Business Appointment Rules. We will also be completing our review of local government ethical standards; following up the recommendations we made in our review of intimidation of public life and our recent report on ethical standards for public service providers.

Since its creation in 1994, the Committee has made recommendations for reform to promote and uphold the highest standards of ethical conduct across public life. These have shaped how organisations and individuals talk and think about ethical standards. The Seven Principles have for almost 25 years now been the widely accepted cornerstone of ethical standards for people working

across all areas of public life and are now fundamental too for those in the private sector who are providing services funded by the taxpayer. The Committee's work model continues to be one of well-argued, evidence-based reports with practical recommendations to help bolster ethical standards. We stay watchful; we identify and respond to emerging ethical risks; and we listen to the public and a wide range of organisations about their concerns. Approaching our 25th year, the Committee remains uniquely placed to consider emerging standards issues, and to take a strategic, long-term view across public life as a whole.

The last five years have convinced me that the Seven Principles remain as relevant today as they were a quarter of a century ago. They have been adapted to different organisations and different needs. They may have their detractors – it is true that levels of public trust do not always respond precisely to high standards, and that transparency in itself, whilst still essential, is perhaps not the cure-all originally envisaged. Notwithstanding this, the Principles clearly articulate the public's expectations of those that serve them. The enduring importance of the Principle of Leadership is testament to that.

Finally, I would like to extend my warmest thanks to both current and former Committee members with whom I have had the greatest pleasure and honour of working. Members of this Committee do not always have the easiest task – they are expected to monitor standards across the widest of ethical landscapes, report on complex and sensitive issues and be alert to public opinion, while at the same time understanding the complexities of Parliament and all other areas of public life. My colleagues past and present have done this with professionalism, good humour, clarity of thought and sensitivity to the many complex issues they have had to address. I wish them well with the challenges ahead.



Lord Bew

Chair



Year in Review

July/August 2017

Following the Prime Minister's request in July, we start gathering evidence for our review of Intimidation of Public Life.

September 2017

Simon Hart MP is appointed to the Committee.

We hold public hearings and a roundtable on Intimidation of Public Life.



October 2017

We meet with MPs, Parliamentary candidates and social media companies to discuss the problem of intimidation in public life.



November 2017

Lord Bew speaks about the Committee's work at the Public Chairs Forum.

Lord Bew is invited to attend a meeting of Parliament's Independent Complaints and Grievance Policy Working Group on bullying and harassment.

December 2017

We publish the widely anticipated report *Intimidation in Public Life*.



January 2018

We launch phase one of our review into local government ethical standards, with a public consultation lasting three months.



February 2018

The Committee holds meetings with stakeholders as part of its reviews into local government ethical standards and MPs' outside interests.

Sheila Drew Smith OBE's term of appointment comes to an end.

March 2018

Professor Dame Shirley Pearce DBE joins the Committee.

The Committee holds a roundtable in London as part of its review of MPs' Outside Interests.



April 2018

We submit evidence to PACAC's consultation on pre-appointment scrutiny of public appointments.

We hold roundtables in Birmingham and London on our local government ethical standards review.

May 2018

We publish *The Continuing Importance of Ethical Standards for Public Service Providers*.



June 2018

We finalise our report on MPs' Outside Interests ready for publication.

We start phase 2 of our review of local government ethical standards.

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1.1. Strategic Plan

Our strategic purpose and focus

The Committee was established in 1994 with a clear purpose: to examine areas of concern about the standards of conduct of public office holders, advise the Prime Minister accordingly, and to promote the highest standards of conduct across public life.

- 1.1 Our vision remains to reinforce clear expectations across public life of high ethical standards. Our remit extends to all those holding public office, and those providing public services. As a standing committee we have a constant presence, which enables us to monitor progress on different issues (including our own recommendations) over time. It also enables us to respond in a timely way when concerns arise.
- 1.2 The maintenance of high standards in public life is important for the good functioning of society as a whole, helps maintain public trust in institutions, and is important for democracy. High standards of conduct underpin public confidence in every aspect of public life, from the delivery of health and social care services to education, policing and legislation.
- 1.3 The Committee is uniquely placed to consider the 'ethics landscape' as a whole, and works to serve the public by striving to ensure the Nolan Principles are understood and embedded across public life.
- 1.4 It is a wide landscape, so we are committed to working with others to ensure this vision is met. We will identify particular areas of concern and consider those issues in more depth.

Our strategic objectives

- 1.5 The Committee will:
 - **Identify areas of concern** in terms of conduct and behaviours before they develop into activities which could lead to a breach of public trust
 - Undertake balanced, comprehensive reviews, based on robust and effective research. We will use the research gathered in these reviews to develop **evidence-based, practical recommendations** to help maintain or improve ethical standards across the public sector;
 - We will make **informed contributions to public debates** about ethical standards, including submissions to public consultations and on-going reviews by Parliamentary committees;
 - We will be alert, **proactively identifying and responding** to emerging ethical risks and engaging with a wide range of

During 2018/19, the Committee will keep a particular watching brief on developments in Westminster with regard to alleged bullying and harassment of staff. We are anxious that the Commons Commission Inquiry and the Leader's working group on an Independent Complaints and Grievance Policy will produce a timely, fair process that reflects best practice.

partners to develop the ethical standards agenda.

- 1.6 We are committed to ensuring that we continue to be an effective, efficient organisation delivering value for money.

Measuring our effectiveness

- 1.7 As an advisory body with no statutory powers to enforce our recommendations, it is not always easy to measure our impact directly. Our effectiveness depends on our ability to build powerful arguments using research, and evidence which convinces others to take forward our recommendations for change. We also always try to add a timescale to our recommendations to help us when we follow up our reports.
- 1.8 The following indicators help to gauge our performance. We will refine and elaborate on these during the life of this strategic plan in the light of experience:
- Delivering **well-researched, balanced reports** which identify ways to improve and maintain ethical standards in the public sector, together with other proactive outputs as specific issues arise;
 - Making practical **recommendations** with a timescale and clarity of ownership which are evidence-based and persuasive;
 - Maintaining our own **openness and accountability** to the public (including our website, public consultations and research surveys); and
 - Working with key **stakeholders and partners** through seminars and meetings.

Setting priorities and work balance

- 1.9 We anticipate that the majority of our time will be spent on our proactive work i.e. our substantive reviews, research and follow-up which enable us to make a contribution from our unique vantage point.
- 1.10 We will also continue to make submissions to Select Committee inquiries and other consultations so that we can collaborate with others on important issues. We will use resources effectively to ensure that time spent responding to inquiries and consultations initiated by others do not impact on priority work.
- 1.11 As we did in 2017 with our review of intimidation in public life, should any immediate and pressing issues arise, we would rearrange our priorities as necessary.
- 1.12 The Committee aims to make valid, evidence-based contributions to inform and stimulate public debate; this relies on consultation with other bodies, experts and research organisations. We will continue to bring together key stakeholders for thoughtful and engaging seminars.
- 1.13 We will ensure that our reports and contributions draw together reliable evidence with regard to the seven Principles of Public Life.
- 1.14 We will continue to seek to maintain relevance and communicate with the public appropriately; we understand social media and technological changes have shifted the

relationship between the public and public office holders. We will aim to respond quickly to new issues as they arise, whilst still making measured and evidence-based contributions to any debate.

Selection of reviews

- 1.15 The choice and scope of our reviews is informed by our assessment of the importance of the issue, the scope for the Committee to make a distinctive and authoritative contribution, and potential impact.
- 1.16 In each inquiry we set out to make recommendations or identify areas of best practice that will encourage the highest standards of propriety in public life. We will continue our practice of following-up our recommendations to monitor our impact.

Evidence gathering

- 1.17 The Committee will use appropriate methods to gather evidence, depending on the subject in hand. These may include:
- One-to-one **meetings with stakeholders and experts** in the field;
 - **Roundtables, public hearings, seminars** and workshops;
 - **Public consultations;**
 - Independent **surveys** initiated by the Committee, and submitting questions to panel surveys;
 - Attending **external events;**
 - Desk-based **research;**
 - Commissioning **academic research;** and
 - Consulting with the Committee's **Research Advisory Board.**

Taking opportunities for our voice to be heard

- 1.18 In addition to reviews and monitoring standards issues, we will take the lead and ensure our voice is heard promoting high ethical standards, including by:
- Advising the **Prime Minister, Ministers** and others on key issues;
 - Contributing to relevant **Select Committees' Inquiries** in both Houses;
 - Ensuring our reports are shared with the **appropriate audiences;**
 - Participating in **conferences, seminars and workshops;**
 - **Writing articles and delivering speeches** to communicate our key messages;
 - **Media interviews;** and
 - Communicating with the public and partners through our **website, blogs and social media presence.**

Monitoring wider standards issues

1.19 The Committee is not complacent, ethical issues do not go away. In order to fulfil our remit to consider ethical standards across the public sector we will:

- Maintain a **watching brief** to identify emerging or persistent ethical standards issues, and be quick to highlight their significance to those best placed to respond;
- Work with partners to undertake quantitative and qualitative **research** into public perceptions of ethical standards; and
- Respond to **consultations**, key policy announcements and legislation where these impact on ethical standards and we have an informed contribution to make.

A key area for the Committee's watching brief, will be around monitoring responses to the recommendations in our Intimidation in Public Life report.

Communications

We are fully committed to openness in our activities. We will ensure that we communicate our work effectively, to make it visible to everyone with an interest in ethical standards.

1.20 We will ensure that our website provides an effective means of communicating our views and activities, by publishing our reports, blogs and press releases, as well as full corporate transparency data including:

- A record of our external meetings;
- Committee meeting agendas and minutes;
- Quantitative data and evidence received; and
- The Committee's register of interests.

1.21 We will make full use of Twitter and our blog.

Using our resources to best effect

1.22 The Committee will continue to exercise efficiency, including in the following ways:

- **Research:** For research into public attitudes to ethical standards, our Research Advisory Board will seek opportunities to undertake efficient and economical survey work.
- **Interactions with stakeholders:** We will continue to think creatively about how to ensure we are accessible in an efficient, cost-effective way, for example by issuing online consultation papers and surveys, holding roundtables and conducting interviews locally.
- **Administrative processes:** All services (including travel, accommodation, IT and human resources) are obtained wherever possible via the Cabinet Office, our sponsor department, so as to benefit from economies of scale.

2. Overview of Activities 2017-18

2.1 During 2017/18, the Committee delivered against its [forward plan](#), and went further by undertaking and delivering a six-month review into intimidation in public life.

Intimidation in Public Life

2.2 In July 2017, the Prime Minister invited the Committee to undertake a review of intimidation in public life, with particular reference to the experience of Parliamentary candidates at the 2017 General Election.

2.3 The Committee agreed to review the issue in the light of the threat of intimidation to the vibrancy, diversity and integrity of public life.

2.4 As part of the review, the Committee held:

- a public consultation and received 88 submissions as well as inviting every Peer and MP to contribute to the review;
- a roundtable discussion with former candidates, academics, think tanks, and stakeholders;
- a public hearing with political parties, a private hearing with police and security services, and published interviews with social media companies;
- 18 meetings with stakeholder organisations; and
- 11 meetings with Parliamentarians and former Parliamentary candidates across the political spectrum.

2.5 The report was published on 13 December 2017. The Committee concluded that a significant number of Parliamentary candidates had experienced intimidation at the 2017 General Election, and that intimidation was already affecting other public office-holders and having a wider effect on public life. We looked specifically at the role of social media; political parties; law, policing and prosecution; and the wider responsibility of those in public life.

2.6 We made 33 recommendations to government, social media companies, political parties, press organisations, MPs, candidates and other public office-holders – a wide-ranging audience. The Government [responded](#) formally to the report on 7 March 2018 committing to action on most of the recommendations made to government.

MPs' Outside Interests

2.7 In spring 2017, there was intense media interest in the issue of MPs' outside interests triggered by the former Chancellor of the Exchequer's outside interests (the former Chancellor was at that time still an MP). This, together with discussion of the Committee's [2009](#) recommendation that MPs should not be prohibited from paid employment provided it remained within reasonable limits and was transparent, led to the Committee deciding in March 2017 to undertake a review into MPs' outside interests.¹

¹ MPs; expenses and allowances: Supporting Parliament, safeguarding the taxpayer November 2009 Cm 7724

- 2.8 We decided to see the extent to which the compromise we recommended in 2009 had been put into operation, and if there was a need to explore further and elaborate what is meant by ‘reasonable limits’.
- 2.9 We ran a public consultation from 30 March to 13 September 2017. We paused the review when the 2017 General Election was called and again when the Committee reviewed, as an unexpected priority, intimidation in public life.
- 2.10 We resumed the review in January 2018 and took evidence from a wide range of individuals and organisations:
- Received 98 submissions to our public consultation;
 - 25 meetings with key individuals and organisations;
 - Held a roundtable with representatives from think tanks, academia and Parliament;
 - Conducted our own research with the public – two focus groups and a survey of public opinion in collaboration with Professor Rosie Campbell (Birkbeck, University of London) and Professor Phil Cowley (Queen Mary, University of London), fielded by YouGov.
- 2.11 The Committee recognises that MPs need the flexibility to perform their roles in the way they choose and that Parliament needs to attract a wide range of people from different backgrounds and professions. But the public needs assurance that processes are in place to mitigate the potential for undue influence on our political system. We therefore recommended a package of important reforms directed towards Parliament and Government, and in particular the [Parliamentary Commissioner for Standards](#) and the [Commons Committee on Standards](#). These are the bodies responsible for reviewing the Code of Conduct for MPs.
- 2.12 The recommendations are intended to ensure that MPs’ outside interests remain within reasonable limits and that any outside roles, whether or not they are paid, do not prevent MPs from undertaking the range of duties expected of them in their primary role as an MP. We also recommended greater transparency – the need for a more accessible, searchable and usable Register of Members’ Financial Interests; and that the rules of lobbying should be made clearer.
- 2.13 *MPs’ Outside Interests*, the report, was published on 3 July 2018.

The Continuing Importance of Ethical Standards for Public Service Providers

- 2.14 Our remit was expanded in 2013 to include those private companies providing public services. We met this new responsibility with our 2014 report and 2015 guidance on *Ethical Standards for Public Service Providers*.
- 2.15 With the increase in public expenditure on outsourcing since 2014, the Committee decided in 2017 to return to the issue to see what, if any progress, had been made in the intervening three years. In preparing our follow-up report, we heard again from many of the organisations we met in 2014. Overall, we held 14 meetings with organisations on both the

commissioning and service provider sides of contracts and also with those organisations well placed to assess progress on ethical service delivery.

- 2.16 We held a roundtable with 18 participants in March 2017 and undertook a wide literature study of material written since our research in 2013/14.
- 2.17 The failure of Carillion early in 2018, one of the largest providers of public services to both central and local government, and the public outcry around this failure, serves to highlight the fundamental importance of companies and governments paying attention to ethical standards of those who provide services funded by the taxpayer.
- 2.18 Our follow-up [report](#) on this issue, published on 10 May 2018, considered the developments in best practice and the wider environment in which public service delivery is evolving and actions taken in respect of the our 2014 report. We made 12 new recommendations; and reflected on the potential ethical tensions that are present and on the horizon.² We remain concerned over the lack of internal governance and leadership of these areas in departments with significant public service contracts and made a number of recommendations to departmental boards and Permanent Secretaries; the Government Chief Commercial Officer; professional bodies; and public service providers themselves on how they might better reinforce ethical standards in outsourcing.

Local Government Ethical Standards

- 2.19 The Committee has a long-standing interest in standards in local government.
- 2.20 The Committee's third [report](#) of 1997 was on local government. Many of the institutional changes that have taken place in local government standards in the last two decades have been in response to the Committee's recommendations. In our 2013 report [Standards Matter](#), we said that we intended to monitor the slimmed down arrangements following the Localism Act of 2011.
- 2.21 In our 2017/18 [forward plan](#) we committed to reviewing local government ethical standards. We launched our review on 29 January 2018 with a three month long public consultation. The consultation closed on 18 May 2018 and we received 316 submissions.
- 2.22 The review is considering the structures, processes, and practices for local government standards in England, including codes of conduct, sanctions, investigatory processes, the roles of Monitoring Officers, Clerks, and Independent Persons. High standards of conduct in local government are essential to safeguarding local democracy and maintaining public trust.
- 2.23 In April 2018, we held two roundtables: one with Monitoring Officers, Clerks and Independent Persons in Birmingham; and one in London with academics, think tanks and experts in the field.
- 2.24 We completed phase one of the review in June 2018 and will continue working on the review for the rest of the year. We will add to our evidence collection by talking directly to

² The Continuing Importance of Ethical Standards for Public Service Providers, May 2018

councillors with a planned programme of visits to a selected range of local councils. We aim to publish the report by December 2018.

Watching Brief

Westminster Parliament harassment

- 2.25 Worrying reports of a culture of bullying and harassment in Parliament surfaced in the media in late 2017. The Committee welcomed the quick establishment of the Independent Complaints and Grievance (ICGP) Working Group in response to those allegations about inappropriate behaviour and a culture of bullying and sexual harassment in Westminster. The Chair of the Committee attended one of their early meetings at the Group's invitation. We also welcomed the Group's report of 8 February 2018 that recommended new policies and independent advice and investigation services should be developed; and that further work be undertaken on training and cultural change and the development of a new Behaviour Code.
- 2.26 The Committee undertook to maintain an active watching brief of this issue which falls squarely in our remit of monitoring and maintaining high ethical standards. The Committee is concerned that processes put in place in response to the allegations do deliver a fair and accountable and trustworthy process for all those involved.
- 2.27 Further allegations appeared in the media in March 2018 about the bullying of House of Commons staff. In response to those allegations, the House of Commons Commission set up an Independent Inquiry headed by Dame Laura Cox QC. The Commission's non-executive members developed the terms of reference and appointed an independent person to lead the inquiry, Dame Laura Cox QC.
- 2.28 As part of its watching brief, the Committee met with the Leader of the House in July 2018 for an update on progress on the ICGP Steering Group's work streams and to understand better how the relationship between the work of that group and that of the Inquiry. The Committee also contributed to the [ICGP Steering Group's consultation](#) on the draft Behaviour Code.

Party Funding

- 2.29 The Committee maintained its watching brief on party funding. The Chair spoke in the House of Lords on 27 February 2018 supporting the Transparency of Donations and Loans etc. (Northern Ireland Political Parties) Order 2018.³ The Committee had called for transparency in political party donations in Northern Ireland in its 1998 and 2011 reports and in a statement in 2014.⁴

Conduct of Referendums

- 2.30 The Committee has retained an interest in the conduct of referendums.

³ [Hansard 27 February 2018](#)

⁴ [The Funding of Political Parties in the United Kingdom, 1998 Cm 4057 -I](#); [Political Party Finance: ending the big donor culture, 2011 Cm 8208](#); [Appearance before the Northern Ireland Assembly 28 May 2014](#).

- 2.31 The Committee attended meetings in the early part of 2017 hosted by the Electoral Commission where we met other organisations with an interest in this area to discuss how referendums might be conducted in a way that builds public trust. We were co-signatories to the [Electoral Commission's letter](#) to the Minister for the Constitution of 8 September 2017 informing the Minister of the conclusions of those discussions.
- 2.32 We have stayed in touch with the Constitution Unit's work in this area and made a submission to their [Independent Commission on Referendums](#) that was established to review the role of referendums in British democracy and consider how the rules and practice could be improved.
- 2.33 The Committee's submission outlined the Committee's past positions on the operation of referendums and suggested three areas for consideration: (a) joint working on referendums – how the existing bodies already in place could work together in future; (b) the impact of disinformation and fake news on the conduct of referendums, with particular reference to the 'imprint'⁵ for campaign material (a matter we also raised in our *Intimidation in Public Life* report); and (c) campaign financing – how the current funding regime may shape any future referendum campaigns.
- 2.34 The Commission's report was published shortly before publication of this Annual Report. We welcome this in depth piece of work by the Independent Commission and look forward to reading the report in full.

Public Appointments

- 2.35 The Committee retains a close interest in the fair, open and merit-based processes in public appointments. We invited Peter Riddell, the [Commissioner for Public Appointments](#) to attend our February 2018 meeting to update the Committee on how the government's new Governance Code, introduced after the [Grimstone](#) Review, was working in practice. The Committee discussed with the Commissioner the particular themes of transparency, diversity, pre-appointment checks and panel membership.
- 2.36 The Committee [contributed](#) to the Public Administration and Constitutional Affairs Select Committee's consultation on pre-appointment scrutiny. The Committee long-standing view is that the process must be based on the overriding principle of appointment on merit.
- 2.37 The Committee accepts the ultimate right of Ministers to confirm an appointment, be that against a Select Committee recommendation on occasion. In those circumstances however, we recommended that Ministers should be properly accountable to Parliament and explain to the Select Committee the reasons for their decision and respond to any specific questions and objections that the Select Committee may have raised. Importantly too, there should be clear understanding on both sides of how the process works. Ministers and Select Committees may

⁵ Whenever election material is produced, it must contain certain details ('imprint') to show who is responsible for the production of the material. We agree with the Electoral Commission that the imprints currently required for print material promoting a political party should also be extended to online material, including social media.

disagree on the outcome of individual cases, but they should not disagree in relation to the process.

- 2.38 The Committee reiterated its recommendation from [Striking the Balance, Upholding the Seven Principles of Public Life in Regulation](#), that each government department should publish a list of the appointments which are subject to pre-appointment scrutiny hearings and their justification. The Committee was also concerned about any impact on diversity. Measures to promote diversity in public appointments are needed mainly at the beginning of the appointments process and any extension of pre-appointment scrutiny should not impact negatively on the diversity of those applying to public appointment roles.

3. Representation, Speeches and Communication 2017-18

- 3.1 The Committee continues to maintain an international profile in the field of standards promotion by exemplifying an effective principles-based approach to standards in public life. Many other countries wish to learn from our experience and the Committee continues to host international delegations, visiting civil servants from outside the UK, scholars and students to explain how the standards framework operates in the UK. The Committee will also continue to contribute to the research base on ethical standards, trust and compliance, both by working with national and international institutions and scholars, and by conducting in-house research.
- 3.2 Over the course of the year, the Committee's Chair, members and Secretariat have spoken at a number of events on standards issues, promoting the work of the Committee and the importance of the Seven Principles of Public Life, and providing other examples of best practice, including:
- 19/09/17 Secretariat presentation to a delegation from Kosovo
 - 31/10/17 Dr Jane Martin addressed the National Association of Local Councils Annual Conference
 - 20/11/17 Lord Bew addressed the Public Chairs Forum
 - 20/12/17 Lord Bew addressed a delegation from Armenia
 - 23/01/18 Lord Bew addressed a Royal United Services Institute conference on the theme of Personal Security of Individuals in Public Life
 - 28/02/18 Dr Jane Martin addressed the Association of School and College School Leaders on Ethical Leadership
 - 21/03/18 Lord Bew and Jane Ramsey speak at Constitution Unit seminar on intimidation in public life
 - 23/05/18 Lord Bew discussed the theme of restoring public trust, a clash between public and private values, at a seminar hosted by the Institute of Business Ethics.
 - 25/06/18 Dr Jane Martin spoke to the Lawyers in Local Government Monitoring Officers' Conference
 - 27/06/18 Lord Bew addressed an IPSA Board Meeting.
 - 04/07/18 Lord Bew addressed a University of Warwick (London) conference on the Construction of Public Office and the Pursuit of Integrity.
- 3.3 The Committee has also been proactive in promoting the Seven Principles of Public Life through responses to a number of consultations, including:
- [September 2017](#): UK Statistics Authority consultation on their Code of Practice
 - [February 2018](#): IPSA consultation on their 2018/22 strategy

- [February 2018](#): Centre for Public Scrutiny consultation on local accounts committees.
 - [May 2018](#): Public Administration and Constitutional Affairs Committee, *Inquiry into Pre-appointment Scrutiny*
 - [May 2018](#): Independent Complaints and Grievance Steering Group, Consultation on a draft Behaviour Code.
 - [June 2018](#): Lords Communications Committee, Internet regulation
- 3.4 The Secretariat regularly receives and responds to public queries and correspondence on standards issues, including requests under the Freedom of Information Act 2000.

Online Communications

- 3.5 We will continue to ensure that we communicate our work effectively, making it visible everyone. Our [website](#), [blogsite](#) and use of [Twitter](#) are key ways in which we engage with stakeholders and members of the public.
- 3.6 Between 26 June 2017 and 19 June 2018, the Committee's [website](#) received 100,942 visitors, and a total of 237,656 page views. The [Seven Principles of Public Life](#) cover page received 74,764 page views and 54,529 unique page views. The [Seven Principles document](#) page received 68,512 views and 60,636 unique page views.
- 3.7 We will contribute to relevant policy debates where we can add an informed and distinctive voice, and we will engage in constructive dialogue with key stakeholders including ethical regulators.

4. Current Work Plan and Watching Brief 2018-19

4.1 The Committee's **current work plan** includes:

- Continuing its review of **local government ethical standards**;
- Following up our report *Intimidation in Public Life*;
- Following up our report on the *Continuing Importance of Ethical Standards for Public Service Providers*;
- Maintaining its watching brief over **Parliament's response to allegations of a culture of bullying and sexual harassment in Parliament**. We will be following and considering the outcomes of the ICGP Steering Group's work streams and the findings of Dame Laura Cox's Independent Inquiry into the alleged bullying of House of Commons staff.

Watching brief going forward

4.2 We are committed to keeping abreast of standards issues before and while they are emerging, and we will respond as appropriate when they do arise. We are open to new ideas and suggestions on areas within the Committee's remit that we may consider in the future. At the time of publication, we are particularly interested in the following issues.

Lobbying and the Business Appointment Rules

4.3 Our report on MPs' outside interests raised issues of concern around the lobbying of MPs. Lobbying continues to be a matter of public concern, as do the rules surrounding the post-employment of public office-holders. The Committee will continue to keep an active watching brief on these issues.

Party Funding

4.4 The Committee has been actively involved in debates on the funding of political parties, and will continue to remain engaged on this issue throughout 2017-18. We continue to emphasise the importance of pursuing a package of commonly agreed small reforms, and the desirability of the political parties coming together to reach some agreement on this.

Academies

4.5 Following our research on public service providers, we are increasingly aware of the issues surrounding conflicts of interests and good governance in academies.

National Health Service

4.6 Standards issues in terms of commissioning and good governance in the NHS are also on our watching brief agenda.

5. Annex A: About the Committee

Our remit

The Committee on Standards in Public Life monitors, reports and makes recommendations on issues relating to standards in public life.

- 5.1 The Committee has always had a broad and wide-ranging remit. On 25 October 1994, the then Prime Minister, the Rt. Hon. John Major, announced the establishment of the Committee on Standards in Public Life with the following terms of reference:

To examine current concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life’.

’For these purposes, public office should include: Ministers, civil servants and advisers; Members of Parliament and UK Members of the European Parliament; Members and senior officers of all non-departmental public bodies and of national health service bodies; non-ministerial office holders; members and other senior officers of other bodies discharging publicly-funded functions; and elected members and senior officers of local authorities.’⁶

- 5.2 On 12 November 1997, the Committee’s terms of reference were extended by the then Prime Minister, the Rt. Hon. Tony Blair:

To review issues in relation to the funding of political parties, and to make recommendations as to any changes in present arrangements.’⁷

- 5.3 On 5 February 2013, the Minister for the Cabinet Office clarified the Committee’s terms of reference in two respects:

...in future the Committee should not inquire into matters relating to the devolved legislatures and governments except with the agreement of those bodies.

...the Committee’s remit to examine ‘standards of conduct of all holders of public office’ [encompasses] all those involved in the delivery of public services, not solely those appointed or elected to public office.’⁸

- 5.4 Our remit does not extend to individual complaints and we have no powers to investigate individual allegations of misconduct. That is the role of the relevant regulator.

⁶ Hansard (HC) 25 October 1994, col 758

⁷ Hansard (HC) 12 November 1997, col 899

⁸ Hansard (HC) 5 February 2013, col 7WS

Our status

- 5.5 The Committee is an independent, advisory non-departmental public body (NDPB) established in 1994. The Committee is not founded in statute and has no legal powers to compel witnesses to provide evidence, or to enforce its recommendations.
- 5.6 Our Secretariat and budget are provided by the Cabinet Office.

Our independence

- 5.7 To fulfil our remit effectively, it is important that we remain robustly independent of the Government that appoints us. By convention, the Committee notifies the Prime Minister before starting an inquiry, and can be asked by the Prime Minister to review a specific subject. The decision on whether to proceed, however, is our own.

Our reports

- 5.8 Depending on the subject and nature of the review, Committee reports can take different forms; they may be in the form of a Command Paper laid before Parliament (such as *Intimidation in Public Life*); or they may be a report that is not laid before Parliament and published by the Committee (such as *MPs' Outside Interests*). The reports may be short or long, or in the form of guidance published on our website.
- 5.9 The Committee will convene seminars, roundtables, public meetings and other forms of evidence gathering on issues as appropriate.

6. Annex B: Our Membership

Our members

- 6.1 The majority of members, including the Chair, are independent and appointed following an open competition regulated by the Office of the Commissioner for Public Appointments (OCPA). Three political members are nominated by the Conservative, Labour and Liberal Democrat political parties.
- 6.2 Political members are appointed for a three-year term, with the possibility of reappointment. The four independent members are appointed for a five-year non-renewable term. The Chair is also appointed for a single non-renewable five-year term.
- 6.3 The Prime Minister formally appoints all Committee members.
- 6.4 The Chair is appointed on the basis that they will on average spend two to three days a month on Committee business. Our members are expected to commit around two days a month, for which they are remunerated on the basis of a daily fee (political members do not receive fees). Both the Chair and other members necessarily commit more days as appropriate when the Committee is engaged in an inquiry.
- 6.5 Independent members are appraised annually.

Chair: Lord Bew

Appointed: 1 September 2013

Term ends: 31 August 2018



Paul Bew joined Queen's University Belfast in 1979 and was made Professor of Irish Politics in 1991. He acted as historical adviser to the Bloody Sunday Inquiry between 1998 and 2001 and was appointed as a non-party-political peer by the independent House of Lords Appointments Commission in February 2007 in recognition of his contribution to the Good Friday Agreement. In 2007 he served on the Local London Authority Bill Select Committee and in 2011 served on the Joint Committee on the Defamation Bill, which addressed key issues of academic freedom. He chaired the independent review of Key Stage 2 (SATs) provision in England which reported in 2011 and was accepted by the Government. He also served on the Joint Committee on Parliamentary Privilege which produced its report in July 2013. Lord Bew is a Visiting Professor at King's College London. Among Lord Bew's many publications is the Ireland volume of the Oxford History of Modern Europe.

Members during the period July 2017- June 2018

Rt Hon Dame Margaret Beckett DBE MP

Appointed: 1 November 2010

Reappointed: 1 November 2013, 1 November 2016



Term ends: 31 October 2019

Margaret Beckett has been Labour MP for Derby South since 1983. She was Secretary of State for Trade and Industry 1997-1998, President of the Council and Leader of the House of Commons 1998-2001, Secretary of State for Environment, Food and Rural Affairs 2001-2006, Secretary of State for Foreign Affairs 2006-2007, and Minister for Housing and Planning 2008-2009. She has also been Chair of the Intelligence and Security Committee. Margaret is Chair of the Joint Committee on National Security Strategy and a member of the Labour National Executive Committee.

Sheila Drew Smith OBE⁹

Appointed: 17 May 2012

Term ended: 1 February 2018



Sheila Drew Smith is an economist by background. She is the Chair of the National Approved Letting Scheme and a committee member for Safe Agents. She is also undertakes consultancy and selection work in the public and private sectors and is currently an adviser on safeguarding to the Secretary of State for the Department for International Development. She has experience as a former board member of a range of regulatory and other public bodies, including the Housing Corporation and its successor organisation, the Audit Commission, the Infrastructure Planning Commission and was awarded an OBE for services to Ordnance Survey. Prior to this she was a consultancy partner in the predecessor firms of PricewaterhouseCoopers working in the UK and internationally. Her earlier career was in the civil service.

⁹ Sheila Drew Smith was exceptionally reappointed by the Prime Minister in May 2017 for a period of nine months due to the need for continuity in Committee membership, and to complete the follow-up work to ethical standards for public service providers.

Simon Hart MP

Appointed: 6 September 2017

Term ends: 5 September 2020

Simon Hart is the Conservative Member of Parliament for Carmarthen West & South Pembrokeshire, and was first elected in May 2010.



Since being elected to Parliament, Simon has been a member of the Political and Constitutional Reform Select Committee, the Welsh Affairs Select Committee and the Environment, Food and Rural Affairs Select Committee. He has also been a member/Chair of several APPGs including Tourism in Wales, Learning outside the Classroom, Marine

Energy & Tidal Lagoons, EU/US Trade, and others. Additionally, Simon is a member of the House of Commons Department of Culture, Media and Sport Select Committee and is the Prime Minister's Trade Envoy to Panama, Costa Rica and the Dominican Republic. Prior to being elected Simon was Chief Executive of the Countryside Alliance, and remains Chairman of the organisation.

Dr Jane Martin CBE

Appointed: 1 January 2017

Term ends: 31 December 2021



Prior to taking up her role on the Committee, Dr Jane Martin was the Local Government Ombudsman (LGO) and Chair of the Commission for Local Administration in England. She is also a lay member of the Board of the Office for Legal Complaints (the Legal Ombudsman).

Jane has extensive knowledge and experience of public service regulation. She has worked with local authorities across England as a consultant for the Improvement and Development Agency for Local Government, and was the first Executive Director of the Centre for Public Scrutiny. Prior to joining the LGO, Jane was Deputy Chief Executive at the Local Better Regulation Office and a Non-Executive Director of Coventry Primary Care Trust.

Professor Dame Shirley Pearce DBE

Appointed: 13 March 2018

Term ends: 12 March 2023



Shirley has held senior executive and non-executive roles in higher education, health and policing. She is currently Chair of Governors of the London School of Economics and Political Science, a member of the Higher Education Quality Assurance Panel for the Ministry of Education in Singapore and a Trustee for the Royal Anniversary Trust. Shirley is also a member of the Advisory Board of HCA UK.

In 2013 Shirley was appointed by the Home Secretary as the inaugural Chair of the College of Policing (the first professional body for policing) where she oversaw the introduction of the first Code of Ethics for policing based on the Nolan Principles. She was also a Board member of the Higher Education Funding Council for England, the Healthcare Commission and Health Education England.

Shirley was Vice Chancellor of Loughborough University from 2006 – 2012, where she delivered a new strategy for the University which saw a significant increase in turnover, closer working with industry partners and research success in the Research Excellence Framework alongside a top-rated student experience. Earlier in her academic career she held appointments at University College London (UCL) and the University of East Anglia (UEA) where she established a new medical school with an innovative curriculum and a focus on primary care and inter-professional learning.

In 2005, Shirley was awarded a CBE for services to education in the National Health Service and in 2014 was appointed DBE for services to Higher Education.

Jane Ramsey

Appointed: 1 September 2016

Term ends: 31 August 2021



Jane is currently Chair of Young Epilepsy and Chair of the Children and Young People Steering Group for Transforming Care, NHS England.

Jane was previously Chair of Cambridge University Hospitals NHS Foundation Trust. She joined the Trust in November 2012 from University College London Hospitals (UCLH) where she was Vice Chair. She has previously served on the Council of the Royal Pharmaceutical Society, the Department of Health Audit and Risk Committee, chaired a local Housing Association and has been Head of Law for two London boroughs. She also served on the

Independent Commission into regeneration and wealth creation in non-Metropolitan areas established by the Local Government Association.

Monisha Shah

Appointed: 1 December 2015

Term ends: 30 November 2020



Monisha is a media professional with a specific interest in the creative industries and higher education. Among her contributions to public life, she is Chair of Rose Bruford College of Theatre and Performance, Trustee of the Donmar Warehouse and of the Art Fund. She is also a serving member on the Board of Office for Students, member of the Ofcom Content Board and lay member of the Queen's Counsel appointments panel. In her previous roles, Monisha has served as Trustee of Tate, National Gallery, Foundling Museum and ArtUK. She has also served on several panels as an independent member including on the challenge group for the Triennial reviews of the British Council and the British Film Institute. From 2000-2010, Monisha worked at BBC Worldwide as Director of Emerging Markets in Europe, Middle East, India and Africa, and represented the BBC on subsidiary and joint venture boards. She holds a post-graduate degree from SOAS and an executive MBA from the London Business School. In 2009, she was elected Young Global Leader by the World Economic Forum.

Rt Hon Lord Stunell OBE

Appointed: 1 December 2016

Term ends: 30 November 2019



The Rt Hon Lord Stunell OBE is a Liberal Democrat Life Peer and joined the House of Lords in October 2015. Lord Stunell previously sat in the House of Commons as MP for Hazel Grove from 1997 to 2015. He was Parliamentary Under Secretary of State for Communities and Local Government from 2010 to 2012 in the coalition government. Lord Stunell has extensive experience within the Liberal Democrat party, including as Shadow Secretary of State for Communities and Local Government (2006 to 2007), Shadow Secretary of State for the Office of the Deputy Prime Minister (2006 to 2006) and Liberal Democrat Commons Chief Whip (2001 to 2006). He served as a local government councillor for 25 years from 1979.

Members' attendance (1 July 2017 – 31 June 2018)

6.6 The table below shows the total number of meetings that each member of the Committee could have attended, and the number actually attended, between 1 July 2017 and 31 June 2018.

Name	Possible meetings	Meetings attended
Lord Bew	12	12
Rt Hon Dame Margaret Beckett DBE MP	12	9
Sheila Drew Smith OBE	8	6
Simon Hart MP	11	8
Dr Jane Martin CBE	12	10
Professor Dame Shirley Pearce	3	2
Jane Ramsey	12	12
Monisha Shah	12	9
Rt Hon Lord Stunell OBE	12	12

6.7 In addition to monthly Committee meetings, members attend a variety of other meetings and briefings in relation to the business of the Committee.

Remuneration

6.8 Independent Committee members may claim £240 for each day they work on Committee business. The Chair is paid on the basis of a non-pensionable salary of £500 per day, with the expectation that they should commit an average of 2–3 days a month, although this can increase significantly during Committee reviews. All independent members are reimbursed for expenses necessarily incurred.

6.9 For the period 1 July 2017 to 31 June 2018, Committee members, other than the Chair, claimed a total of £39,804.75 in fees and expenses. The Chair claimed £45,429.03 in fees and expenses.

Research Advisory Board

6.10 The Committee's work is supported by a Research Advisory Board. The current Board members are:

- **Professor Mark Philp** (Chair), Professor, Director of the European History Research Centre and Director of Research, Department of History, University of Warwick;
- **Professor Cees van der Eijk**, Professor of Social Science Research Methods and Director of Social Sciences Methods and Data Institute, University of Nottingham;

- **Jean Martin**, Formerly Office for National Statistics and University of Oxford; and
- **Dr Wendy Sykes**, Director of Independent Social Research Ltd and Member of the Social Research Association’s implementation group on commissioning social research.

6.11 The Committee also part-funds Esmeralda Bon, a PhD student at the University of Nottingham, through an ESRC CASE scholarship.

Secretariat

6.12 The Committee is assisted by a Secretariat consisting of Lesley Bainsfair (Secretary to the Committee); Ally Foat (Senior Policy Advisor); Dee Goddard (Senior Policy Advisor); Stuart Ramsay (Senior Policy Advisor); and Amy Austin (Office Manager). Maggie O’Boyle provides press and communications support.

7. Annex C: Data Protection

7.1 The Committee is meeting its obligations under the General Data Protection Regulation (GDPR), which came into effect on Friday 25 May 2018. We have published a [personal information policy](#) on our website setting out how personal data that we hold is acquired, processed, stored, transferred and deleted.

7.2 Any queries about the privacy notice should be addressed to the Committee Secretary at 1 Horse Guards Road, London, SW1A 2HQ, tel: 020 7271 2948, email: public@public-standards.gov.uk.

8. Annex D: Financial Information

Expenditure	2016-2017 (£)	2017-2018 (£)
Staff costs and fees	197,766	268,343.66 ¹⁰
Other running costs	69,602	60,130.39
Total net expenditure	267,368	328,474.05

8.1 As an advisory Non-Departmental Public Body (NDPB), the Committee receives its delegated budget from the Cabinet Office. Day-to-day responsibility for financial controls and budgetary mechanisms are delegated to the Secretary of the Committee including responsibility for certain levels of authorisation and methods of control. Creation of all new posts and the use of external resources are subject to the approval of the Cabinet Office Approvals Board.

¹⁰ The increase in staff costs is due to filling staff posts that were vacant in 2017/17.

- 8.2 The Secretary and the rest of the Secretariat are permanent civil servants employed by the Cabinet Office or on secondment from other departments.
- 8.3 Whilst the core Secretariat has been reduced to five members of staff (4.6 full-time equivalent employees), the Secretary can and has used the budget to buy-in additional time limited resource to service specific reviews. This level of resource necessarily constrains the choices the Committee makes in relation to its work programme and, together with the time taken to secure approvals, may affect its ability to respond quickly and comprehensively to standards issues as they emerge.
- 8.4 The Secretary to the Committee is responsible for setting out the outputs and outcomes which the Committee plans to deliver with the resources for which they have delegated authority, and for reporting regularly on resource usage and success in delivering those plans. The Secretary is also responsible for maintaining a robust system of internal control over the resources for which they have delegated authority, and for providing the accounting officer with assurances that those controls are effective.
- 8.5 For the financial year 2017-18, the Committee's budget was £313,756.00, with a final outturn of £328,474.05. The overspend of £14,718.05 was due to the additional, unexpected review of the Intimidation in Public Life and filling staff vacancies. These figures are subject to audit by the National Audit Office.

9. Annex E: Reports and Publications

9.1 The Committee has published the following reports:

- [MPs' Outside Interests](#) (July 2018)
- [The Continuing Importance of Ethical Standards for Public Service Providers](#) (May 2018)
- [Intimidation in Public Life – A Review by the Committee on Standards in Public Life](#) (Cm 9543) (December 2017)
- [Striking the Balance - Upholding the Seven Principles of Public Life in Regulation](#) (Cm 9327) (September 2016)
- [Ethical Standards for Public Service Providers: Guidance](#) (December 2015)
- [Tone from the top - leadership ethics and accountability in policing](#) (Cm 9057) (June 2015)
- [Ethics in Practice: Promoting Ethical Standards in Public Life](#) (July 2014)
- [Ethical standards for providers of public services](#) (June 2014)
- [Strengthening transparency around lobbying](#) (November 2013)
- [Standards matter: A review of best practice in promoting good behaviour in public life](#) (Cm 8519) (January 2013)
- [Political Party Finance - Ending the big donor culture](#) (Cm 8208) (November 2011)

- [MPs' Expenses and Allowances: Supporting Parliament, Safeguarding the Taxpayer](#) (Cm7724) (November 2009)
 - [Review of the Electoral Commission](#) (Cm7006) (January 2007)
 - [Getting the Balance Right: Implementing Standards of Conduct in Public Life](#) (Cm6407) (January 2005)
 - [Defining the Boundaries within the Executive: Ministers, Special Advisers and the permanent Civil Service](#) (Cm 5775) (April 2003)
 - [Standards of Conduct in the House of Commons](#) (Cm 5663) (November 2002)
 - [The First Seven Reports - A Review of Progress - a stock-take of the action taken on each of the 308 recommendations made in the Committee's seven reports since 1994](#) (September 2001)
 - [Reinforcing Standards](#), This Report reviewed the implementation of the recommendations contained in the First Report.
 - [Standards of Conduct in the House of Lords](#) (Cm 4903) (November 2000)
 - [Reinforcing Standards](#) (Cm 4557) (January 2000)
 - [The Funding of Political Parties in the United Kingdom](#) (Cm 4057) (October 1998)
 - [Review of Standards of Conduct in Executive Non-Departmental Public Bodies \(NDPBs\), NHS Trusts and Local Public Spending Bodies](#) (November 1997)
 - [Standards of Conduct in Local Government in England, Scotland and Wales](#) (Cm 3702) (July 1997)
 - [Local Public Spending Bodies](#) (Second Report (Cm 3270) (June 1996)
 - [Standards in Public Life](#) (First Report (Cm 2850)) (May 1995)
- 9.2 Between 2004 and 2012 the Committee also undertook biennial surveys of public attitudes towards conduct in public life. Findings were published in 2004, 2006, 2008, 2011 and 2013.

Annual Report 2017-18

Published by the Committee on Standards in Public Life

**The Committee on Standards in Public Life
Room GC07
1 Horse Guards Road
London SW1A 2HQ**

Tel: 020 7271 2948

**Internet: <https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>
Email: public@public-standards.gov.uk**

July 2018

Ethical Standards and Member Development Committee

7 December 2018

Subject:	Annual Review – Register of Members’ Interests and Gifts and Hospitality Register
Director:	Director - Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer:	Trisha Newton Trisha_newton@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Ethical Standards and Member Development Committee:

- 1.1 Considers the Register of Members’ Interests and Gifts and Hospitality Register and declaration of interests made by Members

- 1.2 Notes the contents of this report and makes any relevant recommendations to the Director - Monitoring Officer after consideration of the Register of Members’ Interests and Gifts and Hospitality Register.

1 PURPOSE OF THE REPORT

Register of Members’ Interests

- 1.1 The statutory requirements relating to the Register of Members’ Interests are set out in Section 29 of the Localism Act 2011. It requires the Monitoring Officer to establish and maintain a Register of Members’ Interests which also includes the interests of co-opted members of the Council.

- 1.2 The Council’s present arrangements comply with the statutory provisions.

- 1.3 The statutory requirements also provide that the Council must ensure that copies of the Register are available at an office of the authority for inspection by members of the public at all reasonable hours.
- 1.4 The Register is available for inspection at the Sandwell Council House upon a request being made to the Monitoring Officer.
- 1.5 The Members' Register of Interests is available for the public to view on the Council's website.
- 1.6 The Council's arrangements enable 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).
- 1.7 One to one meetings with the Monitoring Officer and senior legal staff have been offered to members.
- 1.8 The Registers are periodically reviewed by the Monitoring Officer.
- 1.9 The work programme provides for an annual review of the Register. The paper Register will therefore be available at the meeting for members to peruse.

Gifts and Hospitality Register

- 1.10 Guidance is available to all members on how to treat offers of gifts and hospitality and the process for declaring such offers. This guidance forms part of the Council's Constitution. This guidance was last reviewed by the Committee in March 2015 as part of the review of the Code of Conduct.
- 1.11 The Monitoring Officer maintains 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 is available for inspection by the public at all reasonable hours. Declarations of gifts and hospitality by individual members are also recorded on the Committee Management Information System [CMIS] on the Council's web site and can be accessed at any time from the internet.
- 1.12 The Registers are periodically reviewed by the Director - Monitoring Officer.
- 1.13 The Committee last inspected the Register of Interests in September 2017 and its work programme provides for an annual review of the Register. The paper Register will therefore be available at the meeting for members to peruse.

2 IMPLICATIONS FOR SANDWELL'S VISION

Maintenance of the Members' Register of Interests contributes to public confidence in local democracy and is an essential part of good corporate governance.

The Members' Register of Gifts and Hospitality is an important instrument of openness and good governance. It provides an accessible record of the gifts and hospitality received by members. Monitoring and review of the Register will help to contribute to better corporate governance which underpins the delivery of high quality services.

3 STRATEGIC RESOURCE IMPLICATIONS

3.1 There are no strategic resource implications arising from this report.

4 LEGAL AND GOVERNANCE CONSIDERATIONS

The Authority has a statutory duty under the Localism Act 2011 to promote and maintain high standards of conduct by Members. The Authority is also obliged to have in place a Code of Conduct.

The new standards arrangements are set out in chapter 7 of the Localism Act 2011, and in secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosure of Pecuniary Interests) Regulations 2012.

The Localism Act 2011 strengthens requirements on members to register and disclose interests.

The Localism Act 2011 (and Regulations made under the Act) did not include any provisions requiring Members' or co-opted Members' to register Gifts and Hospitality, which was formerly the case. However, the Council does still have a duty to promote high standards of conduct by Members' and co-opted Members'.

The Members' Code of Conduct describes the interests of any person from whom a member has received a gift or hospitality with an estimated value of at least £100.00 as other registerable interest of the member.

The Protocol for Members' on Gifts and Hospitality sets out important guidance for Members' on the acceptance of Gifts and Hospitality.

Maintaining a Protocol on Gifts and Hospitality also assists the Council to comply with the requirements of the Bribery Act 2010. Under the Bribery Act 2010 all employees and Elected Members' are prohibited from soliciting, arranging or accepting bribes intended for the benefit of the Council, or for their personal benefit, or for the benefit of the employee's family, associates or acquaintances.

5 EQUALITY IMPACT ASSESSMENT

5.1 There is no requirement for an equality impact assessment.

6 DATA PROTECTION IMPACT ASSESSMENT

6.1 There is no requirement for a data protection impact assessment.

7 CRIME AND DISORDER AND RISK ASSESSMENT

7.1 There is no requirement for a crime and disorder and risk assessment.


APPENDICES:

None

Surjit Tour
Director – Monitoring Officer

Ethical Standards and Member Development Committee

7 December 2018

Subject:	Allegations Update
Director:	Director - Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer(s):	Philip Tart Philip1_tart@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Committee:

Note details of complaints received in relation to member conduct and the progress and outcome of consideration of these complaints.

1 PURPOSE OF THE REPORT

- 1.1 The Ethical Standards and Member Development Committee receives reports from time to time on complaints received in respect of member conduct and the progress and outcome of consideration of these complaints.
- 1.2 This report provides a brief summary of updated information on current complaints in accordance with the Council's arrangements for dealing with Code of Conduct matters.

2 IMPLICATIONS FOR SANDWELL'S VISION

The increased awareness of the work of the Ethical Standards and Member Development Committee will help promote higher standards by enabling better decision-making.

3 STRATEGIC RESOURCE IMPLICATIONS

3.1 There are no strategic resource implications arising from this report.

4 LEGAL AND GOVERNANCE CONSIDERATIONS

4.1 The new standards arrangements are set out in chapter 7 of the Localism Act 2011, and in secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosure of Pecuniary Interests) Regulations 2012.

5 APPENDICES:

Allegations Update

Surjit Tour
Director – Monitoring Officer

SCHEDULE OF COMPLAINTS

Complaints subject to formal investigation in accordance with the Arrangements for Dealing with Standards Allegations under the Localism Act 2011

1. Case Reference: MC/02/0717

Allegations concerning land sales to a Councillor when displaced from his home by a Compulsory Purchase Order (CPO). The matter has been subject to an investigation and a draft report prepared. Some further investigation work has had to be undertaken which means that the report is still to be completed. The report will then be considered further by the Monitoring Officer once it has been finalised.

2. 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 is ongoing and will be considered further by the Monitoring Officer once the investigation has been concluded and a report prepared.

Other Matters

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

Ethical Standards and Member Development Committee

7 December 2018

Subject:	National Cases
Director:	Director - Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer(s):	Trisha Newton Principal Democratic Services Officer Trisha_newton@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Ethical Standards and Member Development Committee:

1. note the contents of the report and the case at Appendix 1 and consider any issues for the Council.

1 PURPOSE OF THE REPORT

- 1.1 Within its terms of reference, the Ethical Standards and Member Development Committee has a duty to promote high ethical standards amongst Members. As well as complying with legislation and guidance, the Committee will need to demonstrate learning from issues arising from local investigations and case law. Furthermore it is advisable for the Committee to be kept informed of any particularly notable cases which are publicised as they may also add to learning at the local level.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 High standards of conduct are an essential part of good corporate governance and this in turn has a direct relationship with the delivery of high quality services.

3 STRATEGIC RESOURCE IMPLICATIONS

3.1 There are no resource implications arising from this report.

4 LEGAL AND GOVERNANCE CONSIDERATIONS

4.1 By considering national cases of significance the Ethical Standards and Member Development Committee will be better informed and placed to discharge its duty to promote high ethical standards.

Surjit Tour
Director – Monitoring Officer

Westminster deputy leader took gifts in 50% of his planning cases

It was reported that a Westminster City councillor 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 the Guardian had reported that he had been entertained or received gifts almost 900 times, often from property industry figures, between 2012 and 2017 while in charge of planning in the London borough.

The Conservative councillor 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.

The councillor strongly denied any wrongdoing. He said: “Any suggestion or implication that I have done anything other than to further the interests of the city and its residents, are baseless and strenuously denied.”

The councillor, who was the deputy leader of the council, had held meetings prior to planning committee hearings with 74 applicants in 120 cases that the committee considered in 2016. As he stepped down, he said he had acted at all times with “independence and probity”.

Westminster City announced an investigation into the council’s planning system saying: “Our residents need reassurance that the planning process is not only impartial, but is seen to be impartial.”

The council had appointed James Goudie QC, an independent barrister, to assist the investigation.

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

Sir Stephen Lamport, the independent person overseeing the investigation, said Davis’s judgement was found “wanting” and his “acceptance of gifts and hospitality from developers before or after a planning decision may ... have placed him in a position in which people might seek to influence him in the performance of his duties.”

He said he had not seen any evidence that happened, but it still amounted to a prima facie breach of the code of conduct which will now be examined by the council's standards committee.

The review found that "by accepting the large scale of gifts and hospitality Cllr Davis has not promoted and supported high standards of conduct through leadership and by example".

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

Lamport said Davis' acceptance of such a volume of gifts and hospitality "lay open his reputation, and therefore that of the Council, to a perception – fairly or unfairly – that called into question his personal responsibility to promote high standards of conduct".

Davis stood down from his role as deputy leader in March after an outcry at the scale of the hospitality, but denied any wrongdoing and stood again as a councillor in May's local elections, retaining his seat.

Following an internal investigation led by a senior barrister appointed by the council, he was resigning with immediate effect, bringing to an end his 36 years as a councillor in the borough.

He said: "Earlier this year there was some press coverage concerning the hospitality I received during the course of my duties. To avoid this becoming an issue in this year's elections, I agreed to refer myself to the monitoring officer and stand aside as deputy leader while an investigation was carried out. My approach to declarations has always been to be honest, open and transparent. I have nothing to hide.

"An inquiry has been completed by the council. They have confirmed that none of the declarations I made or hospitality I received influenced decisions I took as a councillor and that nothing I did was unlawful.

"However, they have concluded my actions nevertheless created a perception that was negative to the council. While I dispute this, I wish to draw a line under the matter. It is now time for me to move on to the next stage in my life and for the next generation of councillors to lead Westminster."

Taken from The Guardian 8 March 2018 and 10 October 2018