

## Ethical Standards and Member Development Committee

28 June 2019

<b>Subject:</b>	<b>Appointment to Ethical Standards Sub-Committees, Standards Working Group and Member Development Working Group</b>
<b>Director:</b>	<b>Director of Law and Governance and Monitoring Officer - Surjit Tour</b>
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	Surjit Tour Surjit_tour@sandwell.gov.uk

### DECISION RECOMMENDATIONS

That the Ethical Standards and Member Development Committee:

2.1 Appoints to two Ethical Standards Sub-Committees for the 2019/20 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 of the Ethical Standards Sub Committee

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

Membership

<b>SUB-COMMITTEE 1</b>		<b>SUB-COMMITTEE 2</b>	
Member	Substitute	Member	Substitute
Lewis	Three substitute members taken from remainder of committee	Lewis	Three substitute members taken from remainder of committee
Akhter		Ahmed	
Dhallu		Horton	
Hevican		Simms	
White		White	

2.2 In view of the change in Committee membership for the 2019/20 municipal year, confirm the appointment of members to the Standards Working Group (Chair + 3 members) and the Member Development Working Group (Chair + 3 members).

## **1 PURPOSE OF THE REPORT**

- 1.1 The Localism Act 2011 requires 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).
- 1.2 The Council at its annual meeting held on 21 May 2019 agreed the membership of the Ethical Standards and Member Development Committee for the 2019/2020 municipal year. The Committee now needs to make appointments to the Ethical Standards Sub Committees for this municipal year.
- 1.3 At its meeting on 9 March 2018, the Ethical Standards and Member Development Committee gave approval to the establishment of a Standards Working Group to review to Council's Ethical Framework. The Committee is requested to confirm which three members should be appointed to the Group, alongside the Chair.
- 1.4 At its meeting on 3 November 2017, the Ethical Standards and Member Development Committee gave approval to the establishment of a Member Development Working Group to support the development, implementation and delivery of a revised Elected Member Development Programme. The Committee is requested to confirm which two members should be appointed to the Group, alongside the Chair and Independent Person.
- 1.5 The working groups are not decision-making bodies but will enable matters and issues to be discussed and explored, and reports being prepared for the consideration of the Committee in due course.

## **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 Section 28(6) of the Localism Act 2011 provides that a relevant authority must have in place arrangements under which allegations that a member or co-opted member of the authority has failed to comply with the authority's code of conduct can be investigated, and arrangements under which decisions on allegations can be made. There is no statutory requirement as to the nature of these arrangements.

### **5 RESOURCE IMPLICATIONS**

5.1 There are no direct resource implications arising from this report.

### **6 OTHER OPTIONS CONSIDERED**

6.1 The Committee is required to appoint members to the sub-committees to ensure relevant standards complaints are effectively addressed.

6.2 The Committee is not required to have a working group to review the Ethical Framework, however it is considered good practice to periodically review the Code of Conduct and Arrangements for dealing with complaints and a working group provides a helpful way to undertake such a review. A working group also enables broader discussion and debate to take place on how the Council can promote and maintain higher standards of conduct.

**Surjit Tour**

**Director of Law and Governance and Monitoring Officer**

# MEMBER DEVELOPMENT WORKING GROUP

## Terms of Reference

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### **Purpose**

To support the development, implementation and delivery of a revised Elected Member Development Programme.

To support the accreditation process in relation to the West Midlands Member Development Charter.

### **Membership**

Chairperson of the Standards and Member Development Committee (or his nominee).

Three other Members of the Standards and Member Development Committee (or their nominees)

### **Quorate and Meetings**

At least three Members of the Working Group (inc. their nominees).

Meetings shall be held as required.

### **Decision-making**

To provide a steer in relation to the development, implementation and delivery of the said Programme including the accreditation of the Member Development Charter.

To provide direction in respect of the details, content and methodology of the said Programme.

To agree any additional costs of developing and implementing the development programme.

To agree the final version of the Member Development Programme including methodology, content and implementation.

### **Voting**

By majority vote with the Chairperson or his nominee having a casting vote.

## **Access to Information Rules**

The Working Group is not a constitutional meeting of the council or a sub-committee of the Standards and Member Development Committee and as such is not subject to the Access to Information Rules.

# STANDARDS WORKING GROUP

## Terms of Reference

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### Scope

To review the Council's Ethical Framework, namely:

- Council's Members' Code of Conduct;
- arrangements for Members' Register and declarations of Interest; and
- arrangements for Dealing with Standards Allegations under the Localism Act 2011.

To gather insight, consult and/or gather such data and information from sources as deemed necessary and appropriate to undertake an effective review of the Ethical Framework.

To consider and make recommendations on how the council can discharge its duty to promote high standards of conduct as required under the Localism Act 2011.

To consider and assist the Chairperson of the Committee to formally respond to the Local Authority Ethical Standards: Stakeholder Consultation.

### Membership

Chairperson of the Standards and Member Development Committee.

Three other Members of the Standards and Member Development Committee

Independent Members shall be entitled to attend meetings of the Working Group in an advisory capacity.

The Working Group may invite other members or third parties to working Group meetings as it considers appropriate and necessary to undertake the review.

### Quorate and Meetings

At least three Members of the Working Group.

Meetings shall be held as required.

## **Chairperson of the Working Group**

The Chairperson of the Working Group shall be the Chairperson of the Committee or in his absence the Committee's Deputy Chairperson.

## **Decision-making**

To submit recommendations to the Ethical Standards and Member Development Committee on revisions to the Council's Ethical Framework.

## **Voting**

By majority vote with the Chairperson (or Deputy as applicable) having a casting vote.

## **Access to Information Rules**

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