

# Ethical Standards and Member Development Committee Agenda

**Friday 25 September 2020 at 3.00pm  
Online Virtual Meeting**

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**This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.**

- 1. Apologies**  
To receive any apologies for absence.
- 2. Minutes**  
To confirm the minutes of the meeting held on 13 August 2020 as a correct record.
- 3. Declarations of Interest**  
To receive any declarations of interest from members relating to any item on the agenda, in accordance with the provisions of the Code of Conduct and/or S106 of the Local Government Finance Act 1992.
- 4. Additional Items of Business**  
To determine whether there are any additional items of business arising which should be considered at the meeting as a matter of urgency.

## **Public Items**

- 5. Appointment to Standards Sub Committees**  
To appoint members to the Standards Sub Committees, Standards Working Group and Member Development Working Group.

6. **Committee on Standards in Public Life – Annual Report 2019-20**  
To consider the annual report of the Committee on Standards in Public Life.
7. **Gifts and Hospitality**  
Standing item to consider the gifts and hospitality register.
8. **National Cases**  
Standing item to consider national cases in relation to Member Code of Conduct.
9. **Allegations Update**  
Standing item to consider the update on allegations.

**David Stevens**  
**Chief Executive**

Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands

**Distribution:**

Councillors Ahmed (Vice Chair), Bostan, Dhallu, Hevican, P Hughes, Horton, Mabena and Simms.

Mr John Tew and Mr Richard Phillips [Independent Persons].

Contact: [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk)

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# Minutes of the Ethical Standards and Member Development Committee

13<sup>th</sup> August 2020 at 4.00pm

- Present:** Councillor Ahmed (Vice Chair);  
Councillors Akhter, Dhallu, Hevican, Horton and P Hughes.
- Observers:** Mr John Tew and Mr Richard Phillips (Independent Persons).
- Officers:** Surjit Tour – Director of Law and Governance and Monitoring Officer; Elaine Newsome – Service Manager – Democracy; Phil Challoner – Civic and Member Services Manager; Trisha Newton – Senior Democratic Services Officer.

## 23/20 **Apologies for Absence**

Apologies for absence were received from Councillor Simms.

## 24/20 **Minutes**

With the addition of Councillor Horton included as being in attendance, the minutes of the meeting held on 29<sup>th</sup> June 2020 were agreed as a correct record and signed by the Chair.

## 25/20 **Declarations of Interest**

The Vice Chair, Councillor Ahmed, declared an interest in Minute No. 33/20, Allegations Update, and stated he would leave the meeting. It was agreed that Councillor Hevican would Chair the item in the absence of the Vice Chair.



26/20      **Matter of Urgency**

There were no additional items of business to consider.

27/20      **LGA Member Code of Conduct Review**

Further to Minute No. 22/20 (29<sup>th</sup> June 2020), the Standards Working Group had met in order to make recommendations in relation to the Council's response to the LGA Member Code of Conduct Review consultation.

In addition, the draft Code of Conduct had been circulated to all Members of the Council asking for feedback, along with details of how they could make individual submissions and the webinars available to elected members. The Director of Law and Governance and Monitoring Officer had not received any direct feedback from members, however, provisions were in place for Members to respond directly to the LGA with their input.

The Committee on Standards in Public Life had also provided best practice recommendations and these had been taken into consideration in preparing the Council's submission.

The Committee considered the submission and authorised the Director of Law and Governance and Monitoring Officer to submit the response on behalf of the Council.

**Agreed that:-**

- (1) the Council's response to the LGA Model Code of Conduct is approved;
- (2) that the Director of Law and Governance and Monitoring Officer, be authorised to submit the final response to the LGA concerning the Model Code of Conduct.

28/20

## **Standards Working Group Update**

The Standards Working Group was convened by the Committee with a remit to review the Council's Ethical Framework and had met on three occasions where the following matters had been considered:-

- **Review of the Code of Conduct and Arrangements for Dealing with Standards Allegations**

It was proposed that the review would take place in the Autumn once the LGA had published the Code. The proposed scope of the review and methodology was considered.

- **DBS Checks**

The working group had undertaken to explore corporate policy options in relation to DBS checks for elected members. The matter would be considered at the next meeting of the working group.

- **Registers**

Officers were looking at a self-service option either on CMIS or a facility within the new member portal, to enable members to make revisions to their register of interest. An update would be provided to a future meeting.

- **Retention Policy for Registers**

A report would be submitted to the next meeting of the Standards Working Group with recommendations.

- **Casework**

Concerns were expressed by members that there was no clear guidance with regard to information gathered in relation to casework. A template would be circulated to all elected members to assist with casework/surgeries in relation to GDPR.

- **Remuneration for Independent Persons**

Further to Minute No. 32/19 (4 October 2019), research would be undertaken with regard to remuneration for Independent Persons and this would be included as part of the review of the Code/Arrangements in the Autumn.

**Agreed** that the scope and methodology for the review of the Code of Conduct/Arrangements for Dealing with Standards Allegations by the Standards Working Group is approved.

29/20

**Update on phase two of the Member Development Programme including implementation of the My Councillor Member Portal**

The Elected Member Development Programme (MDP) had been continually designed and led by Members.

Phase one of the MDP had concluded prematurely due to the COVID-19 pandemic. However, all scheduled essential and requested learning was delivered successfully. Additional learning interventions requested were also delivered early this year which coincided with Elected Member Personal Development Plan (PDP) meetings that reviewed phase one and considered future interventions and priorities for phase two.

Whilst priority would be given to the pilot and launch of the 'My Councillor' portal, Civic and Member Services would be working with internal providers to explore ways in which existing courses can be delivered via platforms such as MS Teams.

A series of portal demonstrations had informed the design stage that was nearing completion. A pilot group of Elected Members was established and it was anticipated this pilot would commence from September.

Should the pilot be successful, with minimal amendments to the portal required, a phased introduction would commence preceded by extensive training tailored to the skill set of individual members.

It was agreed that members of the Committee should be participating in the pilot and that Councillors Ahmed and Councillor P Hughes would be added to the pilot group.

30/20      **Gifts and Hospitality**

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

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

This guidance would be reviewed as part of the forthcoming review.

Following the Best Practice recommendations made by the Committee on Standards in Public Life, it was proposed that the Gifts and Hospitality Register was a standing agenda item for future meetings of the Committee.

31/20      **National Case**

The Committee received and discussed details of national case relating to a councillor who had breached the code.

32/20      **Work Programme**

The Committee considered the draft work programme for 2020/21.

**Resolved** that the work programme for 2020/21 be approved and kept under review during the year.



(Councillor Ahmed left the meeting)

33/20      **Allegations Update**

The Committee received details of complaints received in relation to member conduct and the progress on the complaints.

The Committee requested that timescales for dealing with allegations were reviewed and the Monitoring Officer confirmed that this would be looked at as part of the forthcoming review of arrangements.


The Committee requested that the matters listed should be concluded by the end of the calendar year, with a further update to the next meeting of the Committee outlining timescales and reasons if this was not achievable.

**Agreed** that a further update be submitted to the next meeting of the Committee, outlining timescales and reasons, if the end of the calendar year was not achievable for concluding cases.

Meeting ended at 5.02pm.

## Ethical Standards and Member Development Committee

**25 September 2020**

<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 2020/21 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
Ahmed	Substitute members taken from remainder of committee	Ahmed	Substitute members taken from remainder of committee
Hevican		P Hughes	
Bostan		Mabena	
Simms		Dhallu	
Horton		Hevican	
+ Independent Person		+ Independent Person	

2.2 In view of the change in Committee membership, review the appointment of members to the Standards Working Group (Vice Chair + 4 members) and the Member Development Working Group (Vice Chair + 4 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. As two vacancies arose on the Committee, the Emergency Committee gave approval to the appointment of two additional members to the Committee on 18 August 2020. The Committee now needs to make appointments to the Ethical Standards Sub Committees for the remainder of the 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 review which members are appointed to the Group, alongside the Vice Chair. The current membership is Councillors Ahmed (Vice Chair), Dhallu, Hevican, P Hughes and Simms (+ the two independent persons).
- 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 appoint four members, in addition to the Vice Chair, to the Group.
- 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**

## Ethical Standards and Member Development Committee

25 September 2020

<b>Subject:</b>	Committee on Standards in Public Life – Annual Report for 2019-20
<b>Director:</b>	Director of Law and Governance and Monitoring Officer - Surjit Tour
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	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 22 July 2020, the Committee on Standards in Public Life published its annual report for 2019-20.

## **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 2019-20.

**Surjit Tour**

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

**Committee on  
Standards  
in Public Life**

# **Annual Report**

**July 2019 – June 2020**

## 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 pleased to present the Committee on Standards in Public Life's Annual Report 2019-2020, my second as Chair of the Committee.

In last year's report, we looked forward to our 25<sup>th</sup> anniversary of the Committee in October 2019. In the autumn of that year, we produced videos explaining the role of the Committee and what the Principles mean in practice; we planned and held workshops with secondary school students; and held an open 'In Conversation with the Chair' event at the Institute for Government early in 2020. All those events provoked fascinating discussion and debate about the role of the Committee and the continuing relevance of the Nolan Principles which will help shape our future work.

What we could not have foreseen a year ago was a pandemic that is rapidly transforming the world. This global crisis is testing government, public services, businesses and families, forcing huge and rapid shifts in national priorities and in society itself. Government has had to ask a lot of the public and of public servants, and we have all had to accept unprecedented limits and restrictions on our way of life.

In a crisis of this scale, people need to trust the government and see that it is acting in their best interests. Government must make difficult judgements and complex decisions to steer the country. Inevitably not all of those decisions will prove right. Being honest with the public, and as open as possible, will be important to maintaining the public's consent and compliance – and their trust in the longer term. The long-standing Nolan Principles set the standards for all those serving the public – from Ministers to front line workers.

At times like these it is understandable that normal processes may be curtailed in order to respond to critical events. Nevertheless, as we move towards a new normal, effective scrutiny and challenge will be vital in order to ensure that standards are embedded in the new structures and processes that emerge.

The Committee's AI report examined how to maintain high standards in the face of new and fast-moving technology, and has some clear parallels for dealing with the risks to accountability, objectivity and openness posed by dealing with COVID-19.

The Committee on Standards in Public Life will maintain an active watching brief over the coming year on the impact of COVID-19 on standards in local and national government, and intends to contribute to reviews and inquiries on these issues. We have also announced a new review into electoral regulation, an issue that is important to the integrity of elections and public confidence in our democracy.

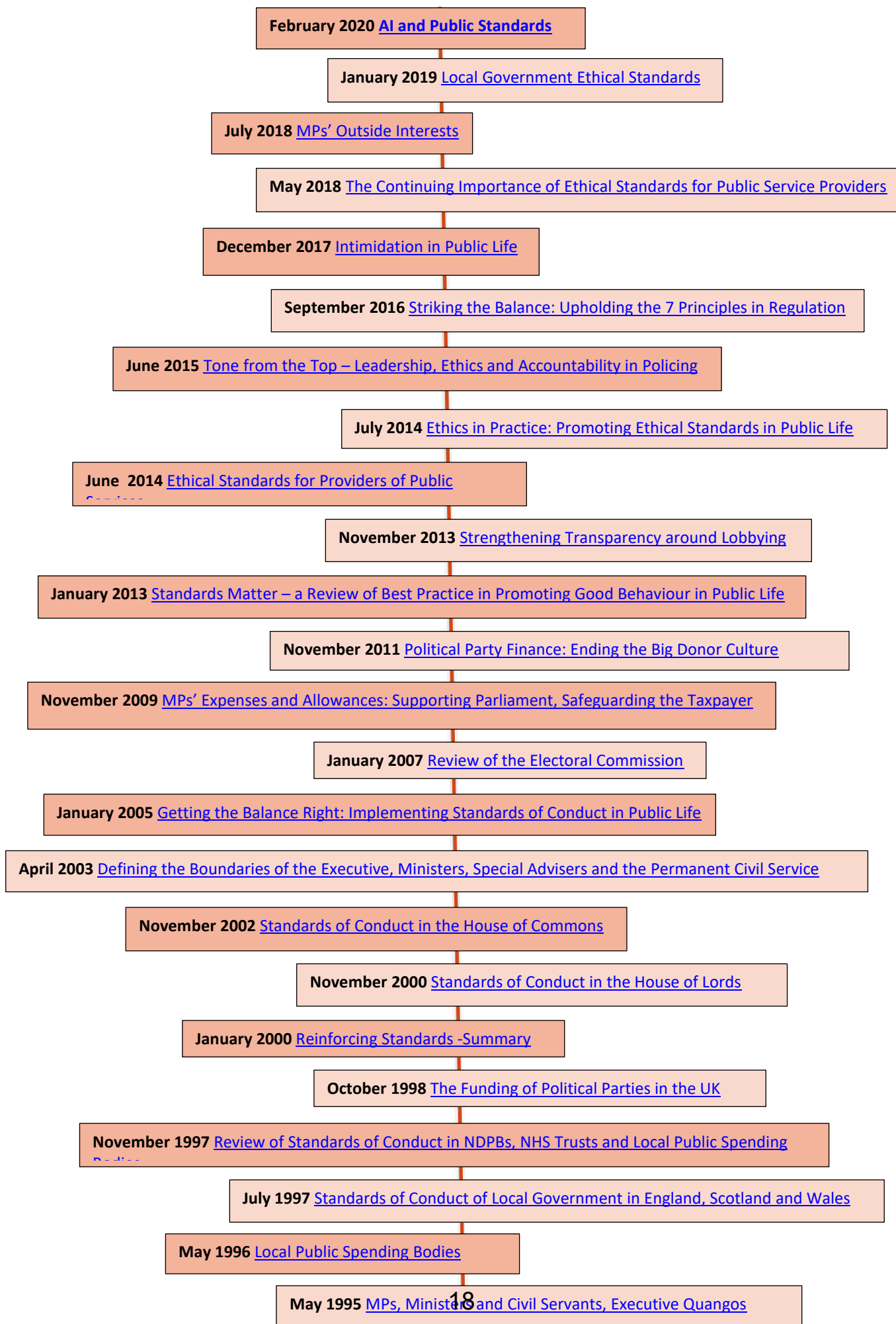
The highlight of this year for me was the workshops we held with young people asking for their views on the Principles. The students were, without exception, bright, engaged and committed to the highest standards in public life. They understood the challenges and the complexities, but recognised the overriding importance of 'doing the right thing'.

The Committee's vision then remains to reinforce clear expectations across public life of high standards of conduct. Now, more than ever, it is a time to make the Principles heard.

**Lord (Jonathan) Evans of Weardale KCB DL**  
**Chair**



# Our reports



# July 2019/June 2020

## Key areas of focus for the Committee

### **AI and Public Standards**

AI report published February 2020  
Interviews  
Meetings  
Roundtables  
Focus groups  
Conferences  
Written submissions  
Desk research  
Speeches

### **The Committee's 25<sup>th</sup> Anniversary 1994 - 2019**

Produced 8 films about the Principles of Public Life and the work of the Committee  
Held workshops for 6<sup>th</sup> form students to discuss the Principles  
Produced map of the standards landscape  
Held 'In Conversation with the Chair' event

### **Intimidation in Public Life**

Follow up work with political parties and The Jo Cox Foundation on a joint statement of behaviour  
Attending external meetings, interviews, blogs, articles

### **Local Government Ethical Standards**

Follow up work. Liaising with government, the Local Government Association, speaking at sector conferences – Centre for Public Scrutiny Conference, December 2019 and the LGA civility in public life programme launch, December 2019.

### **Parliament: Bullying and Harassment**

Close watching brief, reviewing Parliamentary authorities' responses  
Meetings with parliamentary authorities  
Blogs and articles

***Contributed to external consultations, speeches, participation in external meetings, induction events, articles, blogs, presentations to international delegations.***

# Committee membership: June 2019 -July 2020

## Terms of appointment



**Dr Jane Martin CBE**  
(1 Jan 2017 – 31 Dec 2021)



**Dame Shirley Pearce DBE**  
(31 Mar 2018 – 30 Mar 2023)



**Jane Ramsey**  
(1 Sep 2016 – 31 Aug 2021)



**Monisha Shah**  
(1 Dec 2015 – 30 Nov 2020)



**Rt Hon Dame Margaret Beckett DBE MP**  
**(Labour)** (Reappointed 31 Oct 2019 – 30 October 2022)



**Simon Hart MP (Conservative)**  
(24 Jul 2017 – 28 Jul 2019)



**Rt Hon Lord Stunell OBE**  
**(Liberal Democrat)**  
(Reappointed, 1 Dec 2019 – 30 Nov 2022)



**Rt Hon Jeremy Wright QC MP**  
(21 Nov 2019 – 20 Nov 2022)



**Chair, Lord Evans of Weardale KCB DL**  
(1 Nov 2018 – 31 Oct 2023)

*Independent Chair and 4 independent members, appointed under the governance code for public appointments, for 5 years, non-renewable appointments.*

*3 political representatives, appointed for 3 years, renewable appointments.*

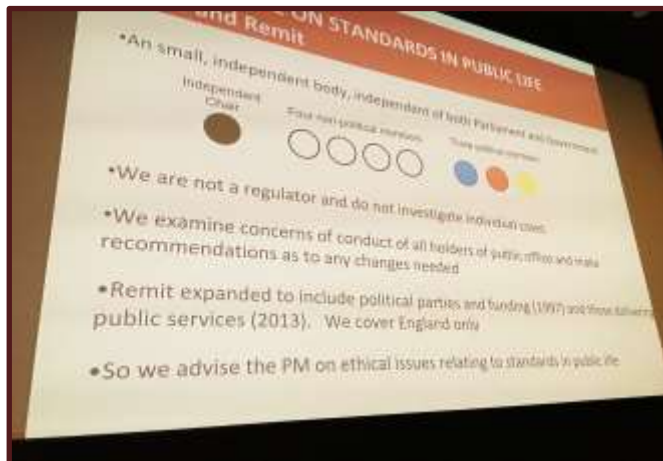
*All appointments made by the Prime Minister.*

## Introduction

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

The maintenance of high standards in public life is important for the good functioning of society as a whole, it 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.

The Committee seeks to identify areas of concern in conduct and behaviours and undertakes impartial, balanced and comprehensive reviews with recommendations based on robust evidence. Our independence of both Government and Parliament is key. We make informed contributions to public debates about ethical standards, including submissions to public consultations; and we proactively identify and respond to emerging ethical risks, and engage with a wide-range of partners on the ethical standards agenda.



The Committee plays a key role in examining areas of concern and maintaining a watching brief on standards in public life. We are not a regulator so we have no statutory powers and no remit to investigate individual cases. Instead we use a variety of means to do our work, to gather evidence, to influence, and to make sure our voice is heard.

It is a broad field so we are committed to working with others to ensure this vision of high ethical standards is met and that the Principles of Public Life are understood and embedded

across public life. We have been pleased to hear directly from those also playing important roles in this landscape.

Our effectiveness depends on our ability to build powerful arguments using research and evidence which convinces others to take forward our recommendations for change.

In this report, we describe how we have carried out these activities in areas that have been our priorities in the period July 2019 – June 2020.

Factual information about the Committee's remit, membership, data protection, financial information, reports published, speeches and meetings, and our Research Advisory Board can be found in Annexes A-G and on our website.

**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.**

## Review of activities: July 2019 – June 2020

### AI and Public Standards



*“Demonstrating high standards will help realise the huge potential benefits of AI in public service delivery. However, it is clear that the public need greater reassurance about the use of AI in the public sector.”*

Lord Evans, 10 February 2020

The main focus of our work during 2019 was a major review into artificial intelligence and public standards. This was a new area of research for the CSPL, but highly relevant as technologically assisted decision-making is adopted more widely across the public sector. The report examined the future of public service delivery and sought to identify any challenges or opportunities for public standards as advanced data-driven technology is introduced to the public sector.

We collected a wide range of evidence, meeting individually with experts in the field from government, academia, and the public and private sectors, holding roundtables and attending external conferences and workshops. We held focus groups with the public and commissioned public polling on attitudes to AI. The Committee is indebted to all those who willingly gave up their time to contribute to our review.



**AI roundtables held at 1 Horse Guards Road, 23 May 2019; Imperial College, 29 May 2019; and Admiralty House, London, 5 June 2019.**

The report found that three of the Seven Principles of Public Life were of particular relevance to AI: openness, accountability and objectivity. The Committee recognised the huge opportunities offered by AI but determined that the government is currently failing on openness regarding its use of this new technology, and that risks needed to be mitigated to uphold accountability and openness.

The report made a number of recommendations to government, regulators, and public bodies on the regulation and governance of AI in the public sector. Notably, the Committee found that all regulators will need to adapt to a new data-driven world, and that a central body will need to assist in this transformative process.

The Committee endorsed the government’s plan for the CDEI to be put on a statutory footing to oversee the regulatory landscape and to advise the government on the issues associated with AI. We also recommended that new guidance be developed on the Equality Act, to ensure that our anti-discrimination law is fit for purpose in the 21st century.

We are very grateful to the [Francis Crick Institute](#) which kindly hosted the launch of our report on 10 February 2020. We are also grateful to all those that contributed so generously with their time and expertise, throughout the course of the review, in particular Professor Nick Jennings CB, FEng, [Vice-Provost for Research and Enterprise](#) and Professor of Artificial Intelligence at [Imperial College London](#) who chaired and hosted one of our roundtables and also chaired the launch of the report.

*“The report ought to be seen as the beginning of a conversation, rather than the end.”*  
Lord Evans, Public Technology.net

The report was well received and we are pleased that government and regulators are moving forward with our recommendations and look forward to the government’s formal response.

Committee members have been invited to speak at conferences and AI policy roundtables in late 2020 (to be confirmed due to COVID-19).

*“Although it’s aimed primarily at government, regulators and public bodies, it’s a superb resource for anyone thinking about AI governance”*  
CogX

## Local Government Ethical Standards – follow up

The Committee continued to follow up its report into local government ethical standards, published in January 2019. The Committee has had a long-standing interest in local government - the Committee's third report, in 1997, was on local government - and 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.



*“The starting place is the maintenance of high standards and this is primarily about personal responsibility. All organisations make mistakes and things go wrong from time to time. What is important is people taking responsibility, setting clear expectations around standards of conduct and maintaining a vigilant, ethical culture to support that.”*

Dr Jane Martin, 3 December 2019.

The review, published on 30 January 2019, considered 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, and an ethical culture in local government.

The report was well received in the sector. Since publication, we have followed up by liaising with leadership organisations in the sector, the Local Government Ombudsman (LGO) and the Ministry of Housing, Communities and Local Government (MHCLG).

Dr Jane Martin, our independent member who led the report, was invited to speak at the Centre for Public Scrutiny's Local Government Scrutiny Conference on 3 December 2019.

We are delighted that the Local Government Association (LGA) has launched its consultation on a Model Member Code of Conduct (June 2020). A (non-mandatory) code of conduct was a key recommendation of our report. Dr Martin was the opening speaker at the launch of the LGA's civility in public life programme in December 2019. The three broad aims of this programme were to address a new model code of conduct for councillors; the toxicity of public debate; and the intimidation of people in public life.

We still await, however, the government's response to our report.

We stated in the report, that we would review local councils' take up of our best practice recommendations in 2020. We still intend to follow up those best practice recommendations in 2020, but in view of the urgent pressures local councils are facing, we will hold off doing so until later in the year when circumstances allow.



## Intimidation in Public Life – follow up



We have continued actively to follow up our December 2017 report, Intimidation in Public Life - a review the Committee undertook at the request of the Prime Minister in July 2017.

The report examined the shocking intimidation experienced by candidates at the 2017 General Election, and significantly highlighted the wider effect intimidation has on public life. The problem has not gone away and intimidation remains a real danger to our democracy.

In that report, we made 33 recommendations to:

- government
- social media companies
- political parties
- press organisations
- MPs
- candidates
- other public office-holders.

The government responded formally to the report in March 2018 committing to action on most of the recommendations made to it. The government published a further response on 7 March 2019 giving an update on action taken in response to the report. We welcomed the government's 'Protecting the Debate' – the Government's response to their consultation on proposals aimed at protecting the electoral system against intimidation and undue influence of candidates, campaigners and voters.

Since the publication of the report, we have been actively following up responses to our recommendations. This reporting year we have received further [correspondence](#) from social media companies. The Committee has attended meetings with the Parliamentary authorities to discuss the security offer to MPs and the Chair has written a [blog post](#) and given media interviews on the impact of intimidation on our democracy. In September the Chair wrote an [open letter](#) to all public office holders on the tone of public debate and the importance of upholding public standards. In October the Chair and Committee member, Jane Ramsey, gave [oral evidence](#) to the Home Affairs Select Committee (HASC) inquiry into Hate Crime and its Violent Consequences.

The Committee continued its partnership with [The Jo Cox Foundation](#). We have been working with The Foundation to agree with political parties a consensus on the behaviour that party members should aspire to and the conduct that parties agree is not acceptable. This follows the Committee's meetings with the political parties with seats in Westminster in November 2018 and March 2019.

During the December 2019 General Election campaign, the CSPL and The JCF jointly published a 3-point pledge calling on all candidates to pledge to:

- set an appropriate tone when campaigning
- lead by example to foster democratic debate
- promote and defend the dignity of others, including opponents.

The general election pledge had significant pick-up on social media and it was endorsed by candidates from across the parties.

## Parliament: Bullying and Harassment

*The Committee believes that all those who work in and around Parliament – or support Parliamentarians in their constituency offices – deserve to be treated with courtesy and respect both by their colleagues and by MPs and Peers.*

During this reporting year, the Committee has continued to take a close and serious interest in the response of the Parliamentary authorities to the independent assessments of what must be done to address bullying and harassment in both Houses of Parliament.

The reports by Dame Laura Cox, Gemma White QC and Naomi Ellenbogen QC had revealed systemic cultural issues and troubling accounts of bullying and harassment experienced by staff, from other staff and Members, echoing the accounts first reported by the media in autumn 2017.

While progress has been slow, which to some extent reflects the complexity of the range of employer relationships in Parliament and the very specific nature of Parliament as a workplace, there have been significant developments this year.

The Committee welcomed the move to open up [The Independent Complaints and Grievance Scheme](#) to those who either have complaints pre-dating June 2017 or are no longer employed in the parliamentary community. It was also encouraged by the consultation on the implementation of a fully independent process for determining complaints of bullying, harassment or sexual harassment in the Commons. The Committee was pleased to see the announcement by the House of Commons Commission on 27 April 2020 that it had approved plans to establish a new Independent Expert Panel to ensure that complaints relating to bullying and harassment in the Commons are determined entirely independent of MPs. We will watch with interest to see if the House approves this recommendation.

In the Lords, a new Conduct Committee has been appointed, with four lay members (for the first time) with full voting rights working alongside five Lords members to hear appeals and oversee the Code of Conduct. The Committee welcomed developments in the Lords early in 2020, particularly regarding Valuing Everyone Training and the Conduct Committee's decision to amend the code of conduct to empower the Lords Commissioner for Standards to restrict access to relevant services of the House by a member while under investigation for bullying, harassment or sexual misconduct.

Alongside institutional reform, cultural change is crucial to embedding the values that should be expected in any public sector workplace. The progress made here so far has been positive. However, long lasting cultural change takes time and the Committee will continue to actively monitor progress.

The Committee has continued to hold meetings with senior people in Parliament responsible for delivering change and providing visible leadership in building a culture of respect and value across both Houses.

In November 2019, the Committee published a [blog post](#) which called on the new Speaker to make addressing bullying and harassment a priority. In February 2020, the Committee contributed to the consultation on the implementation of a fully independent complaints process.

The [published minutes](#) of Committee meetings have recorded the active watching brief the Committee maintains in this area.

## 25<sup>th</sup> anniversary of the Committee, 1994 - 2019



On 25 October 1994, the Rt Hon Sir John Major [announced](#) the setting up of the Committee on Standards in Public Life; Lord Nolan's first [report](#) was published in May 1995.

That report and the Committee's subsequent reviews have led to fundamental change across standards in public life over the past 25 years. The Committee is not complacent though. Building and maintaining an ethical culture requires constant attention.

We continue to monitor standards and publish reviews of areas already of concern, such as [Intimidation in Public Life](#); we undertake health checks of current areas, such as [Local Government Ethical Standards](#); or we can look ahead at how standards may be affected in new ways, such as [AI and Public Standards](#).

During the period of this report, we have marked our anniversary in four ways:

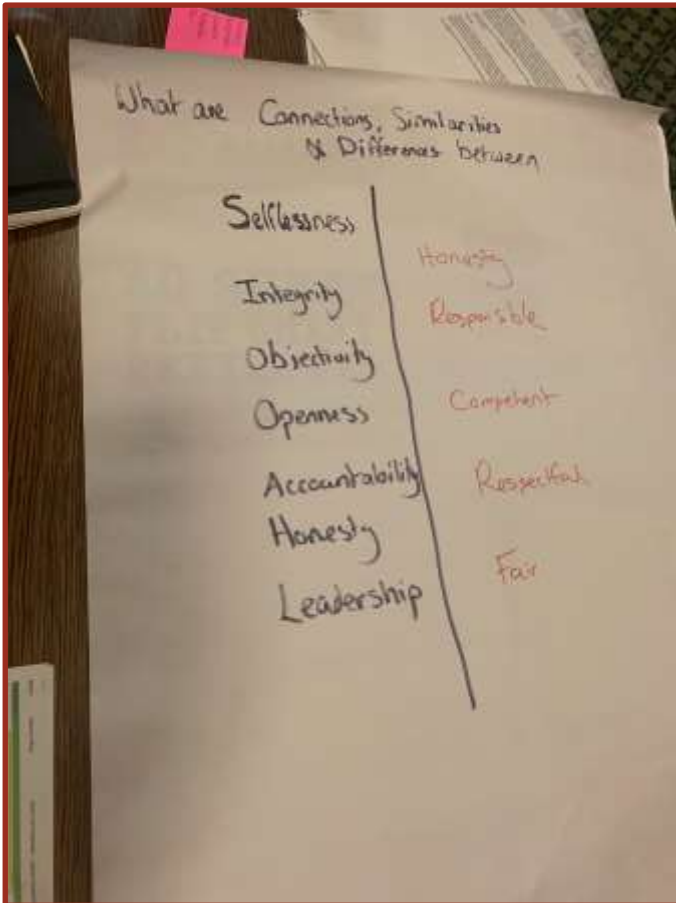
1. We held two workshops with sixth form students to talk about the Principles
2. We produced videos explaining the Principles and the role of the Committee in Standards in Public Life
3. We held an 'In Conversation with the Chair' event at the Institute for Government
4. We commissioned Rebecca Dobson Phillips, Doctoral Researcher and Tutor at the Centre for the Study of Corruption, University of Sussex to map the UK's complex standards landscape.

### Sixth form workshops

We held two workshops with students on 12 November 2019 in Westminster Hall. We are grateful to the [Commonwealth Parliamentary Association](#) and the [Inter-Parliamentary Union](#) for hosting these workshops.



The students were aged 16-18 and from schools across the UK – Oxfordshire, Northern Ireland, Yorkshire, Somerset, Newcastle, Enfield and Ealing. We wanted to re-test the Principles of Public Life with young people 25 years on from the Principles' first articulation. We wanted to see what



young people make of the principles and whether they think they are the standards to which we should be holding those who serve in public office to account.

It was a valuable and productive day and we are very grateful to the students for helping us so generously with this work. The students were without exception thoughtful, committed and fully engaged with the subject and it was a delight to work with them and hear their views directly.

The students understood and supported the Principles, whilst sometimes approaching them from different perspectives and bringing in other concepts.

Accountability, Leadership and Selflessness were consistently seen as important.

There was some debate around 'fairness' and 'respect', whether these ideas needed to be explicitly referenced in the Principles of Public Life. The students did not feel that 'fairness' needed to be added explicitly, as they believed but that this concept was sufficiently covered within the

current Seven Principles.

A combination of Openness and Honesty was thought strong enough to ensure that those in public life such as police officers and teachers who interacted with potentially vulnerable individuals, were respectful.

Students also debated Leadership – they thought that competence and expertise were key parts of this principle.



The report of the workshops can be found on our website.

## Videos explaining the Principles and the Committee's role

We produced some short [videos](#) with our Committee members explaining what the Principles mean in practice and the Committee's role. We shared them with government departments and our stakeholders and hope they will be useful as a starting point for staff discussion and for induction and training for organisations and individuals across the public sector, as well as for companies and charities delivering services to the public.



- Accountability
- Selflessness
- Integrity
- Objectivity
- Openness
- Honesty
- Leadership

## **In Conversation with the Chair**

On 25 February 2020, the [Institute for Government](#) (IfG) very kindly hosted a discussion - 'In Conversation with the Chair'. We are indebted to the Deputy Director of the IfG, Dr Hannah White for chairing this public event.

We welcomed current members of the Committee, past members and Chairs of the Committee, key players in the standards world as well as members of the public interested in our work, to discuss the role of the Committee then and now. It was an excellent opportunity to reflect on the Committee's work over the past 25 years and to look ahead to its future.

## **Mapping of the standards landscape**

We commissioned Rebecca Dobson Phillips, Doctoral Researcher and Tutor at the Centre for the Study of Corruption at the University of Sussex to map the UK's complex standards landscape. Rebecca's excellent narrative sets out clearly the role, functions, status, powers and history of each individual body responsible for the upholding of standards across public life in England. Her [report](#) can be found on our website.

## Annexes

### **Annex A – About the Committee**

### **Annex B – Membership of the Committee**

### **Annex C – Data Protection**

### **Annex D – Reports Published**

### **Annex E – The Research Advisory Board**

### **Annex F – Speeches, presentations, visitors, consultations**

In the period July 2019 - February 2020<sup>1</sup>, the Chair, independent members and members of the 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, including:

- 10 July 2019: Dr Jane Martin spoke at a Standards Conference for Monitoring Officers (local government).
- 31 August 2019: Lord Evans spoke at a panel on intimidation in public life at the Big Tent Festival of Ideas.
- 18 September 2019: CSPL Secretariat attended the Centre for Information Policy Leadership's roundtable on the ICO's AI auditing framework.
- 18 September 2019: CSPL Secretariat attended the Ipsos MORI launch of 'Trust: The Truth'.
- 5 November 2019: Lord Evans gave the keynote address at the launch of the Centre for Leadership, Ethics and Professional Practice at Bath Spa University.
- 12 November 2019: CSPL held 2 workshops on the Principles of Public Life with sixth form students.
- 3 December 2019: Dr Jane Martin spoke at the Centre for Public Scrutiny conference.
- 11 December 2019: Lord Evans was guest speaker at an event organised by Democracy Volunteers.
- 16 December 2019: Dr Jane Martin spoke at the Local Government Association launch of its Civility in Public Life programme.
- 17 December 2019: Lord Evans spoke at induction event for new MPs about how the Seven Principles of Public Life should guide how MPs conduct themselves.
- 6 February 2020: Lord Evans received a political finance study group delegation from Albania. This was organised by the British Embassy in Tirana and the National Democratic Institute. Delegates included members of the Albanian parliamentary committee on electoral reform, representatives of political parties, civil society activists and investigative journalists.

The Committee has also promoted the Seven Principles of Public Life through responses to consultations, including:

- January 2020 - IPSA Consultation on changes to the Scheme of MPs' Business Costs and Expenses for 2020-21
- February 2020 - Implementation of a fully independent process for determining complaints of bullying, harassment or sexual harassment
- May 2020 – Procedure Select Committee Inquiry into evaluating the temporary changes to the Commons procedure (in light of COVID-19).

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<sup>1</sup> From March 2020, the Committee worked remotely due to COVID-19 and in accordance with government guidelines.

Professor Cees Van der Eijk and Dr Jonathan Rose presented their [research](#) on perceived fairness of the EU Referendum to the July 2019 Committee meeting.

Rebecca Dobson Phillips, Centre for the Study of Corruption and the Politics Department at the University of Sussex, joined the November 2019 Committee meeting to discuss her commissioned paper on mapping the standards landscape.

Philippa Foster Back, former Director of the Institute of Business Ethics, joined the January 2020 Committee meeting. The Committee was very interested to hear about the Institute's work and to discuss common areas of interest.

Julie Harding, Independent Director of Cultural Transformation, House of Commons also spoke to the Committee in January 2020, following her visit to the Committee in April 2019 to update members on Parliament's response to Dame Laura Cox's recommendations to deliver cultural change in Parliament.

### **Annex G – Financial Information**

Independent members of the Committee on Standards in Public Life may claim £240 for each day they work on Committee business and for expenses necessarily incurred. The Chair is paid a remuneration of £36k per annum with the expectation that he commits an average of 5-6 days a month although this can increase significantly during periods of Committee reviews.

The 3 political members of the Committee do not receive any fees or expenses.

As an advisory non-departmental public body, the Committee on Standards in Public Life receives a delegated budget from the Cabinet Office. Day-to-day responsibility for financial controls and budgetary mechanisms are delegated to the Secretary of the Committee. Creation of new posts are subject to the Cabinet Office Approvals process.

Members of the Secretariat are permanent civil servants employed by the Cabinet Office. There are 5 full-time members of the Secretariat. The Committee is assisted by a contracted Press Officer.

For the financial year 2019/20, the Committee's budget was £348,424 with a final outturn of £470,864. There was a £2k variation in the non-pay budget. The variation in the pay budget was due to higher salaries paid than budgeted for, and for maternity cover and pay.



**Annual Report 2019/20**

**Published by the Committee on Standards in Public Life**

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**July 2020**

## Ethical Standards and Member Development Committee

25 September 2020

<b>Subject:</b>	Gifts and Hospitality Register
<b>Director:</b>	Director of Law and Governance and Monitoring Officer - Surjit Tour
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer:</b>	Trisha Newton Trisha_newton@sandwell.gov.uk

### DECISION RECOMMENDATIONS

**That the Ethical Standards and Member Development Committee:**

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

#### 1 PURPOSE OF THE REPORT

- 1.1 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.
- 1.2 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.
- 1.3 The Registers are periodically reviewed by the Director of Law and Governance and Monitoring Officer.

- 1.4 Following the Best Practice recommendations made by the Committee on Standards in Public Life, the Gifts and Hospitality Register is a standing agenda item for meetings of this Committee.
- 1.5 At the point of publishing the agenda, there have been no new entries to the Gifts and Hospitality Register since the last meeting of the Committee.
- 1.6 The Gifts and Hospitality register, guidance and arrangements/processes for publication will be reviewed as part of the forthcoming review of the Code of Conduct.

## **2 IMPLICATIONS FOR SANDWELL'S VISION**

- 2.1 Maintenance of the Members' Register of Interests contributes to public confidence in local democracy and is an essential part of good corporate governance.
- 2.2 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**

- 4.1 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.
- 4.2 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.
- 4.3 The Localism Act 2011 strengthens requirements on members to register and disclose interests.
- 4.4 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'.

- 4.5 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.
- 4.6 The Protocol for Members' on Gifts and Hospitality sets out important guidance for Members' on the acceptance of Gifts and Hospitality.
- 4.7 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.

**Surjit Tour**

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

## Ethical Standards and Member Development Committee

**25 September 2020**

<b>Subject:</b>	National Cases
<b>Director:</b>	Director of Law and Governance and Monitoring Officer - Surjit Tour
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	Trisha Newton 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 2 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 of Law and Governance and Monitoring Officer**

## **A Lancaster City councillor has been sanctioned for twice breaching the members' code of conduct**

Councillor Darren Clifford was found to have brought the council into disrepute by members of the council's Standards Committee.

The first allegation concerned him voting on a future increase in council tax despite being in arrears with his own.

This is a breach of section 106 of the Local Government and Finance Act 1992, which makes it an offence for a councillor to be more than two months in arrears with their council tax and take part in votes on financial matters.

An investigation found that Councillor Clifford had given assurances he was up to date with his payments before a Cabinet meeting on January 15 last year. During the meeting he took part in a vote which recommended the city council's increase in council tax for 2019/20.

Further investigations, however, found that he had only cleared the balance after the meeting had taken place, which was substantiated by CCTV and electronic evidence.

The second breach of the code of conduct concerned him conducting a private tour of Lancaster Town Hall, despite being previously warned not to do so following similar incidents.

Evidence showed that Councillor Clifford had granted access to restricted areas of the town hall to two people last August. Neither of his visitors had been signed into the building.

Members of the Standards Committee decided that the breaches warranted his exclusion from council offices, with the exception of meeting rooms as necessary for attending meetings of council/committees, for six months.

A report will also be provided to Full Council outlining the investigations into both complaints.

*Extract taken from [www.lancaster.gov.uk](http://www.lancaster.gov.uk) – updated 22 January 2020*

## **Councillor cleared of Code of Conduct breach**

A Bembridge parish councillor — who said residents should not be kept in the dark about council business — has been cleared of breaching the members' code of conduct after he published a confidential agenda online.

Cllr Steane posted the meeting agenda — which included details due to be discussed in a private session, relating to the controversial sale of the former parish building in the High Street — on the Open Bembridge Facebook page.

However, the Isle of Wight Council's appeals sub committee found the agenda should not have been marked confidential in the first place.

Although the committee found Cllr Steane did knowingly and deliberately disclose the information, the chair said: "His actions were in all circumstances reasonable, made in the public interest and in good faith. The requirement for the council to treat the agenda as confidential was not reasonable."

Investigating officer said he had tried to determine why the public and private meeting agendas were both marked confidential, but the response he had received from the parish council clerk had been inconclusive.

He said: "The public interest in this matter tips in the balance of favour of disclosure and, in this case, no breach was found."

Cllr Steane said his actions were in the public interest and, further, alleged the 'vast majority' of parish council business was conducted in private.

He said: "I thought long and hard before putting anything online for the obvious reason of the confidentiality markings. The item under discussion had been in the press for two years. It was a very serious issue and I deemed it to be in the public interest so I went ahead and published it because I thought it was important people knew."

Committee member Cllr Lyons said the 'extreme confidentiality measures' taken by the parish council were unusual.


He said: "Whether or not something is confidential is a decision that should be made by the chair and the clerk on reasonable grounds. I do not see how a parish council can make something confidential for its own convenience. They have to have some sort of reason to make it confidential."

*Extract taken from onthewight.com dated 28th February 2020*



## Ethical Standards and Member Development Committee

25 September 2020

<b>Subject:</b>	Allegations Update
<b>Director:</b>	Director of Law and Governance and Monitoring Officer - Surjit Tour
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	Surjit Tour Surjit_Tour@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 of Law and Governance and 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/020719**

This complaint arose following the review of an historic matter. The review highlighted concerns with the conduct of the investigation. This resulted in an allegation that the Councillor had not co-operated candidly and fully with the investigation. The matter was considered by the Independent person and the previous DMO and it was determined that a formal investigation was not appropriate.

The Ethical Standards and Member Development Committee was asked to review the previous DMO decision on 11 November 2019 and determined that the complaint for referred for re-assessment. The re-assessment has been undertaken and the complaint has been referred for a formal investigation, which is ongoing.

#### **2. Case Reference: MC/010719**

This complaint arose following the review of a historic matter. The review highlighted concerns with the conduct of the investigation and the process that was followed. This resulted in an allegation that the Councillor had not co-operated candidly and fully with the investigation and had not questioned the conduct of others resulting in a potential breach of the Members' Code of Conduct and the Nolan principles. The matter was referred for investigation which is ongoing.

#### **3. Case reference: MC/120220**

A complaint was received that several subject members are alleged to have acted inappropriately in relation to council officers and/or failing to challenge inappropriate behaviour of elected members in breach of the Members' Code of Conduct. This matter has been referred for formal investigation by the Monitoring Officer, which is ongoing.

#### **4. Case Reference MC/140520**

An allegation was received from a member of the public that a councillor failed to comply with Covid-19 guidance and caused reputational harm to another legal entity; and the subject member allegedly engaged in other inappropriate communications in social media in contravention of the Members' Code of Conduct. This matter has been referred for formal investigation and is ongoing.

#### **5. Case reference MC/280520**

This matter is linked to allegation MC/140520 above. The allegation was made by another complainant that the subject member failed to comply with Covid-19 guidance and then posted comments on social media which were inaccurate and in breach of the Members' Code of Conduct. This matter has been referred for formal investigation.

#### **6. Case reference: MC/010730**

An allegation was received that the subject member shared confidential staffing information with another councillor without justification, shared inaccurate information and interfered with an ongoing council process. This matter is linked to MC/O3/0720 below. The matter has been referred to formal investigation.

#### **7. Case reference MC/030720**

An allegation was received that a councillor shared confidential staffing information with another councillor. This matter is linked to MC/010720. The matter has been referred to formal investigation.

### **Other Matters**

**Case reference MC/011119** - A complaint was received that the subject member alleged that the complainant was involved in the inappropriate treatment of Council officers and made unwarranted and un-evidenced defamatory comments about the complainant. This complaint is linked to complaint MC/120220 above. The Monitoring Officer, after seeking the views of the Independent Person, decided that this complaint could not be dealt with until the outcome of complaint MC/120220 is first known given the nexus of law and fact arising. The matter will therefore be considered upon complaint MC/120220 being concluded.

### **Case Reference MC/260820**

The allegation was made that the subject member failed to comply with Covid-19 guidance and socially distance in breach of the Members' Code of Conduct. This matter is currently under consideration by the Monitoring Officer

### **Case Reference MC/270820**

A complaint has been received that a member breached an ex-employee's personal data and breached his confidentiality in breach of the member code of conduct by sharing that data with other Councillors. This matter is currently under consideration by the Monitoring Officer following a request for further information.

### **Case Reference MC270820a**

A complaint has been made that a subject member has failed to declare his interests in an organisation in breach of the member code of conduct. This matter is currently under consideration by the Monitoring Officer.

### **Case Reference MC/030920**

A complaint was received that an elected member has failed to declare his interests in relation to an organisation and has inappropriately used his position in relation to a land sale in breach of the member code of conduct. This matter is currently under consideration by the Monitoring Officer.

### **Case Reference MC/080920**

A complaint was received regarding a members dealings with a resident and has caused concern in relation to following government guidance for Covid 19 in breach of the members code of conduct. This matter is currently under consideration by the Monitoring Officer.

### **Case Reference MC/160920**

A complaint was received regarding a members communication on social media which is alleged to be in breach of the members code of conduct. This matter is currently under consideration by the Deputy Monitoring Officer.