

Agenda

Ethical Standards and Member Development Committee

Tuesday 22 February 2022 at 2.30 pm
in the Council Chamber - Sandwell Council House, Oldbury

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 for Absence

To receive any apologies for absence.

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

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.

3 Minutes

7 - 12

To confirm the minutes of the meeting held on 9 November 2021 as a correct record.



- 4 **Urgent Item 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.
- 5 **My Councillor Portal Update** 13 - 18
- To provide an update on the My Councillor Portal.
- 6 **DBS Checks for Elected Members** 19 - 26
- To consider the recommendations of the Ethical Standards Working Group.
- 7 **Review of Member's Code of Conduct and Arrangements for Dealing with Complaints under the Code** 27 - 50
- To consider the annual review of the Member's Code of Conduct and Arrangements for Dealing with Complaints under the Code.
- 8 **Annual Review - Register of Members' Interests** 51 - 54
- To consider the annual review of the Register of Members' Interests.
- 9 **Gifts and Hospitality Register** 55 - 58
- Standing item to consider the gifts and hospitality register.
- 10 **National Cases** 59 - 66
- Standing item to consider national cases in relation to Member Code of Conduct.
- 11 **Complaints Update** 67 - 72
- Standing item to consider the update on complaints.

12 **Work Programme**

73 - 78

Standing item to note the progress of the work programme and forthcoming items.

Kim Bromley-Derry CBE DL
Interim Chief Executive
Sandwell Council House
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Distribution

Councillor Allcock (Chair)
Councillors Akhter, Dhallu, Hussain, Jones, Kausar and C Padda

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Minutes of Ethical Standards and Member Development Committee

**Tuesday 9 November 2021 at 2.00pm
in the Council Chamber, Sandwell Council House, Oldbury**

- Present:** Councillor Allcock (Chair)
Councillors Kausar (Vice Chair), Akhter, Dhallu, Z Hussain
and C Padda.
- Observers:** Mr John Tew and Mr Richard Phillips (Independent Persons).
- Also present:** Surjit Tour (Director of Law and Governance – Monitoring
Officer), Elaine Newsome (Service Manager - Democracy),
Maria Price (Service Manager – Legal), Terry Hassall (Health
& Safety Manager), Dora Elkington (Health & Safety Lead
Officer), Trisha Newton (Senior Democratic Services Officer)
and Connor Robinson (Democratic Services Officer).

20/21 **Apologies for Absence**

Apologies for absence were received from Councillor Chambers.

21/21 **Declarations of Interest**

No declarations of interest were made.

22/21 **Minutes**

The minutes of the meeting held on 11 June 2021 were agreed as
a correct record and signed by the Chair.



23/21 **Urgent Items of Business**

There were no urgent items of business to consider.

24/21 **Personal Safety of Elected Members**

The Committee formally paid tribute to Sir David Amess MP.

The Committee had considered personal safety of elected members at its meeting on 4 October 2019 (minute no. 30/19 refers) with a further review to be undertaken in 12 months' time. The review had, however, been delayed due to the pandemic.

In view of the recent murder of Sir David Amess MP at a constituency surgery it was considered necessary to bring the review back to Committee without further delay.

The Health and Safety Manager provided an update to the Committee with regard the current process around personal safety. There was an ongoing programme of personal safety training for elected members.

Councillors had received revised guidance notes on general personal safety in the wake of the murder (i.e. lone-working, undertaking surgeries and walking to their vehicles).

Following comments and questions from members of the Committee, it was noted:-

- best practice would be to avoid lone working whenever possible - the dynamic risk assessment would allow members to consider their working practices;
- premises risk assessments would need to be undertaken by the premises manager of any internal and external venue - advice and guidance would be issued to premises managers to ensure risk assessments would be completed when Councillors used the venues;
- councillors would need to be more pro-active in considering risk assessments prior to engagements. The most prominent concern for lone working remained health issues and not receiving prompt care as a response.



The Committee noted that the Ethical Standards Working Group would commence a further review of personal safety for elected members.

25/21

Appointment to Ethical Standards Sub Committees

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 provided 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).

Following a change in appointments to the Committee, consideration was given to the revised appointment to the two Ethical Standards Sub-Committees for the remainder of the 2021/22 municipal year.

Resolved that the revised appointments to the two Ethical Standards Sub-Committees for the remainder of the 2021/22 municipal year be approved, with flexibility between membership to cater for availability and workload, as follows:

SUB-COMMITTEE 1		SUB-COMMITTEE 2	
Member	Substitute	Member	Substitute
Allcock	Substitute members taken from remainder of committee	Allcock	Substitute members taken from remainder of committee
Dhallu		Kausar	
Akhter		O Jones	
Z Hussain		C S Padda	
Chambers		Chambers	
+ Independent Person		+ Independent Person	

26/21

Member Development Programme Update

The Committee received an update on the member portal and member development activity.



With respect to the MyCouncillor portal, members had continued to engage and use the portal. Participation had been good with 67 members activity engaging with the 35 group guidance sessions. Member use of the portal had increased throughout the roll-out.

With regard to member development, the Council had set-up a programme of learning and development interventions, targeted toward supporting members across their various roles.

A review was recommended that would be undertaken to engage with elected members, providing an assessment of the effectiveness of existing arrangements and develop proposals for consideration in line with best practice, which would be delivered before the end of the municipal year.

The review would be led by the Ethical Standards Working Group and the Committee was also requested to appoint a member of the Committee to the vacancy which currently existed on the Group.

Resolved:-

- (1) that a review of the member development programme be undertaken by the Ethical Standards Working Group;
- (2) that Councillor Dhallu be added to the membership of the Ethical Standards Working Group.

27/21

Review of Independent Persons – Recruitment Process and Remuneration

Mr Tew, Independent Person, left the meeting during consideration of this item.

The Ethical Standards Working Group met on 5 October 2021 to consider the recruitment process for a third Independent Person for dealing with standards matters.



The Committee considered the proposed timeline for recruitment process would involve a targeted approach across multiple stakeholders, with a particular focus would be on encouraging applications from a wide variety of backgrounds across communities.

The Committee also noted that the term of office for Mr John Tew was due to expire in January 2022. The Committee recommended that a report be submitted to Full Council seeking a four year extension to Mr Tew's term of office.

Resolved:-

(1) that the recruitment process for a third Independent Person for dealing with standards matters be approved.

(2) that Council be recommended to extend the term of office for Mr John Tew for a further four year period.

28/21 Committee on Standards in Public Life Annual Report 2020-21

The Annual Report of the Committee on Standards in Public Life was considered and noted by the Committee.

29/21 Gifts and Hospitality

The Committee considered the Gifts and Hospitality Register and declaration of interests made by Members.

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

One new entry to the Gifts and Hospitality Register had been made since the last meeting of the Committee.



30/21 **National Cases**

The Committee received and discussed details of national cases, as part of its learning and development.

31/21 **Complaints Update**

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

32/21 **Work Programme**

The Committee noted the Ethical Standards and Member Development Work Programme for the remaining 2021/22 municipal year.

Meeting ended at 2.49pm

Contact: democratic_services@sandwell.gov.uk



Report to Ethical Standards and Member Development Committee

22 February 2022

Subject:	My Councillor Portal Update
Director:	Surjit Tour, Director – Law and Governance and Monitoring Officer
Contact Officers:	Phil Challoner, Civic and Member Services Manager – Democracy phil_challoner@sandwell.gov.uk Andrew Langford, Senior Lead Officer – Digital Transformation Team – Business Strategy and Change andrew_langford@sandwell.gov.uk

1 Recommendations







- 1.1 That the update report relating to enhancements to the current portal be noted.
- 1.2 That information relating to an update of the ‘Dashboard’ & MyCasework’ list also be noted which is scheduled for this March 2022 .

2 Reasons for Recommendations

- 2.1 The report is primarily an update report outlining progress following consultation with members on how the portal functionality could be improved
- 2.2 The report also aims to give detail and timescales relating to a planned release of the changes to the portal as part of its continuous improvement process



3 How does this deliver objectives of the Corporate Plan?

		An effective MyCouncillor portal, as a platform for service requests, underpins delivery of corporate objectives. Ensuring the portal is continuously improved is a critical success factor for consistency, effectiveness and efficiency when dealing with enquiries.
		
		

4 Context and Key Issues

4.1 MyCouncillor Portal

The MyCouncillor portal was introduced in March 2021 as a platform hosting a range of tools and information to support elected members in their roles. As detailed in a previous report to this committee, governance arrangements and a phased approach were agreed with high member participation in focus groups and workshops.

Member usage of the portal has continued to increase in line with the roll-out. The member enquiry mechanism continues to prove popular, between 65 councillors a total of 5,850 enquiries have been routed through the portal's 'Raise a new Case' (4,446 enquiries) and Report it (1,404 enquiries) functions up to 18 January 2022. On average around 50 councillors per month are using the portal. The average rating of the system, as scored by Councillors remains high at 4.8 out of 5.

The portal is more than a casework management system and signposts members to important information such as crime maps, planning applications, ASB incidents, FAQ's, press releases and coronavirus updates that can be utilised at surgeries or as part of their day to day roles.

4.2 Enhancements to the portal – January 2022

To ensure that the platform continues to evolve in line with member needs, feedback has been actively sought over several weeks via training sessions, member briefings, 1-1's and e-mail exchanges.



Based on 75 items of feedback the following changes, new functions and improvements have been developed which went live on Wednesday 19 January 2022. Members were encouraged to adopt these changes as they added improvements to make the system more intuitive, as well as provide added functionality.

An updated version of the Councillor User Guide was circulated to all members to adopt these improvements .

Examples of the enhancements that have now been introduced include:

The Raise a new Case function which now includes the ability

You Said	We did
<i>Raise a new Case Process</i>	
Sometimes I need to upload photos or a constituent letter when escalating a case	Added the option to upload documents for Escalations
Sometimes services make a long-term commitment to resolve an issue, but the case automatically closes before it is resolved	Added the ability for councillors to extend auto-close periods in line with service commitments
I sometimes can't remember the address or constituent name for an enquiry I need to chase the progress of – it would be good if I could create my own search term	Added the ability for councillors to add in a 'search term' to use to find case in the MyCasework area
I find the multiple requests for ratings at different points of the process frustrating	Have removed the repeated request for ratings and replace with optional rating at 'Final Response Review' stage.
When I raise a new case, I get taken back to either the Dashboard or MyCasework list every time. This can add unnecessary loading time going between screens if I want to action more casework.	Added the option for a Councillor to tell the portal what they want to do after logging new casework, so the system takes them to the correct area of the portal automatically
I need the details of the case I logged for review, when I am checking the progress of a case.	A summary of the case detail is now provided in the 'Review Progress or Request an Update' stage



<i>Report-It Process</i>	
I sometimes want to cc in my fellow ward councillors to let them know I have reported a 'Report-it' case.	Added the ability to 'cc' a fellow ward councillor to a 'Report-It' case
I can't request an update on a Report-it case like I can with 'Raise a new Case', I have to re-enter the Report-It case details as a Raise a new Case.	Create a new process allowing councillors to quickly get an update on an open Report-it case, or query a closed case
I still have to report dangerous waste to the contact centre, it can sometimes take a long time to get through.	Have added the option for councillors to report 'dangerous' waste online

The Report-It function which now includes the ability

Following introduction of the enhancements, virtual drop-in sessions took place on 19 and 26 January giving members an opportunity to discuss any issues arising.

4.3 Update to the portal 'Dashboard' & 'MyCasework' list – March 2022

To further develop the portal to meet member's needs, and to ensure that we are working with the latest technology available by the MyCouncillor supplier (Granicus), the look and feel of the 'Dashboard' & 'MyCasework' list functions in the portal is being updated

As well as changes to the design of the portal, the update brings about a number of really helpful changes and these include:

- Improvements to the 'search' and 'filter' functions of the MyCasework list, which will help users to refine the list to only see what is needed for action or review;
- The ability for cabinet secretaries to action cabinet related casework on behalf of Cabinet Members;
- Links contained within your notification e-mails about updates on casework will take councillors directly to the case in your list (not to the list itself) from the e-mail.



The way members navigate the ‘MyCasework’ list & ‘Dashboard’ areas will be slightly different from the current versions. Guidance videos and updated user guides will be made available, as well as live demonstrations to help manage the change as smoothly as possible.

To minimise disruption, the processes themselves will not receive any major changes until later in the year.

5 Implications

Resources:	Costs associated with portal license fees are met from existing budgets which incorporates new releases and enhancements
Legal and Governance:	The MyCouncillor portal aims to offer support to Members in fulfilling their many obligations. Governance procedures are in place to support officers and members and resolve any issues that may arise
Risk:	The MyCouncillor portal aims to support members across the breadth of their roles. Portal functionality, effectiveness and efficiency is consistently reviewed at operational and strategic level. This includes extensive reporting functionality.
Equality:	All Members have access to the portal’s functionality and are actively encouraged to use it. Where individual needs are identified, the Council will tailor its resources to meet specific requirements
Health and Wellbeing:	The MyCouncillor portal provides Members with information and signposting that can be imparted to their constituents relating to health and wellbeing of our communities
Social Value	The MyCouncillor portal provides Members with information and signposting that can be imparted to their constituents relating to help and assistance available e.g. find my nearest, FAQ’s

6 Appendices

None

7. Background Papers

None



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Report to Ethical Standards and Member Development Committee

22 February 2022

Subject:	DBS Checks for Elected Members
Director:	Surjit Tour - Director of Law and Governance and Monitoring Officer
Contact Officer:	Surjit Tour Surjit_tour@sandwell.gov.uk

1 Recommendations

1.1 That the Committee considers the recommendation from the Ethical Standards Working Group that the following Members should be asked to consent to Enhanced DBS checks:

- The Leader
- Deputy Leader
- Cabinet Members for Children and Adults
- All Members of Children’s Services and Education Scrutiny Board and Health and Adults Social Care Scrutiny Board
- Members of the Corporate Parenting Board
- Members of the Health and Wellbeing Board, and
- Any other Member who may regularly come into contact with children or vulnerable adults as part of their Council role.

1.2 That subject to recommendation 1.1 above, the Ethical Standards Working Group be asked to consider a DBS policy and procedure for elected members and co-opted members and submit a further report to Committee.









2 Reasons for Recommendations

- 2.1 The Council is under a statutory duty to promote and maintain high standards of conduct, as set out in the Localism Act 2011. The introduction of DBS checks for members was raised as part of the consideration of this duty at the Member Engagement sessions held in December 2020.

One of the recommendations was that further consideration be given to the benefits of DBS checks and whether they should be introduced at this Council. There are 3 levels of checks, a basic DBS check, a Standards DBS Check (for certain defined roles) and an enhanced DBS Check.

The matter was reported to the Ethical Standards Working Group at its meeting on 5 October 2021, with a full report due to be submitted to the Committee. In the meantime there has also been a motion submitted to Full Council at its meeting on 7 December 2021 proposing that all elected members should be vetted. There was considerable debate in the Chamber and the approved motion welcomed the decision of the Council's standards committee to include the consideration of enhanced DBS checks for elected members in their work programme.

3 How does this deliver objectives of the Corporate Plan?

		Maintaining high standards in public officer is important in providing assurance to the Council and the public that standards matters are being dealt with effectively, fairly and proportionately.
		
		

4 Context and Key Issues

- 4.1 In December 2020, a series of Member Engagement sessions took place. Feedback from the sessions was considered at Committee on 12 March 2021. One of the issues highlighted at the sessions was whether Members should be asked to consent to DBS checks.



4.2 Prior to 2012, Local Authorities routinely carried out Criminal Record Bureau (CRB) checks on Elected members. However, the Protection of Freedoms Act 2012 created the Disclosure and Barring Service and a new system of checks. This included a more restrictive set of criteria to determine when checks could be carried out and on whom. Since 2012, the issue of DBS checking for Councillors has become a policy matter for individual Councils.

Level of DBS Check

- 4.3 Standard and Enhanced DBS checks can only be undertaken if the specific role, or the specific activities carried out within the role, are included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975 (access to standard DBS certificates), and are also covered by the Police Act 1997 or Police Act 1997 (Criminal Records) regulations (access to enhanced DBS certificates). These laws only provide eligibility for DBS checks, they do not make them a requirement.
- 4.4 Decisions on when and whether to undertake a DBS check are for the relevant employer or regulator to make. If the Council are considering asking a person to apply for either a standard or enhanced DBS check, as the employer, the Council are legally responsible for making sure the job role is eligible. The job roles of Councillors do not meet the requirements for a standards DBS check.
- 4.5 There is currently no legal basis on which the Council can currently require or seek Enhanced DBS Checks for all Elected Members. The role does not constitute a 'named position' eligible for checks, and Ward Councillors do not carry out 'regulated activity' as defined by the Freedom of Information Act 2012.
- 4.6 The Council is of course aware that some Elected Members may have had DBS checks, albeit in another capacity, for example if they are School Governor etc. Elected Members who do not carry out any of the specific educational and/or social service functions but who attend community events, take surgeries or visit local residents in their own home where they have access to the general public, including children, do not meet the legislative criteria, as outlined above. However, a Basic Check could still be requested.



- 4.7 The legislative framework allows discretion on the issue of Basic checks. As such all elected members could agree to undergo a Basic DBS check. Basic checks show “Unspent Convictions & Cautions” from the Police National Computer (PNC) only, (*those that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974*). These checks do not show spent convictions, cautions, warnings, reprimands, other relevant police information, or children or adults barred list and are therefore are often considered of more limited value.
- 4.8 An enhanced check provides full details of a criminal record. This includes cautions, warnings, reprimands, spent and unspent convictions. It can also search the children and vulnerable adults 'barred list' to see if the applicant is prohibited from working with these groups. An individual can not request one themselves only the employer/organisation can request one.
- 4.9 With regard to Enhanced checks, for specific roles with more regular contact with children and vulnerable people, there is no statutory requirement on Councillors to undergo these checks. The eligibility criteria for an enhanced check is defined separately for contact with adults and Children. For children 3 criteria must be met, 1. the Establishment your in should be a specialist environments that involves working alongside children (e.g. schools, academies, colleges, residential children’s care homes etc), 2. The activity should be a regulated one i.e working with children and 3. The activity is either 4 or more times within a 30-day period, or once or more times a week. Examples of regulated activities for Adults are provided in the table below:



Regulated Activity	Definition
Healthcare	Provided by any healthcare professional or under the direction or supervision of one
Personal care	Washing, dressing, eating, drinking and toileting
Social work	In relation to adults, who are clients or potential clients, includes assessing or reviewing the need for health or social care services and providing ongoing support to clients
Assistance with household affairs	Anyone who provides day to day assistance to an adult because of their age, illness or disability, where it includes managing the person's money, paying the person's bills, or shopping on their behalf
Assistance with the conduct of affairs	Power of attorney/deputies appointed under the Mental Capacity Act
Conveying an Adult	For health, personal or social care requirements due to age, illness or disability. This includes hospital porters, patient transport services, driver's assistants, Ambulance Technicians and Emergency Care Assistants. Please note transporting/conveying is not necessarily in a vehicle and could be in a wheelchair/stretchers

4.10 It is unlikely that the identified roles such as Leader will meet the criteria to be eligible for an enhanced DBS Check but each role would require individual analysis on the circumstances.

Costs of DBS checks

4.11 There is a cost involved in carrying out DBS checks. This is £23 for Basic checks and £40 for Enhanced checks. There is currently no allocated Council Budget. The Working Group recommends that the checks be undertaken on an annual basis.



4.12 Based on the suggested list of members, the annual cost for Enhanced DBS Checks would be approximately £1280 (this could fluctuate depending on membership of bodies/multiple roles). Should there be any changes to appointments during the municipal year, additional DBS checks would need to be undertaken (£40 per enhanced check).

Guidance and Protocol

4.13 Should the Committee consider the proposal for Enhanced DBS checks for the roles set out in the recommendation, it is recommended that the Ethical Standards Working Group is requested to consider a Protocol for DBS Checks for Elected Members and that a further report be submitted to the March meeting for consideration, prior to Full Council.

5 Alternative Options

- 5.1 There is no legal obligation to obtain DBS checks for elected members the status quo could be maintained.
- 5.2 Basic checks could be completed for all elected members. However, Standard and Enhanced DBS checks can only be undertaken if the specific role, or the specific activities carried out within the role, are included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975 (access to standard DBS certificates), and are also covered by the Police Act 1997 or Police Act 1997 (Criminal Records) regulations (access to enhanced DBS certificates).
- 5.3 Enhanced checks could be completed only for those specific posts which meet the eligibility criteria. It is likely that very few of any of the selected posts will meet the eligibility criteria.



6 Benchmarking

Colchester Borough Council

- 6.1 At the request of their Governance and Audit Committee, Colchester Borough Council were asked to consider whether the Council should implement Disclosure and Barring Service checks for Elected Members. Their investigation into the matter included obtaining information on the approach of neighbouring, second tier local authorities, towards DBS checks (*both in October 2017 and February 2018*), to which they report, all eight responses confirmed that no checks (*including Basic Level checks*) are carried out by neighbouring authorities.

Harlow Council

- 6.2 A similar exercise was undertaken by Harlow in 2019, they report that the following Council's; *Dacorum, Maldon, Castlepoint, East Herts, Colchester, Brentwood, Basildon, Welling & Hatfield, Chelmsford, Braintree, Stevenage, Uttlesford and Epping Forest*, responded to confirm that they do not carry out DBS checks on Councillors. Following their research, Harlow is not proposing to start carrying out DBS checks on Elected Members.

Knowsley Council

- 6.3 In Knowsley, all councillors who carry out prescribed functions are DBS checked. In 2019 they were subject to a comprehensive check by DBS in relation the administration and appropriateness of DBS checks within the organisation. It was concluded that DBS checks undertaken were appropriate and no safeguarding risks were identified.

Resources:	There is a cost for carrying out the checks. Enhanced checks cost £40 and the annual cost for the positions identified would be approximately £1280 (this could fluctuate depending on membership of bodies/multiple roles). The figure would increase should there be any further in-year revisions to appointments. Should it be determined that the Council should fund the checks a budget will be required to fund them.
Legal and Governance:	The Council would work within the terms of the Government's DBS Eligibility Guidance
Risk:	Carrying out the checks would help mitigate risks in relation to Member convictions



Equality:	All Members would be treated in the same manner regardless of any protected characteristics.
Health and Wellbeing:	There are no direct health and wellbeing implications arising from this report.
Social Value	There are no direct social value implications arising from this report.

7. Appendices

None

8. Background Papers

<https://www.gov.uk/government/collections/dbs-eligibility-guidance>

<https://www.gov.uk/government/publications/dbs-workforce-guidance>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/804668/Child_workforce_guide_v10_0_280_52019.pdf

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/735504/Adult_workforce_guide_v10_0_030_818.pdf

<https://www.gov.uk/government/publications/new-disclosure-and-barring-services>

<https://www.knowsleynews.co.uk/dbs-checks-for-councillors-the-facts/>

<https://www.gov.uk/government/publications/dbs-code-of-practice>



Report to Ethical Standards and Member Development Committee

22 February 2022

Subject:	Review of Member's Code of Conduct and Arrangements for dealing with Complaints under the Code
Director:	Surjit Tour - Director of Law and Governance and Monitoring Officer
Contact Officer:	Vanessa Maher-Smith Principal Lead for Governance and Business Support & Solicitor

1 Recommendations

- 1.1 That the Committee note the review of the Member's Code of Conduct and Arrangements for Dealing with Complaints and consider the proposed revisions to the Member's Code of Conduct.
- 1.2 That revisions to the Member's Code of Conduct be recommended to Full Council for approval.
- 1.3 That, subject to 1.2 above, the Director of Law and Governance be authorised to made the necessary changes to the Council's Constitution.






2 Reasons for Recommendations

- 2.1 On 23 March 2021 (Minute No. 41/21 refers), the Council adopted the Local Government Association's (LGA) Model Code of Conduct. It also updated its Arrangements for dealing with Complaints under the Code of Conduct to ensure they were effective.



- 2.2 It was agreed by the Ethical Standards and Member Development Committee that the Code of Conduct and Arrangements would be reviewed on an annual basis, alternating between a desktop review and an annual review.
- 2.3 The LGA has made some amendments to the model Code of Conduct, and it is therefore recommended that the same amendments are made to the Council's Code of Conduct.
- 2.4 A desktop review of the Arrangements has been completed and no amendments are recommended at this stage.
- 2.5 The Ethical Standards Working Group met on 27 January 2022 to consider the desktop review and recommend the proposed revision to Committee for consideration.

3 How does this deliver objectives of the Corporate Plan?

		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.
		
		

4 Context and Key Issues

- 4.1 In 2019, the Local Government Association (LGA) developed a Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of Local government to continue to aspire to high standards of leadership and performance.
- 4.2 During the 2020/21 municipal year the Council's Ethical Standards and Member Development Committee undertook a comprehensive review of the Council's ethical framework and following consultation with elected members recommended the adoption of the LGA's Model Code of Conduct to Full Council. Full Council approved the code and the revised arrangements on 23rd March 2021 (minute no. 41/21 refers).



4.3 On 21st September 2021, the LGA circulated an amended Code of Conduct for consideration. The proposed amendments have been considered alongside the Council’s Code of Conduct and are set out in Appendix 1.

4.4 The changes are as follows:

Page/Paragraph Reference	Proposed Amendment	Purpose/Implications
Page 7, Paragraph 7.2	Should read ‘Local Authority’ not just ‘local’	Offers clarity as the sentence does not make sense reading just ‘local’.
Page 12, Paragraph 8 c.	Should be amended to read: "a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2 "	This offers further clarity on disclosure of non-registrable interests.
Page 12, Paragraph 9	‘your’ should be amended to ‘the’	This makes it clear that it includes financial interests that are not just the members, but could be a relative or close associate.



Page/Paragraph Reference	Proposed Amendment	Purpose/Implications
Page 12, Paragraph 10	para 10 to be amended to read: "Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it"	This amendment offers further clarity and simplifies the issue.
Page 13 – Table 1	Remove “Any unpaid directorship”	This should not be in the criminal chart as it was not incorporated into legislation
Page 15 – Table 2	paragraph to be amended to read: You must register as an Other Registerable Interest : a) any unpaid directorships	Amended to include the “unpaid directorships” removed from Table 1.



Page/Paragraph Reference	Proposed Amendment	Purpose/Implications
	<p>b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority</p> <p>c) any body</p> <p>(i) exercising functions of a public nature</p> <p>(ii) directed to charitable purposes or</p> <p>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</p> <p>of which you are a member or in a position of general control or management</p>	

- 4.4 In accordance with Best Practice 3 of the Code of Conduct, the Council has undertaken a review of the Code of Conduct.
- 4.5 In line with the review, it is recommended that the amendments should be made as proposed and the matter be submitted to the Committee and Full Council seeking approval to the amendments.



- 4.6 The current Arrangements have been in operation for almost 12 months, during which time there has been 12 complaints. Of those 12, 10 have been resolved at the preliminary stages, 1 has been referred for an investigation and 1 is pending a Decision Notice.
- 4.7 There have not been any issues reported in relation to the Arrangements and they appear to be working well. There are therefore no amendments required at this stage. A full review will take place in early 2023.

5 Implications

Resources:	There are no resource implications arising from this report
Legal and Governance:	The changes make the Code of Conduct more clear. There are also changes that are necessary to ensure it is consistent with statutory provisions, such as the changes to 'unpaid directorships'.
Risk:	There are no risks to implementation of the changes. The Council would be more at risk by not making the changes, given that it has adopted the Model Code of Conduct previously.
Equality:	There are no equality issues arising from this report.
Health and Wellbeing:	There is no impact on health or wellbeing arising from this report.
Social Value	There are no implications for social value arising directly from this report.

6 Appendices

Appendix 1 – Code of Conduct Review

7. Background Papers

Current Code of Conduct and Arrangements

<https://sandwellintranet.moderngov.co.uk/ecSDDisplay.aspx?NAME=SD402&ID=402&sch=doc>



Sandwell Metropolitan Borough Council

Members' Code of Conduct

Member's Code of Conduct

Introduction

All councils are required to have a local Councillor Code of Conduct.

The Local Government Association (LGA) has developed a Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of Local government to continue to aspire to high standards of leadership and performance.

During the 2020/21 municipal year the Council's Member Development and Ethical Standards Committee undertook a comprehensive review of the Council's ethical framework and following consultation with elected members recommended this code to full council.

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

For the purpose of registration of your interest (Part C of the Registration of Interest Form), "potential conflicts of interests" includes relationships of the member, the member's spouse or the member's civil partner or any person with whom you are living as husband and wife or as if you were civil partners: a son/daughter (including a biological son/daughter, stepson/daughter, adopted son/daughter or male/female child for which the person has custodial responsibilities), mother, father, brother or sister, a niece, nephew, aunt, uncle, grandchild, grandparent, or a person with whom you have a close association (meaning someone that you are in either regular contact with over a period of time or a significant contact who is more than an acquaintance or can be considered to be a friend, a colleague, a business associate or someone whom you know through general social contacts) in relation to a council decision or contract.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out

the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then

be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor/officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

- 4.1 I do not disclose information:**
- a. given to me in confidence by anyone**
 - b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**
- 4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**
- 4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

- 5.1 I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your

local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

- 8.1 I undertake Code of Conduct training provided by my local authority.**
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.**
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

- 9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**

- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendix A – The Seven Principles of Public Life

The principles are:

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 disclose 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.

Appendix B - Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner’s interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- your own financial interest or well-being;
 - a financial interest or well-being of a relative, close associate; or
 - a body included in those you need to disclose under Other Registrable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest


You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).


Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.] 
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.

Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect: 

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

You have a personal interest if your family member or close associate(s) either works for the Council or has a contractual relationship with the Council. Named individuals will need to provide written approval for their personal data to be used or the member will need to sign a statement that they have obtained permission. Any such names will be redacted from the public register.

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment

on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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Report to Ethical Standards and Member Development Committee

Tuesday 22 February 2022

Subject:	Annual Review – Register of Members’ Interests
Director:	Director of Law and Governance and Monitoring Officer - Surjit Tour
Contact Officer:	Senior Democratic Services Officer - Trisha Newton Trisha_Newton@Sandwell.gov.uk

1 Recommendations

1.1 That the Board:

1.1.1 Considers the Register of Members’ Interests and declaration of interests made by Members.


1.1.2 Notes the contents of this report and makes any relevant recommendations to the Director of Law and Governance and Monitoring Officer after consideration of the Register of Members’ Interests.

2 Reasons for Recommendations

2.1 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.



3 How does this deliver objectives of the Corporate Plan?

	<p>Maintenance of the Members' Register of Interests contributes to public confidence in local democracy and is an essential part of good corporate governance.</p>
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4 Context and Key Issues

- 4.1 The Council's present arrangements comply with the statutory provisions.
- 4.2 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.
- 4.3 The Register is available for inspection at the Sandwell Council House upon a request being made to the Monitoring Officer.
- 4.4 The Members' Register of Interests is available for the public to view on the Council's website.
- 4.5 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 Mod.gov.
- 4.6 One to one meetings with the Monitoring Officer and senior legal staff are offered to members.
- 4.7 The Registers are periodically reviewed by the Monitoring Officer.
- 4.8 The work programme provides for an annual review of the Register.
- 4.9 As part of the rollout of the Mod.gov committee management system, a self-serve option is being investigated in relation to register of interests whereby members would be able to directly access and update their registers. A further report will be submitted to a future meeting setting out the proposed options.



5 Implications

Resources:	There are no strategic resource implications arising from this report.
Legal and Governance:	<p>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.</p> <p>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.</p> <p>The Localism Act 2011 strengthens requirements on members to register and disclose interests.</p>
Risk:	There are no risks associated with the report.
Equality:	There are no equality implications in the report.
Health and Wellbeing:	There are no health and wellbeing implications arising directly from this report.
Social Value	There are no social value implications arising directly from this report.

6 Appendices

None



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Report to the Ethical Standards and Member Development Committee

Tuesday 22 February 2022

Subject:	Gifts and Hospitality Register
Director:	Director of Law and Governance and Monitoring Officer – Surjit Tour
Contact Officer:	Trisha Newton Trisha_Newton@sandwell.gov.uk







1 Recommendations

- 1.1 That the Ethical Standards and Member Development Committee considers the Gifts and Hospitality Register and declaration of interests made by Members.

2 Reasons for Recommendations

- 2.1 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.

3 How does this deliver objectives of the Corporate Plan?

		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.

4 Context and Key Issues

- 4.1 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.
- 4.2 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 £50.00. 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 Council's committee management system, sandwell.moderngov.co.uk, on the Council's web site and can be accessed at any time from the internet.
- 4.3 The Registers are periodically reviewed by the Director of Law and Governance and Monitoring Officer.
- 4.4 At the point of publishing the agenda, there has been no new entry to the Gifts and Hospitality Register since the last meeting of the Committee.

5 Alternative Options

- 5.1 The purpose of the report is for the Ethical Standards and Member Development Committee to consider the Gifts and Hospitality Register and the declarations of interests made by Members. As such, there are no alternative options.

6 Implications

Resources:	There are no strategic resource implications arising from this report.
Legal and Governance:	<p>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.</p> <p>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.</p> <p>The Localism Act 2011 strengthens requirements on members to register and disclose interests.</p> <p>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'.</p> <p>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 £50.00 as other registerable interest of the member.</p> <p>The Protocol for Members' on Gifts and Hospitality sets out important guidance for Members' on the acceptance of Gifts and Hospitality.</p>

	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.
Risk:	The Committee considers the Gifts and Hospitality register and members' declarations of interests to protect Members from the acceptance of any unlawful or inappropriate gifts, which would affect the reputation of the Member or the Authority.
Equality:	There is no requirement for an equality impact assessment.
Health and Wellbeing:	There are no direct health and wellbeing implications from this report.
Social Value	There are no direct social value implications from this report.

7. Appendices

None

8. Background Papers

Declarations made by Elected Members are available to view under Councillors' profiles at sandwell.moderngov.co.uk.

Report to the Ethical Standards and Member Development Committee

22 February 2022

Subject:	National Cases
Director:	Director Law and Governance and Monitoring Officer - Surjit Tour
Contact Officer:	Trisha Newton Trisha_Newton@sandwell.gov.uk

1 Recommendations







- 1.1 That the Ethical Standards and Member Development Committee considers the contents of the report and the cases at Appendix 1 and 2 and consider any issues for the Council.

2 Reasons for Recommendations

- 2.1 Officers will inform the Ethical Standards and Member Development Committee about issues arising from local investigations and case law to add to learning at the local level and enhance understanding of ethical standards.



3 How does this deliver objectives of the Corporate Plan?

		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.
		
		

4 Context and Key Issues

4.1 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.

5 Alternative Options

5.1 The purpose of the report is for the Ethical Standards and Member Development Committee to promote high ethical standards amongst Members through learning from local investigations and case law. As such, there are no alternative options.



6 Implications

Resources:	There are no resource implications arising from this report.
Legal and Governance:	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.
Risk:	Awareness of national cases will enhance the Ethical Standards and Member Development Committee's understanding of promoting high ethical standards within its duties.
Equality:	There are no direct equality implications arising from this report.
Health and Wellbeing:	There are no direct implications for health and wellbeing from this report.
Social Value	This report contains no social value implications.

7. Appendices

Appendix 1 – Extract taken from

<https://www.sussexpress.co.uk/news/politics/conservative-group-leader-found-to-have-breached-code-of-conduct-3469632>

dated 24 November 2021

Appendix 2 – Extract taken from

<https://www.mylondon.news/news/south-london-news/councillor-broke-rules-anonymous-twitter-22613865>

– dated 31 December 2021

8. Background Papers

No background papers.



Group leader found to have breached code of conduct

The leader of Lewes District Council's Conservative group has been found to have breached the councillors' code of conduct.

Following a hearing on Tuesday (November 23), a council standards panel found that Cllr Linington had acted improperly in calling two Conservative councillors ahead of another standards panel hearing in March.

The panel heard that Cllr Linington had called two Conservative councillors the night before a hearing to determine whether a Liberal Democrat councillor was guilty of failing to uphold the council's code of conduct — a charge he was cleared of.

While the exact contents of the call were in dispute, the panel heard that Cllr Linington had said words to the effect a finding against Cllr Gauntlett would benefit the Conservative group. Cllr Linington initially said these comments had been made as a "joke".

The panel's chairman Cllr Christine Robinson (Lab) said: "The panel concluded that although the exact content of the call is open to interpretation, it is evident that Cllr Linington did refer to the standards panel of March 19 and did use words to the effect that it would be advantageous if Cllr Gauntlett would be found in breach of the code of conduct.

Even if Cllr Linington had intended for her words to be taken in jest, they were capable of being interpreted as an attempt to influence the outcome of the hearing.

The panel also concluded that the comments were improper, as it was not Cllr Linington's role to influence the way in which individual panel members conduct themselves in sitting of the standards panel."

The hearing followed a complaint that Cllr Linington had made the call in an attempt to "coerce" him into finding against Cllr Gauntlett.

While Cllr Burman had not made his own complaint, he told an independent investigator he had received such a call and that Cllr Linington had put it to him "forcefully that the outcome of the hearing should be a finding of breach and disqualification".



Cllr Linington had denied she attempted to coerce the councillors, saying she was attempting to offer reassurance and procedural advice ahead of the meeting in light of speculation surrounding the case.

In an interview with an independent investigator, Cllr Linington said she had said words to the effect that “it would be good if you found him guilty and then we could seek his resignation”, but that these words had been said in jest.

While Cllr Linington did not initially take issue with the investigator’s presentation of this conversation, she later said her words had been “shorn of the uncertainty and the qualifying comments expressed during the interview”.

During the hearing Cllr Linington said she regretted not taking greater care before signing off on the inspector’s presentation of her words.

However, she also said that content of the calls had been “deliberately exaggerated” by Cllr Davis and Cllr Burman as part of an attempt to oust her as group leader.

Cllr Linington said both councillors had shown animosity towards her leadership for some time and that they had been involved in a previous attempt to remove her as group leader.

Both Cllr Davis and Cllr Burman denied their involvement had been motivated by a desire for a change of leadership.

Cllr Linington also pointed to the delay between the call (in March) and the complaint from Cllr Davis (in July) as evidence that her words had not been taken as an attempted ‘coercion’ at the time.

When asked about his delay in reporting the call, Cllr Davis told the panel he had discussed the calls with Cllr Burman in March but neither were of the opinion that a breach of the code had taken place.

He said: “Cllr Burman mentioned the code but we didn’t go into it, because neither of us have the legal knowledge or ability to decide whether a breach of the code was made or not.

As the hearing had been conducted properly for Cllr Gauntlett and he had been found not guilty we decided to let the matter die.”



The panel concluded that Cllr Linington had breached the code of conduct, both by attempting to improperly influence the hearing and by acting in a manner which could reasonably be regarded as bringing her office or authority into disrepute.

Despite this, the panel also concluded that Cllr Linington had not attempted to confer an advantage or disadvantage on another through her actions.

After finding Cllr Linington in breach of the code, the panel agreed to publish its decision, which is to be reported to the next full council meeting.

The panel also instructed the council's monitoring officer to write to Cllr Linington about her breach of the code and to all other councillors with further advice on maintaining the integrity of the standards panel process.

Extract taken from

<https://www.sussexexpress.co.uk/news/politics/conservative-group-leader-found-to-have-breached-code-of-conduct-3469632>

dated 24 November 2021



Councillor broke rules with anonymous Twitter account that trolled housing activists

A South London councillor who trolled housing activists through an anonymous Twitter account broke council rules, an investigation has found.

Cllr Leo Pollak breached Southwark Council's code of conduct by posting his opinions about housing anonymously through the @SouthwarkYIMBY Twitter account.

The Labour councillor for South Bermondsey was the council's housing chief when he branded a campaign to stop the construction of houses on a basketball court "pathetic nimbyism" through the anonymous account.

He resigned from his role as cabinet member for housing in February 2021 after he was uncovered as the man behind @SouthwarkYIMBY. Following his exposure, Southwark Council received a complaint about his tweets.

It commissioned a law firm to investigate whether Cllr Pollak had broken any rules.

The report by law firm, Bevan Brittan, found that while sometimes "provocative," the content of Cllr Pollak's tweets didn't breach the council's code of conduct.

But in acting anonymously, he broke council rules.

The report says: "The tweets regarding Priory Court and the Elim estate ballcourt, the content was at times provocative, but did not amount to breach.

"Those with whom the Councillor was engaging had voluntarily chosen to involve themselves publicly in matters of public concern, and the enhanced protection afforded by Article 10, as well as the higher thresholds of tolerance expected, applied to both the Councillor and those third parties.

"We do however find that by acting anonymously the Councillor has breached the Code."

The report stopped short of calling for further action against Cllr Pollak.

It said he had shown "remorse" for his behaviour and resigned from his role as housing chief.



The report also noted that Cllr Pollak had written an apology to the individual who complained about his tweets.

It said: “He has repeatedly expressed remorse for his actions, including via the statement he made to Council after he had admitted that he was behind the Account, and by way of his self-referral through the standards regime.

“Although it took longer than was ideal, the Councillor has now written an apology to the Complainant, which was received on 24 June 2021.

“Seeking to further his views by way of anonymous postings through the Account was ill considered and inappropriate, which he wholeheartedly acknowledges. It is likely that the Councillor will have learnt a number of valuable lessons from this unfortunate episode.

“In light of the above, we do not recommend that any further action is required.”

Cllr Pollak told investigators that he created the anonymous Twitter account to address misinformation about social housing schemes in Southwark.

Extract taken from <https://www.mylondon.news/news/south-london-news/councillor-broke-rules-anonymous-twitter-22613865>
31 December 2021



Report to Ethical Standards and Member Development Committee

22 February 2022

Subject:	Complaints Update
Director:	Director of Law and Governance and Monitoring Officer – Surjit Tour
Contact Officer:	Surjit Tour Surjit_Tour@sandwell.gov.uk

1 Recommendations







- 1.1 That the update position on complaints received under the Councillor Code of Conduct be received.

2 Reasons for Recommendations

- 2.1 The report provides an update on the activity of the Council’s Monitoring Officer in relation to complaints received under the Councillor Code of Conduct arrangements.



3 How does this deliver objectives of the Corporate Plan?

		The Council's ethical governance framework and arrangements support the Council toward achieving its strategic objectives and ambition.
		
		

4 Context and Key Issues

- 4.1 The Committee has oversight of the Council's ethical governance framework and arrangements for dealing with complaints received under the Code of Conduct in relation to elected Members.
- 4.2 The table at Appendix A provides an update position on complaints received under the code of conduct. Item 1 details activity that has been progressed since previously reported to the last meeting of the Committee on 9 November 2021. Items 2-4 are the complaints that have been received since the last meeting of the committee and all are now resolved.

5 Alternative Options

- 5.1 None – the report is provided for information.

6 Implications

Resources:	The Council is required to ensure that sufficient resources are provided to the Monitoring Officer in order that they are able to exercise their statutory functions.
Legal and Governance:	The Local Government Act 2000 and Localism Act 2011 make provision for the arrangements for dealing with standards related matters.



Risk:	The Council must have in place, arrangements for dealing with matters relating to the conduct of elected members. These are regularly reviewed in line with the best practice recommendations of the Committee for Standards in Public Life
Equality:	There are no direct equality implications arising from this report.
Health and Wellbeing:	There are no direct health and wellbeing implications arising from this report.
Social Value	There are no direct social value implications arising from this report.

7. Appendices

None.

8. Background Papers

None.



Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
1. MC/211021	Member of the public	It is alleged that the subject member has breached the code of conduct and misused their position as a Cllr. Potential breaches of the members code of conduct 2.1, 2.2, 2.3, 3.1, 5.1, 6.1	Complaint received 21/10/21. DMO seeking further information from complainant Information sought 4/11/21 2021, 29/11/21 and 18/1/22. No reply from complainant. Matter closed 25 January 2022	Green	Matter to be closed	
2. MC/22/10/21-a	Elected member	This complaint is against 2 elected members. It is alleged that the subject members have breached the code of conduct and their position as Cllrs Potential breaches of the members code of conduct 1.1,1.2, 3.1, 5.1	Complaint received 22/10/21. DMO assessing the complaint Matter referred for investigation 10/12/21 Investigation due to be completed 28/2/22	Green		



Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
3. MC/221021-b	Elected member	This complaint is against 2 elected members. It is alleged that the subject members have breached the code of conduct and their position as Cllrs Potential breaches of the members code of conduct 1.1,1.2, 3.1, 5.1	Complaint received 22/10/21. DMO assessing the complaint Decision notice completed 10/12/21 NFA	Green	Matter closed	
4. MC/191121	Member of the public	It is alleged that the subject member has breached the code of conduct. Potential breaches of the members code of conduct 9.1	Complaint received 19/11/21 Decision notice issued by DMO 3/12/21 NFA	Green	Matter closed	
5. MC/171221	Member of the public	It is alleged that the subject member has breached the code of conduct Potential breaches of the members code of conduct 2.3, 5.1 and 6.1	Complaint received 17/12/21 Complainant provided further evidence 21/1/21 Decision notice on complaint to be completed 28/1/22	Green		



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Report to Ethical Standards and Member Development Committee

22 February 2022

Subject:	Work Programme 2021-22
Director:	Surjit Tour - Director of Law and Governance and Monitoring Officer
Contact Officer:	Trisha Newton Trisha_newton@sandwell.gov.uk

1 Recommendations





That the Committee notes the updated work programme for 2021/22 and also the work of the Ethical Standards Working Group.

2 Reasons for Recommendations

- 2.1 The work programme for 2021/2022 is attached at Appendix 1. The programme covers the areas that are within the remit of the Ethical Standards and Member Development Committee under its current terms of reference and will be submitted to each meeting of the Committee to keep under review.
- 2.2 Sub-Committees of the Standards Committee will deal with any case work.



3 How does this deliver objectives of the Corporate Plan?

		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. A planned work programme will help the Ethical Standards and Member Development Committee in promoting high ethical standards.
		
		

4 Context and Key Issues

Following the comprehensive work undertaken by the Committee during the 2020-21 municipal year, involving the review of the Member Code of Conduct, Arrangements for Dealing with Complaints under the Code and related policies, outstanding matters have been built into the programme for this municipal year.

Ethical Standards Working Group

Since the last meeting of the Committee, the Ethical Standards Working Group has met to consider DBS checks for elected members (report included on agenda), the review of the Member's Code of Conduct and Arrangements (report included on agenda) and an update on the recruitment of Independent Persons.

The Working Group recommended that a review be undertaken with regard to recruitment of Independent Persons and a further report will be submitted to a future meeting.

5 Alternative Options

- 5.1 There are no alternative options. The matters outlined in the work programme fall within the remit of the Ethical Standards and Member Development Committee.



6 Implications

Resources:	There are no resources arising directly from this report.
Legal and Governance:	Whilst there is no longer a statutory requirement to establish a Standards Committee, there is a need to promote high ethical standards so the Council has agreed to continue with an Ethical Standards and Member Development Committee as part of its arrangements to deal with standards.
Risk:	There are no risks arising directly from this report.
Equality:	
Health and Wellbeing:	
Social Value	

7. Appendices

Work programme for the 2021-22 municipal year

8. Background Papers

None



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Ethical Standards and Member Development Committee Work Programme 2021/22

11 June 2021

- Appointment to Sub Committees/Standards Working Group
- Outstanding Matters
- Response to Consultation – Ministry of Housing, Communities and Local Government – Response to Local Authority remote meetings: call for evidence
- Complaints Update (Standing Item)
- Gifts and Hospitality (Standing Item)
- National Cases for information (Standing Item)
- Work Programme 2020/21 (Standing Item)

9 November 2021

- Member Development Programme Update
- Member Portal update/governance
- Committee on Standards in Public Life – Annual Report
- Recruitment of Independent Persons for Dealing with Standards Matters
- Review – Personal Safety for Elected Members
- Complaints Update
- Gifts and Hospitality
- National Cases for information
- Work Programme

22 February 2022

- Member Portal Update
- Register of Members' Interests – Annual Review
- DBS Checks for Elected Members
- Independent Person – Review
- Review/Effectiveness of Member Code of Conduct and Arrangements for Dealing with Complaints under the Code
- Complaints Update
- Gifts and Hospitality
- National cases for information
- Work Programme
- Dispensations (dealt with under delegated authority to Monitoring Officer in consultation with the Chair)

22 March 2022

- Annual Report of the Ethical Standards and Member Development Committee
- Review of CoSiPL Best Practice Recommendations
- Duty to Promote
- Lobbying
- Review of Social Media Policy/Training
- Review – Personal Safety for Elected Members
- Member Development Update
- Complaints Update
- Gifts and Hospitality
- National cases for information
- Work Programme