

# Agenda

## Ethical Standards and Member Development Committee

**Tuesday, 7 November 2023 at 6.15 pm**  
**In Annexe 1 - Sandwell Council House, Oldbury**

**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 4 July 2023 as a correct record.

**4 Urgent Business 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	<b>Member Development Update</b>	13 - 48
	Update on the Member Development Programme.	
6	<b>Committee on Standards in Public Life Annual Report for 2022- 2023</b>	49 - 74
	To consider and comment upon the Committee on Standards in Public Life Annual Report for 2022-2023.	
7	<b>Review of Independent Persons dealing with Standards Matters</b>	75 - 80
	Update on the recruitment for Independent Persons.	
8	<b>Gifts and Hospitality Register</b>	81 - 86
	Standing item to consider the gifts and hospitality register.	
9	<b>National Cases for Information</b>	87 - 92
	To note the latest national case relating to conduct.	
10	<b>Complaints Update</b>	93 - 98
	Standing item to consider the update on complaints.	
11	<b>Work Programme</b>	99 - 104
	To consider the work programme for the Committee.	

**Shokat Lal**  
**Chief Executive**  
Sandwell Council House  
Freeth Street  
Oldbury  
West Midlands

**Distribution**

Councillor Allcock (Chair)  
Councillors Crompton, J Giles, Hemingway, Kaur, Muflihi, Rahman and  
Trumpeter and Mr Richard Phillips (Independent Person).

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## Minutes of Ethical Standards and Member Development Committee

**Tuesday 4 July at 5:30pm**  
**in Committee Room 1, Sandwell Council House, Oldbury**

**Present:** Councillor Allcock (Chair)  
Councillors Kaur (Vice- Chair), J Giles, Hemingway, Muflihi,  
and Rahman.

**Officers:** Surjit Tour (Director of Law and Governance – Monitoring  
Officer), Elaine Newsome (Service Manager – Law and  
Governance), Ruth Darby (Senior Civic and Member  
Services Officer) and Toby Howes (Interim Democratic  
Services Officer).

16/23      **Apologies for Absence**

Apologies for absence were received from Councillors  
Crompton and Trumpeter and Mr Richard Phillips  
(Independent Person).

17/23      **Declarations of Interest**

No declarations of interest were made.

18/23      **Minutes**

The minutes of the meeting held on 7 March 2023 were  
agreed as a correct record.

19/23      **Additional Items of Business**

There were no additional items of business to consider.

20/23      **Appointments to Ethical Standards Sub-Committees and Ethical Standards Working Group**

The Committee noted that under The Localism Act 2011, authorities are required 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).

The Committee considered appointments and the Terms of Reference to the two Ethical Standards Sub-Committees for the 2023/24 municipal year. In addition, it considered appointments to the Ethical Standards Working Group and the Working Group's Terms of Reference for the 2023/24 municipal year.

**Resolved:-**

- (1) that the membership of the two Ethical Standards Sub-Committees for the 2023/24 municipal year, with flexibility between membership to cater for availability and workload, with delegated powers to carry out the functions set out in the following Terms of Reference, be approved as set out in the table below:-

**Terms of Reference of the Ethical Standards Sub Committee**

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



### Membership of the Ethical Standards Sub Committees

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
Kaur		Crompton	
J Giles		Hemingway	
Muflihi		Rahman	
Trumpeter (or sub)		Trumpeter (or sub)	
+ Independent Person		+ Independent Person	

- (2) that the Terms of Reference for the Ethical Standards Working Group as set out in the appendix of the report be approved and that the Chair and Vice-Chair, be appointed to the Ethical Standards Working Group, with 3 additional Members to be confirmed.

21/23

#### **Member Development Programme**

Members were presented with the first update on the Member Development Programme since the Committee had approved it at the last meeting. Positive feedback from councillors had been received and there was enthusiasm for the topics listed on the programme. The programme was a live document responding to councillors' needs and the wider local government regulations.

Any training clashes in the programme would be addressed and Members noted the other additional resources that they could access, such as those available from the Local Government Association.

Training records could be made available to each councillor and a comprehensive induction programme was in place for new councillors. There had been positive feedback from new councillors on the induction programme.

In response to a question from the Members, it was noted that the development of a Members Training Portal was in progress.

Members welcomed the training provided by the Member Development Programme.

## 22/23 **Complaints Update**

Members considered the Complaints Update and were referred to the table in the report detailing the nature of complaints received and to assess any particular trends or patterns.

In response to questions from Members, the Committee was informed that the complaints received was around the number to be expected, whilst the nature of the complaints did not give rise to any specific concerns.

## 23/23 **Gifts and Hospitality Register**

Two new entries had been made to the Gifts and Hospitality Register.

## 24/23 **Work Programme**

The Committee was presented with the draft work programme for 2023/24.

It was noted that in respect of personal safety for Members, a wide encompassing approach of all areas of this would be taken and this would also include councillor surgeries which was to be reviewed. Members suggested that this item also address situations where councillors faced confrontational issues. The Committee heard that this would include areas such as room layout of meetings and risk assessments for councillor surgeries will be re-circulated.

There would also be a deep dive review of the Code of Conduct and it was agreed to the Committee's suggestion that this would also be an opportune moment to consider setting up a working group to promote high standards of conduct.

Work with the Communications Team and the Local Government Association was also taking place with regards to volume of casework and balancing work with the role of a councillor.

The Chair welcomed any further suggestions to be added to the Work Programme.

**Resolved:-**

That the Work programme for 2023/24 be approved and kept under review during the year by the Committee and the Monitoring Officer.

The meeting ended at 6.10pm.

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## Report to Ethical Standards and Member Development Committee

7<sup>th</sup> November 2023

<b>Subject:</b>	Member Development Update
<b>Director:</b>	Director of Law and Governance and Monitoring Officer, Surjit Tour
<b>Contact Officer:</b>	Lead Officer for Mayoralty and Member Development - Ruth Darby <a href="mailto:ruth_darby@sandwell.gov.uk">ruth_darby@sandwell.gov.uk</a>

### 1 Recommendations

- 1.1 That the detail of elected member learning and development activity that has been delivered since the previous Committee/report (4<sup>th</sup> July 2023) be noted.







### 2 Reasons for Recommendations

- 2.1 The Committee is mandated to have oversight of Member Development activity, with the aim of ensuring Councillors are appropriately supported in their roles.



### 3 How does this deliver objectives of the Corporate Plan?

3.1 Targeted Member Development activity aims to support all ambitions and objectives in the Corporate Plan.

	Best start in life for children and young people
	People live well and age well
	Strong resilient communities
	Quality homes in thriving neighbourhoods
	A strong and inclusive economy
	A connected and accessible Sandwell

### 4 Context and Key Issues

4.1 The Member Development Programme (MDP) aims to offer learning and development in support of Member effectiveness and confidence in their roles. The MDP continues to build on the new and revised programme that was implemented in 2022 and is frequently reviewed to ensure it continues to meet the identified and emerging needs of elected members and the wider organisation.

#### Training and Member induction to date

4.2 Whilst a number of programmed events are initially targeted toward newly elected Councillors as part of the induction programme, attendance is widened to include all Members, to facilitate the sharing of knowledge and experience. The learning and development events are offered over a variety of medians and the use of external facilitators is incorporated where possible. In addition, Members are encouraged to access national programmes with the aim of networking and benchmarking with colleagues from other local authorities.



### 4.3 Learning and Development from June 2023 to date:

Date(s)	Learning & Development Activity	No. Attendees (* denotes limited invitees/spaces)
27/06/23	Introduction to Planning	13
04/07/23	Taxi Licensing Training	11*
05/07/23	General Licensing Training	18*
06/07/23	Introduction to Local Government Finance	18
12/07/23	Decision making and Council Procedure Rules	23
19/07/23	Introduction to Audit	22
26/07/23	Houses of Multi Occupancy Training	19
31/07/23	Introduction to Overview & Scrutiny	15*
01/08/23	Public Speaking	16
03/08/23	Mod.gov training	15
09/08/23	The Ethical Framework, Code of Conduct	12
05/09/23	Equality Diversity and Inclusion	21
20/09/23	King's Honours & Awards	14
09/10/23	Prevent Awareness	5

4.4 Feedback to date indicates that programmed events have been well received. Newly elected/newer members have welcomed the opportunity of in-person interaction and to meet and build effective working relationships with officers.

4.5 The completion and return of evaluation forms at the close of training sessions can be problematic, therefore at present, the form is issued to councillors at the start of the session (when signing the attendance sheet) with the expectation that councillors take the opportunity to record effective and meaningful notes during the session enabling them to return the completed form at the end. This small change has shown an increase in the number of evaluation forms returned. However, to encourage an increased return of evaluation forms with more meaningful



and effective comments/suggestions, (which in turn are used to shape future sessions), work is near completion of a new Microsoft Office electronic evaluation form which is simpler to complete and will automatically collate feedback for statistical purposes with a view to this being implemented early 2024.

- 4.6 Interaction by Councillors with the e-learning package currently provided by Sandwell Learn is low, zero returns since May 2023, therefore, initiatives are being explored how to increase Councillor engagement with these sessions.
- 4.7 A number of member PDPs were undertaken by officers last year however, there was a low take up by elected members (below 50%). In order to enable members to identify their learning and development needs and to maximise levels of engagement, officers are exploring a range of options to engage with members including the use of workshops and surveys to gauge members opinions. A report on the outcome of this will be shared at a future meeting.
- 4.8 The MDP remains a live document that aims to meet any evolving development need and regular updates will continue to be presented to the committee throughout the year. Alongside the Council's development offer, we also encourage Members to access the offer from partner organisations including the Local Government Association and Centre for Governance and Scrutiny. This includes a range of on-line resources, workbooks, webinars and in-person development activities and programmes that complement the Council's programme. Where possible, opportunities for shared learning with other local authorities will also be explored to ensure best practice is shared and an opportunity to network with peers.

<https://www.local.gov.uk/our-support/councillor-and-officer-development/highlighting-political-leadership>

<https://www.local.gov.uk/our-support/leadership-workforce-and-communications/councillor-development-resources>

<https://www.local.gov.uk/our-support/councillor-and-officer-development/councillor-hub>





## The approach to Member Development Programme 2024/25

4.9 Whilst the Member Development Programme of 2023/24 is still current, with training sessions continuing to be arranged, the process for next year's programme has already commenced, having recognised this year, some changes that need to be made. These include:

- Earlier planning by officers: In conjunction with Democratic Services staff, training session dates will be implemented during the planning stages of the 2024/25 Committee calendar.
- New Member induction and all Councillor Sessions – May/June. It has been identified, and requested by Members, that Equality, Diversity and Inclusion and Personal Safety sessions are provided at the start of the municipal year, due to the content of the sessions.
- Member induction: building on the successes of the current programme and bridging any identified gaps. All Members who were elected in 2023 will be invited to participate in an information gathering session that will aim to understand their experience of the member induction programme and consolidate the offer going forward. This proved beneficial when forming the induction programme for 2023/24 and this session will be carried out in January 2024.
- A skills audit has been created, which is key to measuring performance of Members, in addition to supporting their learning needs for future roles. This will be implemented in the MDP for 2024/25, ensuring individual learning pathways are tailored to best support Member in positions of responsibility and those wishing to progress in specialised roles.
- The PDP process is under review to ensure higher participation takes place as the outcome of the PDPs identifies members learning and development needs. An update will be provided at a future Committee. The newly created skills audit will be incorporated into the process capturing any external learning that members may have undertaken in a personal or professional capacity.



## 5 Implications

<b>Resources:</b>	Training that forms the member development programme will involve a range of providers and support being utilised to ensure effective development and learning. The costs of such support will be met from existing approved budgets.
<b>Legal and Governance:</b>	An effective Member Development Programme will help ensure the council make informed decisions and empower Members in undertaking their various roles. Members in relation to regulatory matters/functions are required to undertake specific kinds of training such as planning, licensing, standards, safeguarding. Supporting Members in their development, training and support needs strengthens the council's governance arrangements.
<b>Risk:</b>	Where engagement in learning and development is limited, there are risks associated with Members being insufficiently supported, particularly when undertaking statutory roles.
<b>Equality:</b>	The revised Member Development Programme will address any Equality Act implications and issues arising.
<b>Health and Wellbeing:</b>	None in relation to this report
<b>Social Value:</b>	The Member Development Programme has recently been reviewed and revised to ensure Elected Members have the requisite skills, support and knowledge necessary to undertake their various roles.
<b>Climate Change:</b>	Targeted training on the Council's responsibilities for climate change and the environment will need to be incorporated into the member development programme.
<b>Corporate Parenting:</b>	Training on members corporate parenting responsibilities is delivered annually to ensure they are aware and are better able to conduct their role effectively.

## 6 Appendices

Latest version of Member Development Plan.



## 7. Background Papers

None



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# SANDWELL COUNCIL ELECTED

## MEMBER DEVELOPMENT PROGRAMME 2023/24



Sandwell  
Metropolitan Borough Council

**Councillor Keith Allcock – Chair of the  
Member Development Working Group**

**As the Chair of the Member Development Working Group, it gives me great pleasure to endorse this new plan that builds on the success of the past few years.**

**Member Development remains integral to our roles; In ensuring that we, as elected members can continue to support our communities and effectively deliver against the Council's corporate ambitions, we must be confident in our various roles and our ability to carry out our various responsibilities. Our Member Development Programme supports all Councillors, whether newly elected or longer serving, by providing opportunities to ensure that we have the skills and knowledge to respond to immediate and emerging local government issues.**

**Committee colleagues and I will continue to have oversight of the programme and encourage all members to engage proactively in their own learning and development in support of positive outcomes for the Borough.**

**Kind regards,**

**Cllr Keith Allcock**

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

**Surjit Tour – Director – Monitoring Officer**

**Since 2018, Officers within my Directorate have been working to build a member development programme that holistically supports Sandwell Council's Elected Members.**

**At every turn, we have sought to ensure this is an inclusive process which all Members have an opportunity to contribute to in order for us to design and deliver a programme that enables you, as Councillors to feel supported in your roles, deliver against the strategic priorities and ambitions.**

**This document sets out what you can expect from the member development programme. We offer a mix of core knowledge and skills to meet the needs of all councillors, alongside themed bespoke development strands for those who have special responsibilities or aspire to a future role.**

**Whilst the programme is designed to be delivered over each municipal year, as always, Members are encouraged to engage with officers in the directorate if they identify and new development activity that would support them in their Councillor roles.**

**Best wishes,**

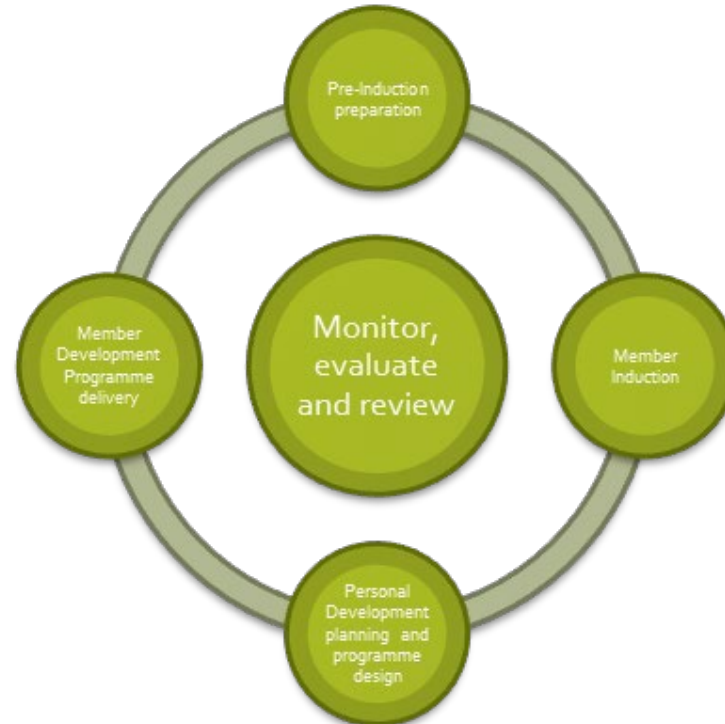
**Surjit Tour**

**Director of Law & Governance**

# SANDWELL'S APPROACH TO LEARNING AND DEVELOPMENT

The Member Development programme is designed collaboratively with Members and officers across the Council with the aim of constructing an offer that incorporates the wishes of Members, the immediate needs of the authority and known future issues that impact across the local government landscape, with a view to ensuring that it remains fit for purpose and responsive to our needs.

Our shared belief is that an effective Councillor development journey begins prior to election, in preparing those that want to be Councillors, and continues on a cyclical basis throughout the remainder of a Councillors life in public service. Our approach enables individuals and groups to design a bespoke package of learning and support interventions that aim to enable and empower Members in their growth and development moving forward.



Our newly modelled approach includes robust monitoring, evaluation and review to ensure candidates, newly elected members and established members receive appropriate and targeted learning and support matched to their current and future needs.

The MDP has served its purpose well in recent years to establish learning and support as a key ingredient of Member effectiveness and confidence in their roles. This new and revised programme will work with the key strengths established over the past 5 years and build on the identified interventions that will develop Members who are in positions of special responsibility or are aspiring to be. The following diagram encapsulates the approach which is based on external best practice. Each of these elements work independently and collectively to inform a comprehensive framework of targeted development activity.





# WHAT TO EXPECT

We understand that members learn and develop in their roles differently and we have designed our programme to provide a variety of development activity. Our strands are delivered using a combination of interactive workshops, member briefings and e-modules. We are also in the process of building a knowledge repository that Councillors can access, via the MyCouncillor portal, key information, as and when you need it.

In understanding that your role does not follow a traditional 9-5 routine, we look to provide development workshops and briefings in the early evening, however, will accommodate daytime sessions where these are preferred.

For the programme to be effective, we rely on your contributions to sessions, sharing your experiences and understanding for the benefit of your colleagues, alongside qualitative feedback on the effectiveness and usefulness of the programme.



# UNDERPINNING THE APPROACH

**Development Plans** – will be available to Elected Members in roles, or aspiring to be, that hold special responsibilities. These will be developed and scheduled at key stages during the Municipal Year. Plans will be based on the individual role with learning, support, advice and guidance sourced internally and/or externally where appropriate.

**Support Arrangements** – A holistic solutions-based approach designed by Democracy staff to support Members in every aspect of the Member Development Plan and in their roles.

**Personal Development Plans (PDP's)** - Integral to the ongoing review, development and continuous improvement of the programme will be a planned, robust PDP meeting, held with officers from the Democracy service area, to consolidate strengths and establish areas for improvement. PDP's are scheduled to take place from July each year and the repeated prior to the end of this Municipal Year. Your PDP will aim to capture key skills and knowledge or learning and development that has been undertaken externally to the Council, for example, in employment or further/higher education



# YOUR PERSONAL DEVELOPMENT PLAN

The Member Development Programme (MDP) is designed to offer all Councillors a suite of learning and development activity that aims to be flexible in order to meet individual and collective need and ambitions at whatever point you are at in your Councillor lifetime. Your personal development plan or PDP will inform the content of the wider Member Development Plan, ensuring that appropriate resources are made available in support of your roles and responsibilities.

Where there are common themes or trends across the majority of members, our aim is to incorporate development activity in the MDP to address this, however, we understand that individual councillors may identify unique requirements that we aim to support where possible.

We offer all Councillors the opportunity to discuss their development needs in a one to one confidential discussion, where you'll be invited to reflect on your successes, explore future ambitions and design a programme of learning and development that supports your needs.



# LINKING INTO SANDWELL'S CORPORATE PLAN & AMBITIONS

Sandwell has a clear vision for what the borough should look and feel like by 2030: In 2030, Sandwell is a thriving, optimistic and resilient community. It's where we call home and where we're proud to belong – where we choose to bring up our families, where we feel safe and cared for, enjoying good health, rewarding work, feeling connected and valued in our neighbourhoods and communities, confident in the future, and benefiting fully from revitalised West Midlands. Sandwell's Corporate Plan sets out what the Council will do to deliver Vision 2030 and Sandwell's 10 ambitions over the next five years.

In addition to the Vision and its ambition statements, the Council is guided by the shared values of Trust, Unity and Progress. These values guide Members and Officers of the Council in all the work that they undertake and as representatives of the council.



# WHAT'S INCLUDED IN THE MEMBER DEVELOPMENT PROGRAMME?

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The role of an elected member is varied and often complex, requiring different skills, knowledge and abilities. At Sandwell, we aim to provide development opportunities with the objective of ensuring that Councillors feel equipped to and confident in fulfilling the expectations of the electorate and contributing to the delivery of the Council's strategic ambitions for the Borough.

Our programme is designed to offer something for each member from the point of their first election and flexes to meet the various roles that you may undertake in the course of service to the community. Our themed development strands aim to support Members to achieve their individual and collective objectives.



Our programme is designed to offer something for each member from the point of their first election and flexes to meet the various roles that you may undertake in the course of service to the community. Our themed development strands aim to support Members to achieve their individual and collective objectives.

Some elements of the programme are critical to member roles and we identify these as compulsory. These may be to ensure that statutory obligations are fulfilled or to provide essential knowledge in relation to the individual remits of committee. Our identified priority learning is drawn from the feedback provided by Members as being key to their roles over the coming 12 months. Our specialist development programmes are designed to provide Councillors with, or aspiring to hold, identified roles and responsibilities, the appropriate support and knowledge to conduct those roles and our bespoke programme is responsive to any emerging themes or corporate need. The programme strands are set out below.

### New Member Induction

Date	Programmed Event	Objective(s)	Members to be invited	Compulsory Essential Bespoke Desirable	Lead Officers
9 May 2023	Welcome and Declaration of acceptance of office	To provide a welcome to the Council and for Councillors to sign their declaration of acceptance of office	Newly and re-elected members (and families)	Essential – for Councillors elected in May 2023	CEO/Monitoring Officer/Democracy
11-20 May 2023  By appointment	Member ICT and Portal	These sessions address the use of corporate IT devices, information governance and using the member portal for progressing casework	New members	Compulsory for new members	Member Services/ICT
11 May 2023	Decision Making process and Understanding My Role as a Councillor	This session will give you an overview of decision making in Sandwell, provide information on your role as a councillor at a meeting and how you can access your committee papers	New member	Compulsory for new members	Democratic Services



<p>17 May 2023</p>	<p>The New Municipal Year</p>	<p>To outline: Council priorities Working together: The role and responsibilities of Councillors and Officers; Directorates and Service provision An overview of decision making Support for members</p>	<p>All members</p>	<p>Essential</p>	<p>Leadership Team/Democracy/Member Services</p>
<p>7 &amp; 8 June 2023 (From 6pm)</p>	<p>Neighbourhood Support</p>	<p>Meet the teams who directly support elected members in their communities. To provide an overview of the services they offer out in Sandwell Communities.</p>	<p>All Members</p>	<p>Essential for new members, Desirable for all members</p>	<p>Neighbourhood Teams</p>



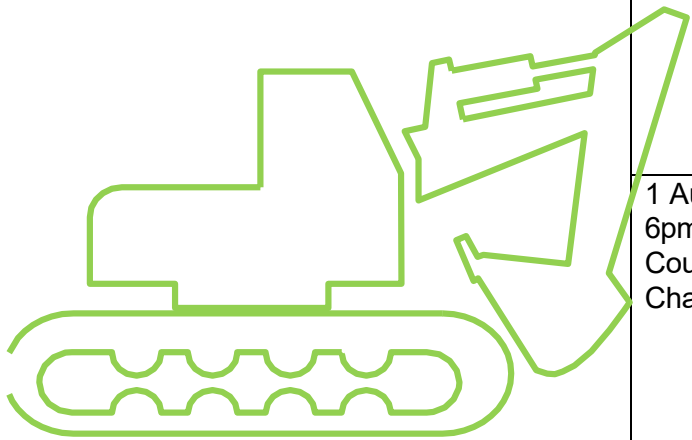
<p>12 June 2023 (10am to 4pm)</p>	<p>The Role of Scrutiny and scrutiny work programming</p>	<p>For members appointed to Scrutiny Boards, this session will provide a comprehensive overview of the role and powers of Scrutiny and how they add value to the work of the organisation. As the Scrutiny Boards are responsible for developing their own programme of activity, the afternoon session will enable Members and Officers to have initial conversations on priority areas for inclusion in Board work programmes.</p>	<p>Scrutiny Board Members</p>	<p>Desirable for new members</p>	<p>Statutory Scrutiny officer</p>
<p>14 June 2023 10.30am – Taxis 1pm – General licensing.</p>	<p>An introduction to Licensing</p>	<p>The opportunity to attend a general introduction to General Licensing &amp; Taxi Licensing which can feature in councillor casework</p>	<p>New Members</p>	<p>Desirable for new members</p>	<p>Licensing Manager/LGA Peer</p>



19 June 2023 Session 1 20 June 2023 Session 2	My Councillor Portal	An overview of the Member casework and enquiry management system	All Members	Essential for new members	Digital Transformation Lead Officer
20 June 2023 5.30pm – 7.30pm (virtual Zoom event)	Welcome to Newly Elected Members  (LGA National Events)	This is a virtual networking opportunity for new councillors across the country to link in with colleagues	New Members	Desirable for new members	LGA
27 June 2023  6pm-8pm	An introduction to Planning	The opportunity to attend a general introduction to the planning process which can feature in councillor casework	All Members	Desirable for new members Essential for planning committee members	Head of Planning John Baker/Alison Bishop
4 July 2023 6pm-8pm  (Virtual event)	An introduction to Licensing	The opportunity to attend a general introduction to Taxi Licensing which can feature in councillor casework	All Members	Desirable for new members	Licensing Manager/LGA Peer



<p>5 July 2023 6pm-8pm (Virtual event)</p>	<p>An introduction to Licensing</p>	<p>The opportunity to attend a general introduction to general Licensing which can feature in councillor casework</p>	<p>All Members</p>	<p>Desirable for new members</p>	<p>Licensing Manager/LGA Peer</p>
<p>6 July 2023 6pm- 8pm  Council Chamber</p>	<p>Introduction to Local Government Finance</p>	<p>To provide an overview of financial structures any systems within the Council</p>	<p>All Members</p>	<p>Essential for all members</p>	<p>Director of Finance/LGA peer  Simone Hines Rebecca Maher</p>
<p>19<sup>th</sup> July 2023 6pm-7:30 pm (Virtual event)</p>	<p>An introduction to Audit</p>	<p>The opportunity to see how Audit and Risk management ensures the integrity of the financial reporting and audit process and to oversee the maintenance of sound internal control and risk management systems.</p>	<p>All Members</p>	<p>Desirable for new members</p>	<p>Audit Manager Risk Manager External Auditor/LGA peer</p>
<p>1 August 2023 6pm-7.30pm Council Chamber</p>	<p>Public Speaking Skills</p>	<p>This 1.5 hour lively and practical event is aimed at new councillors who would like to learn the art of public speaking in webcast meetings environment (meetings and full Council)</p>	<p>All Members (Members who have attending a previous 'Public Speaking Skills' course need not attend unless they would like to refresh their knowledge)</p>	<p>Essential</p>	<p>David McGrath – link UK</p>



DATE TO BE CONFIRMED – 20 or 27 September 6pm-8pm	King's Honours & Awards	Information on the (personal) awards and how to submit a nomination.	All members	Bespoke	West Midlands Lieutenancy
26 September	Personal Safety	This event aims to provide members with key information on safety considerations	All members	Desirable for new members	LGA
TBC	Time Management	To outline strategies and practices to help Councillors balance the demands on their time	All members	Desirable	Commissioned LGA



## Corporate Governance

Date	Programmed Event	Objective(s)	Members to be invited	Compulsory Essential Bespoke Desirable	Lead Officers
16 May 2023	Code of Conduct	These workshops will explore the Code of Conduct for elected members and the expectations placed on councillors in their roles	All members	Compulsory for all members every 2 years	Monitoring Officer/Service Manager Democracy
12 June 2023	Overview and Scrutiny – provisions, powers, toolkit and work programming	Examining scrutiny best practice, tools and techniques, followed by initial development of work programmes	All Scrutiny Members	Essential for scrutiny members	Statutory Scrutiny Officer
TBC	Introduction to Overview & Scrutiny	To provide an introduction to the role, powers and functions of the Council's Scrutiny Boards	All Members	Essential for new members, desirable for all members	Statutory Scrutiny Officer
6 July 2023	Understanding local government finance	To provide an overview of financial structures any systems within the Council	All members	Compulsory ARAC, Cabinet Essential for all members	Director of Finance





12 July 2023 6-8pm	Decision making and Council Procedure Rules	This session will offer an overview of the Council's decision-making framework and walk members through the conduct and constitutional provisions of Council meetings	All members	Essential for all members	Service Manager Democracy/ Monitoring Officer
August 2023	Your role on outside bodies	This workshop aims to provide members with an overview of their roles and responsibilities where they are appointed by the Council to outside bodies	Members/Directors appointed to outside bodies	Essential for members on outside bodies	Bethan Evans

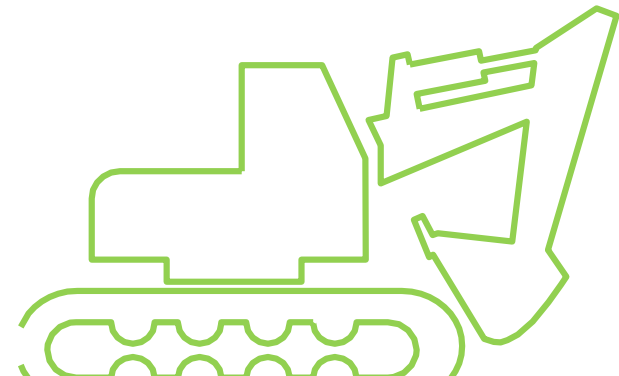


<p><b>Programme20:</b> Thursday 21 September – Friday 22 September 2023</p> <p><b>Programme21:</b> Saturday 27 January – Sunday 28 January 2024</p> <p><b>Programme 22:</b> Thursday 15 February – Thursday 16 February 2024 Virtual</p>	<p>Effective Scrutiny</p>	<p>This LGA module provides the opportunity to focus in depth on the hot topics that are currently most relevant to delegates</p>	<p>New or aspiring scrutiny chairs and task and finish review lead members</p>	<p>Desirable for scrutiny members</p>	<p>LGA</p>
<p><b>Programme 9:</b> Thursday 18 January – Friday 19 January 2024 <b>Programme10:</b> Saturday 10 February – Sunday 11 February 2024</p> <p>Both events take place at Warwick Conferences, Coventry CV4 7SH.</p>	<p>Audit committees</p>	<p>These sessions examine how Audit committees can be most effective</p>	<p>Audit Committee Chairs/Vice Chairs/Aspiring Chairs</p>		<p>LGA</p>



**Continuous Learning for all Councillors (to be finalised with the LGA)**

Date	Programmed Event	Objective(s)	Members to be invited	Compulsory Essential Bespoke Desirable	Lead Officers
e-learning module (accessible immediately) + workshop 5 <sup>th</sup> September 2023	Equality, Diversity and Inclusion	Understanding the Equality Act, Equality Duty	All Members	Essential	EDI Manager
TBC	Social media	Exploring the relationship between Councillors and Social media, unpacking practical and ethical considerations; the benefits of social media as a communication tool and making best use of social media platforms.	All Members	Essential - All members	LGA
12 <sup>th</sup> June (Corporate Parenting Week)	Corporate Parenting	To outline Councillor responsibilities in relation to the corporate parenting duty	All Members/Cabinet members	Essential	LGA



	Community Leadership	The key components of effective community leadership	All Members	Essential	LGA
	Safeguarding	To unpack what safeguarding means from a Local Authority lens, including corporate responsibilities and what to do if you have a safeguarding concern	All members	Essential	LGA
1 <sup>st</sup> August 2023	Effective public speaking and presenting with impact	This workshop will offer Councillors the opportunity to explore how to communicate effectively in a public setting and getting your message across	All Members	Desirable	David McGrath– Link Services
	Peer to Peer Mentoring for Chairs and Vice Chairs				LGA/CfGS





## Continuous Learning – Corporate Governance

Pre-committee	Standards Hearings	To provide a comprehensive understanding of the role and remit of the Committee where a standards hearing is required	Ethical Standards and Member Development Committee		Monitoring Officer
ASAP after Annual Council	The role of the Chair	Understanding the role of the Chair, how to chair meetings effectively including a look at activity leading up to meetings, Co-ordinating committee activity,	Chairs/Vice Chairs/Aspiring	Essential for committee and board chairs/vice chairs	LGA
ASAP after Annual Council	Chairing Hearings/ Proceedings	To explore the role of the Chair in managing quasi-judicial or other formal hearings/ proceedings	Chairs/Vice Chairs of quasi-judicial bodies	Essential – Chairs/Vice Chairs of regulatory Committees	David McGrath – Link Services
TBC	Chief Officer Employment Procedures	The role of Members in chief officer employment issues	Chairs/Vice Chairs/Cabinet Members	Compulsory	Head of HR
October 2023 (TBC – awaiting dates)	The corporate governance framework	Exploring the governance framework and Committee role	ARAC Members All Members	Essential	Cipfa

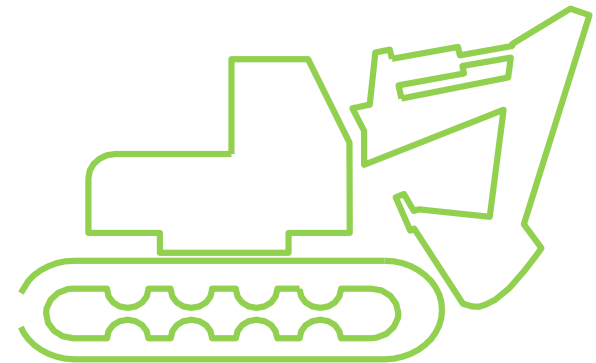
Pre-Committee	Managing risk	The committee's role in the management of risk and the wider context of corporate risk management	ARAC Members	Essential	
Pre-Committee	The role of External Audit	An overview of the role of the external auditors	ARAC Members	Essential	Grant Thornton
Pre-Committee	The annual statement of accounts	Examining and providing assurance on the content of the statement of accounts	ARAC Members	Essential	Director of Finance
TBC	Working together– the Member/Officer relationship	These workshops will explore the Member/Officer working relationships	All Members	Essential for all members	Monitoring Officer LGA
Pre-Committee	Performance Management	To examine the role of scrutiny in managing council performance	All Scrutiny Members	Desirable for scrutiny members	Statutory Scrutiny Officer/LGA

**Continuous Learning - Committee specific**  
Planning Committee

Date	Programmed Event	Objective(s)	Members to be invited	Compulsory Essential Bespoke Desirable	Lead Officers
27 <sup>th</sup> June 2023	Introduction to Planning	To provide an overview of the Council's planning function and understanding key planning considerations as they relate to potential community issues and casework	All members	Compulsory for planning committee members Desirable for all members	Service Manager - Planning
Pre-Committee workshop	(bitesize) 5G mast – planning considerations	Exploring key considerations in relation to this planning matter	Planning Committee Members	bespoke	Service Manager - Planning
Pre-Committee workshop	(bitesize) Wind turbines	Exploring key considerations in relation to this planning matter	Planning Committee Members	bespoke	Service Manager - Planning
Pre-Committee workshop	Local planning policy	Exploring key considerations in relation to this planning matter	Planning Committee Members	bespoke	Service Manager - Planning
Pre-Committee workshop	Dealing with lobbying and representations	Exploring key considerations in relation to this planning matter	Planning Committee Members	bespoke	Service Manager - Planning



Pre-Committee workshop	The green belt	Exploring key considerations in relation to this planning matter	Planning Committee Members	bespoke	Service Manager - Planning
Pre-Committee workshop	Departures from development policy	Exploring key considerations in relation to this	Planning Committee Members	bespoke	Service Manager - Planning



## Licensing Committee

Date	Programmed Event	Objective(s)	Members to be invited	Compulsory Essential Bespoke Desirable	Lead Officers
Pre-Committee	The Gambling Act in practice	To deliver the key considerations of Licensing Committee in the context of applications received under the Gambling Act	Licensing Members	Bespoke	Licensing Manager
TBC	Licensing Decision Making at Licensing Committee	How to run a good licensing committee	Licensing Committee & Sub Committee Chairs and Vice Chairs	Bespoke	LGA

## Scrutiny Boards

Date	Programmed Event	Objective(s)	Members to be invited	Compulsory Essential Bespoke Desirable	Lead Officers
TBC	Effective questioning	Exploring techniques to facilitate powerful and effective questioning	All Scrutiny Members	bespoke	Link UK
TBC	Undertaking review activity	This workshop will explore best practice and tools for deep dive scrutiny review activity	All Scrutiny Members	bespoke	TBC

**Audit Committee**

Date	Programmed Event	Objective(s)	Members to be invited	Compulsory Essential Bespoke Desirable	Lead Officers
Pre-Committee	Local Government Funding Background		All ARAC Members	Essential	Director of Finance
Pre-Committee	Financial Control Framework		All ARAC Members Budget & Corporate Scrutiny Board	Essential	Director of Finance
Pre-Committee	Financial Coding		All ARAC Members	Essential	Director of Finance
Pre-Committee	Budget Monitoring and Preparation		All ARAC Members Budget & Corporate Scrutiny Board	Essential	Director of Finance



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## Report to Ethical Standards and Member Development Committee

7 November 2023

<b>Subject:</b>	Committee on Standards in Public Life Annual Report: July 2022 – June 2023
<b>Director:</b>	Director of Law and Governance and Monitoring Officer – Surjit Tour
<b>Contact Officer:</b>	Johane Gandiwa <a href="mailto:Johane_Gandiwa@sandwell.gov.uk">Johane_Gandiwa@sandwell.gov.uk</a> Committee and Constitutional Services Lead Officer

### 1 Recommendations







- 1.1 That the Annual Report of the Committee on Standards in Public Life included in Appendix 1 be considered and commented on.

### 2 Reasons for Recommendations

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



### 3 How does this deliver objectives of the Corporate Plan?

		Through its work in promoting high standards of conduct, the Committee makes a positive contribution to the Council's governance and decision-making arrangements of the authority
		
		

### 4 Context and Key Issues

- 4.1 On 5 July 2023, the Committee on Standards in Public Life published its annual report for 2022-23.
- 4.2 The annual report has useful links of all the reports published by the Committee between 1995 and 2023. These constitute useful reference on best practices.

### 5 Alternative Options

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

### 6 Implications

<b>Resources:</b>	There are no strategic resource implications arising from this report.
<b>Legal and Governance:</b>	By noting the work of the Committee on Standards in Public Life members will be better informed to discharge their duty to promote high ethical standards.
<b>Risk:</b>	There are no direct risk implications arising from this report.
<b>Equality:</b>	There are no equality issues arising directly from this report.
<b>Health and Wellbeing:</b>	There is no impact on health or wellbeing arising directly from this report.



<b>Social Value:</b>	There are no social value implications arising from this report.
<b>Climate Change:</b>	There are no specific climate change implications arising from this report.
<b>Corporate Parenting:</b>	There are no specific corporate parenting implications arising from this report.

## 7 Appendices

Appendix 1 – Committee on Standards in Public Life Annual Report: July 2022 – June 2023.

## 8. Background Papers

None.



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**Committee on  
Standards  
in Public Life**

# **Annual Report**

## **July 2022 – June 2023**

Honesty | Objectivity | Openness | Selflessness | Integrity | Accountability | Leadership

## THE SEVEN PRINCIPLES OF PUBLIC LIFE

*The Seven Principles of Public Life apply to anyone who works as a public office holder. This includes all those who are elected or appointed to public office, nationally or locally, and all people appointed to work in the public sector. The Principles also apply to all those in the private sector delivering public services.*

### HONESTY

*Holders of public office should be truthful.*

### OBJECTIVITY

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

### 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.*

### SELFLESSNESS

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

### INTEGRITY

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

### 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.*

### LEADERSHIP

*Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.*

The Seven Principles were established in the Committee's First Report in 1995; the accompanying descriptors were revised following a review in the [14th Report, Standards Matter](#), published January 2013 and in the [23rd Report, Upholding Standards in Public Life](#), published November 2021.

## FOREWORD BY THE CHAIR

I am pleased to present the Committee on Standards in Public Life's Annual Report for 2022/2023, my final as Chair as my five-year term comes to an end this October.

It has been a turbulent few years for our country. The global pandemic, domestic political upheaval and the war in Ukraine have created huge challenges for government, businesses and citizens. Those in public office have had to take unprecedented decisions that continue to affect our lives. Despite these new challenges, the Principles underpinning the Committee's work are as relevant today as they were when first articulated by Lord Nolan nearly thirty years ago.

For twenty nine years, the Committee's evidence-based, cross party approach has contributed greatly to the wider debate about public service ethics and to improvements in the standards system. I am proud of the wide-ranging reports we have produced over the last five years: *Ethical Standards in Local Government* (2019), *Artificial Intelligence and Public Standards* (2020), *Regulating Election Finance* (2021), *Upholding Public Standards* (2021) and our 2023 review, *Leading in Practice*.

*Leading in Practice* highlights how different organisations have sought to build ethical values into their policies, practices and ways of working. In some cases, this came about following a crisis and in others, a realisation that new systems and processes were needed to support employees. We heard that fostering an environment that encouraged staff to act in ethical and appropriate ways was vital to the wider success of their organisation and I am pleased that the report has provoked wide interest across the public sector.

If there is one common thread in the Committee's reviews, it is the need for everyone in public service and in public life to give proactive attention to maintaining ethical standards. The public standards failures we have seen in recent years have damaged public trust and the UK's reputation overseas. These failures were avoidable and while, for the most part, the structures that support standards have responded appropriately when issues have arisen, we continue to believe that they need to be strengthened and modernised.

We are yet to receive a full government response to a number of recent reports that recommend important improvements; this is very disappointing. It is clear that standards matter a great deal to the public and there is little point having a Committee such as ours making evidence based recommendations, if they are not properly considered by those with the power to make the changes necessary.

I am very grateful to the members of the Committee who contribute their time and expertise to our work. We have had two vacant posts now for some time and it is troubling that the appointment process for new members fails to plan for and fill vacancies in a timely manner. This problem is not unique to our own Committee but occurs across the public appointments system. Delays in appointments impede the work of public bodies, and put off talented candidates from applying. Government could address this widespread problem if it chose to do so. It is also important that appointments reflect the diversity within our country. Including people from a range of different backgrounds helps ensure that Committees like ours have a breadth of views and experiences to draw from.

I would like to thank Dame Shirley Pearce, Rt Hon Lord Stunell and Sir Jeremy Wright MP KC whose terms ended during the period of this annual report. They have each, in different ways, made major contributions to the Committee's work. I would also like to thank all those who have so willingly given their time to share their expertise with the Committee during the course of our reviews. I wish to acknowledge the work of the Committee's small secretariat, whose objectivity, good judgement, diligence and courtesy show the very best of the Civil Service. Finally, I'm also extremely grateful to Professor Mark Philp, Chair of our Research Advisory Board, for his wise guidance over the years, and to Maggie O'Boyle, Press Officer, for her always excellent media advice to the Committee.

I wish the Committee well in its future endeavours - it has been a pleasure and an honour to work alongside Committee members who exemplify the Nolan Principles every day.



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



## THE COMMITTEE'S REMIT

The Committee is an advisory non-departmental public body sponsored by the Cabinet Office, which advises the Prime Minister on arrangements for upholding ethical standards across the whole of public life in England. The Committee does that by undertaking independent reviews and producing evidence-based reports.

The Committee was established as a standing committee in October 1994, by the then Prime Minister, with the following terms of reference:

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

The remit of the Committee excludes investigation of individual allegations of misconduct. We are not a regulator and cannot investigate individual complaints.

On 12 November 1997, the terms of reference were extended by the then Prime Minister:

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

The terms of reference were clarified following the Triennial Review of the Committee in 2013.

The then Minister for the Cabinet Office confirmed that the Committee “should not inquire into matters relating to the devolved legislatures and governments except with the agreement of those bodies”, and that “the Government understands the Committee’s remit to examine ‘standards of conduct of all holders of public office’ as encompassing all those involved in the delivery of public services, not solely those appointed or elected to public office.”

## THE COMMITTEE'S ROLE AND HOW IT GOES ABOUT ITS WORK

The Committee identifies areas of concern and undertakes impartial, evidence-based, reviews, making recommendations to uphold and drive improvement in standards in public life based on evidence received. Our independence of both government and Parliament is key.

We conduct inquiries into areas of current concern about standards in public life; revisit areas to see if and how our recommendations have been put into effect; and we can also look ahead to emerging issues relating to public standards.

We make informed contributions to public debates about ethical standards, including through submissions to public consultations and participating in seminars and discussion events. We proactively identify and respond to emerging ethical risks and engage with a wide range of partners on the ethical standards agenda.

We are committed to building a strong evidence-base for our reviews and to working with others to ensure that high ethical standards are met and that the Principles of Public Life are understood and embedded across public life.

Our recent reports have been welcomed by the relevant sectors. Our reports on *Local Government Ethical Standards (2019)*, *Regulating Election Finance (2021)* and *Upholding Standards in Public Life (2021)* were commended for understanding the issues under review and offering balanced, considered recommendations in often complex areas. Our most recent report, *Leading in Practice (January 2023)* which focused on how organisations in the public, private and charitable sectors build ethical values into their ways of working, has been welcomed by both government departments and the wider public sector as a constructive and practical resource.

The Committee is not a regulator and we have no statutory powers and no remit to investigate individual cases. Our effectiveness depends on our independence, impartiality, and our ability to make powerful arguments for change - which in turn is based on our ability to conduct in-depth reviews, with a strong evidence base after wide-ranging consultation. We aim to follow-up our reviews with the relevant stakeholders to ensure that our recommendations stand the strongest possible chance of being implemented.

We are part of a complex landscape. There is a wide range of different regulatory bodies involved in investigating, promoting and maintaining standards, based on the Nolan Principles - some of which came about as a result of the Committee's recommendations over the past 27 years.

You can hear more about how we carry out our work in our videos [here](#).

## CORE WORK PROGRAMME 2022-2023

### Leading in Practice

The *Leading in Practice* review was launched in March 2022 and reported in January 2023. It looked at how a range of organisations approached the challenge of building a working environment that supports and encourages people to live up to the ethical values reflected in the Principles of Public Life.

The Committee approached a range of organisations in the public, private and charity sectors and asked how they approach this challenge. Our report draws together these insights and case studies and shares them as a source of inspiration and to stimulate discussion. Rather than making specific recommendations for government and other stakeholders to respond to, *Leading in Practice* poses a set of questions for leaders in the public sector. The questions are a resource to support public sector leaders to reflect on their own ethical leadership and consider how they can ensure that the Principles of Public Life are understood and embedded into all aspects of how their organisations operate.

The core message of our report is that creating a culture that facilitates, promotes, and creates space for people to think about ethical standards does not happen by accident. It requires the active attention and commitment of leaders - at all levels of an organisation.

The Chancellor of the Duchy of Lancaster [wrote to the Chair](#) following publication of the report. Rt Hon Oliver Dowden MP described the report as a “valuable addition to the conversation concerning leadership in public sector organisation.”

Following publication of the report in January 2023, the Committee was invited to speak at a variety of events, conferences and meetings. We have been struck by how different parts of the public sector have welcomed the opportunity to discuss ethical leadership and the place of ethical values in guiding public servants in their work.

We remain open to further opportunities to discuss the report within the public sector.

## PREVIOUS REPORTS: UPDATES AND GOVERNMENT RESPONSES

### Upholding Standards In Public Life - Standards Matter 2, 2021

The Committee published [Upholding Standards in Public Life](#) on 1 November 2021. This was the final report of the [Standards Matter 2](#) review (interim findings were [published](#) in June 2021).

The review's final report followed a year of evidence gathering, which included engagement with ministers, senior civil servants, standards regulators, academics, trade unions, representative bodies, NGOs and think tanks. The Committee also ran a public consultation and public sector survey, commissioned public polling, and held focus groups. We are grateful to all who contributed. The Committee found Nolan's original Seven Principles to be enduring and long standing, but decided to amend the descriptor to the Leadership principle to include a focus on treating others with respect.

The report included recommendations for reforming four areas of standards regulation in central government: the Ministerial Code and the Independent Adviser; ACOBA and the Business Appointment Rules; transparency around lobbying; and the regulation of public appointments. This was the first time CSPL published extensive recommendations in these areas for nearly ten years.

The Committee also called for new primary legislation to establish in statute the independence of standards regulators, and for a new compliance function to be established across government.

Lord Evans launched the report with [a speech at the Institute for Government](#) on 4 November 2021.

At the time of writing, we are still awaiting the government response to this report. A policy statement in response to *Upholding Standards in Public Life*, was promised in 2022.<sup>1</sup> No response was forthcoming in 2022; the government said they would respond by summer 2023.<sup>2</sup>

The government published a policy statement on the Ministerial Code on 27 May 2022, which, whilst making some improvement, did not go far enough in our view. Whilst the Code now sets out graduated sanctions for breaches of the Code as we recommended, our recommendation was linked to greater independence for the Adviser as part of a mutually dependent package of reforms. Under the process introduced in May 2022, the Prime Minister's consent is still required before the Independent Adviser may start an investigation, although if this is not given the Independent Adviser may require that the reasons for an investigation not proceeding be made public unless this would undermine the grounds that have led to the investigation not proceeding.

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<sup>1</sup> [UK Anti-Corruption Strategy – Year 3 Update](#)

<sup>2</sup> [Standards: Code of Conduct and Guide to the Rules - Hansard](#)

The Committee welcomes the appointment of Sir Laurie Magnus as the Independent Adviser on Ministers' Interests and acknowledges the progress made since taking up the role, including the recent [publication](#) of the list of ministers' interests in April 2023.

## **Regulating Election Finance, 2021**

In September 2021, the government set out their initial [view](#) on our recommendations regarding the regulation of election finance. They said in that response that they 'look forward to considering each of the recommendations in more detail in due course'.

We [wrote](#) to the Secretary of State for Levelling Up, Housing and Communities, to request an update on the government's consideration of the report, in May 2023.

## **Artificial Intelligence and Public Standards, 2020**

The Committee published its [report on AI and public standards](#) in February 2020, which made a number of recommendations about the need for effective and informed governance of AI in the public sector. The review found that the Nolan Principles remain strong and do not need reformulating for AI, but three are particularly relevant – openness, accountability, and objectivity. We found that far from needing a single regulator, successful AI governance is about clear regulation and controls for managing and mitigating risk. We said that all regulators should consider and respond to the challenges of AI in the fields for which they have responsibility.

In November 2020, we [wrote to regulators](#) asking them for an update on how they are adapting to the challenges posed by AI. We [received a range of responses](#), with some regulators being quite prepared and others noting that the regulation of AI is beyond their scope.

The government [published their response](#) to our 2020 report on AI and public standards in May 2021, which was broadly positive with an encouraging [letter](#) from the then Minister for Digital Infrastructure, Matt Warman MP. The government accepted most of the report's recommendations, commenting that several initiatives undertaken by the government in recent years are closely aligned with the Committee's recommendations. We will continue to maintain a watching brief on the implementation of our recommendations to government, national bodies and regulators.

In May 2023, Lord Evans, in light of recent media coverage over the risks associated with AI, published a blog, [AI brings potentially huge benefits to the public sector but we need clear standards and greater transparency](#), emphasising the key messages from the report.

Three years on, it is clear that AI developments have moved on at some pace. As such, we are currently following up the recommendations made in our report, writing to government departments, public bodies and regulators, with the intention of holding a seminar and publishing a formal update on progress later in the year.

## Local Government Ethical Standards, 2019

Our evidence-based report, published in January 2019, exploring ethical standards in local government was welcomed by the sector, backing our call to strengthen the arrangements in place to support high ethical standards, whilst respecting the benefits of a localised approach.

The government [responded](#) three years later in March 2022. We are disappointed that the government in its response rejected most of our recommendations, stating that it thought that the best route for change was best practice by local authorities. We believe this is a missed opportunity to update and improve the locally-based standards regime in local government. We continue to make the case for our recommendations and influence where we can.

We have written a number of times to the Department for Levelling Up, Housing and Communities. The most recent reply from the Minister for Local Government in March this year confirmed that the government will not be taking up our recommendations. The [letter](#) can be seen on our website.

We [published](#) in January 2021, the progress made by local authorities against best practice recommendations made in our report.

We would encourage those in local government to take up the government's stated commitment to work with local authorities and representative organisations to ensure the hard work done by many working at a local level is not put at risk by a small minority of individuals who do not live up to the high standards expected.

We hope that the government will work with the sector and take up our recommendations in the future.

## **WATCHING BRIEFS**

### **Lobbying**

The Committee is still waiting for a government response to *Upholding Standards in Public Life*, which contains several recommendations on lobbying.

The Committee plans to host a seminar, in September 2023, exploring issues around lobbying, particularly transparency and governance arrangements, and including the role of APPGs. The seminar will examine how we can build ethical standards into lobbying and improve public trust in government decision making.

### **House of Lords Appointments Commission (HOLAC)**

Given wider developments, such as Lord Norton's Private Members' Bill aimed at strengthening HOLAC in Committee stage in the House of Lords, and recent reports about House of Lords reform in the press, the Committee decided to monitor developments in this area. We will maintain a close watching brief on issues surrounding HOLAC.

## **BLOGS PUBLISHED DURING THE PERIOD OF THIS REPORT**

[Standards Commission for Scotland: Importance of Objectivity](#), Standards Commission for Scotland, August 2022

[Leading in Practice - our next report](#), Lord (Jonathan) Evans, November 2022

[Proactive attention to standards is necessary](#), Lord (Jonathan) Evans, December 2022

[Improving the local government standards framework](#), Guest blog by Paul Hoey (director of strategy at the Standards Board for England from 2001 until its closure in 2012), January 2023

[Public sector leaders need to keep talking about standards](#), Lord (Jonathan) Evans, February 2023

[Leading in Practice - reflecting on conversations about our report](#), Ewen Fergusson, March 2023

[An opportunity to reform standards in central government](#), Lord (Jonathan) Evans, April 2023

[AI brings potentially huge benefits to the public sector but we need clear standards and greater transparency](#), Lord (Jonathan) Evans, May 2023



## **ANNEXES**

### **ANNEX A: ABOUT THE COMMITTEE**

### **ANNEX B: MEMBERSHIP OF THE COMMITTEE**

The Committee comprises the independent Chair, four independent members and three political members. Our political members are represented by the Conservative and Labour parties and the Scottish National Party. (The Liberal Democrat party was represented until December 2022.) This mix of independent and political membership has served the Committee well, allowing the Committee to maintain a considered and impartial view whilst also understanding political perspectives.

Independent members are appointed for a five-year, non-renewable term through open competition run by the Cabinet Office (there is currently one vacancy for an independent member on the Committee; the position has been vacant since 12 March 2023).

Political members are appointed for a three-year term which can be renewed. Party members are nominated by their party leader.

The Chair and all members, independent and political, are appointed by the Prime Minister.

The workload of Committee members is high. Independent members are asked to co-lead reviews, attend evidence gathering meetings and hearings, and to consider drafts of consultations and reports.

**CURRENT MEMBERSHIP:**



**Lord (Jonathan) Evans of Weardale KCB DL, Chair**  
1 November 2018 -  
31 October 2023



**Rt Hon Lady (Mary) Arden of Heswall DBE**  
*Independent*  
13 February 2023 -  
12 February 2028



**Ewen Fergusson**  
*Independent*  
1 August 2021 -  
31 July 2026



**Professor Gillian Peele**  
*Independent*  
1 August 2021 -  
31 July 2026



**Rt Hon Dame Margaret Beckett DBE MP**  
*Labour*  
1 November 2022 -  
31 October 2025



**Rt Hon Ian Blackford MP**  
*Scottish National Party*  
26 June 2023 -  
25 June 2026



**Baroness (Simone) Finn**  
*Conservative*  
21 November 2022 -  
20 November 2025

**Committee members for part of the period of this annual report**



**Dame Shirley Pearce DBE**

***Independent***

13 March 2018 -  
12 March 2023



**Rt Hon Lord (Andrew)  
Stunell OBE**

***Liberal Democrat***

1 December 2019 -  
30 November 2022



**Rt Hon Sir Jeremy Wright  
KC MP**

***Conservative***

21 November 2019 -  
20 November 2022

## **ANNEX C: REPORTS PUBLISHED BY THE COMMITTEE**

[2023, Leading in Practice](#)

[2021, Upholding Standards in Public Life](#)

[2021, Regulating Election Finance](#)

[2020, Artificial Intelligence and Public Standards](#)

[2019, Local Government Ethical Standards](#)

[2018, MPs' Outside Interests](#)

[2018, The Continuing Importance of Ethical Standards for Public Service Providers](#)

[2017, Intimidation in Public Life](#)

[2016, Striking the Balance: Upholding the 7 Principles in Regulation](#)

[2015, Tone from the Top: Leadership, Ethics and Accountability in Policing](#)

[2014, Ethics in Practice: Promoting Ethical Standards in Public Life](#)

[2014, Ethical Standards for Providers of Public Services](#)

[2013, Strengthening Transparency around Lobbying](#)

[2013, Standards Matter: a Review of Best Practice in Promoting Good Behaviour in Public Life](#)

[2011, Political Party Finance: Ending the Big Donor Culture](#)

[2009, MPs' Expenses and Allowances: Supporting Parliament, Safeguarding the Taxpayer](#)

[2007, Review of the Electoral Commission](#)

[2005, Getting the Balance Right: Implementing Standards of Conduct in Public Life](#)

[2003, Defining the Boundaries within the Executive: Ministers, Special Advisers and the Permanent Civil Service](#)

[2002, Standards of Conduct in the House of Commons](#)

[2000, Standards of Conduct in the House of Lords](#)

[2000, Reinforcing Standards: A summary](#)

**1998 The Funding of Political Parties in the United Kingdom**

**1997, Review of Standards of Conduct in Executive NDPBs, NHS Trusts and Local Public Spending Bodies**

**1997, Standards of Conduct of local government in England, Scotland and Wales**

**1996, Local Public Spending Bodies**

**1995, MPs, Ministers and Civil Servants, Executive Quangos**

## [ANNEX D: DATA PROTECTION](#)

## [ANNEX E: REPORTS PUBLISHED](#)

## [ANNEX F: RESEARCH ADVISORY BOARD](#)

## [ANNEX G: COMMITTEE BLOGS](#)

### **ANNEX H: EXTERNAL EVENTS**

#### **July 2022**

11 July: Lord Evans was interviewed on Week in Westminster.

19 July: Lord Evans spoke at a pan-sector meeting held by the National Guardian's Office on how leaders can foster a speak up culture.

#### **October 2022**

25 October: Lord Evans interviewed on Radio 4's The World Tonight.

#### **November 2022**

2 November: Lord Evans spoke at the Institute for Government discussion on 'How should Public Appointments be reformed'.

9 November: Lord Evans gave evidence to the Infected Blood Inquiry.

29 November: Ewen Fergusson spoke at an induction event for non-executive directors of public bodies on the Principles of Public Life and the *Leading in Practice* review.

#### **December 2022**

12 December: Lord Evans spoke at a meeting of the Institute Of Chartered Accountants Of Scotland (ICAS) Ethics Board on the *Leading in Practice* review.

19 December: Lord Evans spoke at the "House of Lords Seminar: Restoring Trust in Parliament".

#### **January 2023**

23 January: Lord Evans was interviewed by The Times about the *Leading in Practice* report.

24 January: Lord Evans was interviewed by the Evening Standard about the *Leading in Practice* report.

25 January: Lord Evans spoke at the The Society of Local Council Clerks event, launch of the Future of Local Councils report.

## February 2023

1 February: Lord Evans gave the closing keynote speech at the Association of Chief Executives (ACE) and Public Chairs Forum (PCF) annual conference.

13 February: Lord Evans attended a meeting of the Civil Service Commissioners to talk about the *Leading in Practice* report.

13 February: Lord Evans spoke at the Wellcome Trust Ethics staff forum, in conversation with the Chair of Wellcome, Julia Gillard.

20 February: Ewen Fergusson attended a meeting of the Home Office Ethics Steering Group to talk about the *Leading in Practice* report.

23 February: Lord Evans attended a meeting of Permanent Secretaries to talk about the *Leading in Practice* report.

## March 2023

6 March: Lord Evans responded to the Westminster Abbey Institute Director's Lecture: 'The seven principles of public life: Words, words, words?', which took place in Westminster Abbey.

7 March: Lord Evans and Ewen Fergusson spoke at a Defra all-staff event in conversation with Permanent Secretary Tamara Finkelstein, one of a series of speaker events on 'Leading with Integrity'.

8 March: Lord Evans attended a conference of Government Lead Non-Executive Directors to talk about the *Leading in Practice* report.

9 March: Lord Evans spoke at the National Guardian's Office Freedom to Speak Up Conference on the *Leading in Practice* report.

23 March: Lord Evans spoke (remotely) about the role and work of CSPL at a conference on Code of Ethics of the Public Service of Catalonia, held in Barcelona. The conference was organised by the General Directorate of Good Governance, Democratic Innovation and Quality, a unit of the Ministry of the Presidency of the Government of Catalonia (Generalitat de Catalunya).

30 March: Ewen Fergusson spoke at an induction event for non-executive directors of public bodies on the Principles of Public Life and the *Leading in Practice* review.

## **April 2023**

17 April: Lord Evans and Professor Gillian Peele attended a seminar on Ethical Regulation in Government hosted by University College London's Constitution Unit.

## **May 2023**

18 May: Lord Evans met with the Chair of the Lords Standards Committee, Dame Eliza Manningham-Buller, to discuss the Standards Committee's review of the guidance on the Lords Code of Conduct's provisions on paid parliamentary advice and services.

## **June 2023**

2 June: Lord Evans participated in a half day seminar for Boardroom Apprentice. (Boardroom Apprentice is an initiative intended to enable those who would like to serve on a public or third sector board to learn and gain experience in a safe way before they take that step. It seeks to enable a wider diversity of individuals to play their part within boardrooms.)

6 June: The Committee met the Commons Committee on Standards to discuss matters of standards.

26 June: Lord Evans met with the EU Special Committee on Foreign Interference & Disinformation to discuss the work and role of the Committee on Standards in Public Life.

30 June: Professor Mark Philp spoke to the Welsh Local Government Association's National Standards Committee Forum about our 2019 *Local Government Ethical Standards* report.



## **ANNEX I: COMMITTEE SUBMISSIONS TO PUBLIC CONSULTATIONS**

July 2022: [Public Administration and Constitutional Affairs Committee \(PACAC\) inquiry on the role of non-executive directors in government](#)

October 2022: [Procedure Committee inquiry on correcting the record in Parliament](#)

December 2022: [Science and Technology Committee inquiry on AI governance](#)

April 2023: [College of Policing consultation on draft new police Code of Ethics](#)

## **ANNEX J: FINANCIAL INFORMATION**

The Chair is paid a remuneration of £36k pa with the expectation that he commits an average of 5-6 days a month, although this time increases significantly during periods of Committee reviews.

Independent members of the Committee on Standards in Public Life may claim £240 for each day they work on Committee business and claim for expenses incurred.

There has been a vacancy for an independent member since 13 March 2023

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

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

Members of the Secretariat are permanent civil servants employed by the Cabinet Office. There are 4 full-time members and one part-time member of the Secretariat.

The Committee's media and communications activity is managed by a contracted part-time Press Officer.

The Committee's spend for 1 April 2022 - 31 March 2023 was £383,287.44 against a budget of 424,479.00

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**The Committee on Standards in Public Life  
Room G07,  
1 Horse Guards Road  
London  
SW1A 2HQ**

[public@public-standards.gov.uk](mailto:public@public-standards.gov.uk)

[www.gov.uk/government/organisations/the-committee-on-standards-in-public-life](http://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life)

**July 2023**

## Report to Ethical Standards and Member Development Committee

**7 November 2023**

<b>Subject:</b>	Review of Independent Persons dealing with Standards Matters
<b>Director:</b>	Surjit Tour Director of Law and Governance
<b>Contact Officer:</b>	Surjit Tour - Director of Law and Governance/ Mike Jones - Assistant Director – Legal and Assurance

### 1 Recommendations

For the reasons set out in the report, it is recommended that:–

- 1.1 the Monitoring Officer be requested to undertake a further round of recruitment for additional Independent Persons using a range of media, online, community and professional forums to ensure a diverse and representative pool of applicants is identified; and
- 1.2 the Committee note allowance and remuneration arrangements in neighbouring and peer authorities and requests the Independent Remuneration Panel review and comment, as a matter of urgency, its findings reported back to a future meeting of this Committee.







### 2 Reasons for Recommendations

- 2.1 The Localism Act 2011 requires that the Council must put in place arrangements for the appointment of at least one Independent Person whose views must be sought and taken into account by the Council before it makes a decision on an allegation against an elected member that it has decided to investigate. The Council has decided to have three Independent Persons. Currently there are two vacant positions.



2.2 Previous findings of the Standards Working Group (October 2022) recommended that the Independent Remuneration Panel be requested to provide their findings on the matter of remuneration of Independent Persons, and other similar roles in the authority. At the time of writing, the Independent Remuneration Panel has not yet provided its comment.

### 3 How does this deliver objectives of the Corporate Plan?

		The role of the Independent Person is advisory and 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 The Committee on Standards in Public Life recommended there should be at least 2 Independent Persons for standards matters. It in turn recommended their views must be sought and taken into account by the Council before it makes a decision on an allegation against an elected member that it has decided to investigate.
- 4.2 The Independent Person's views may be sought by a member or co-opted member of the Council if that person's behaviour is the subject of an allegation, and may also be sought by the Council in relation to an allegation it has not yet decided to investigate.
- 4.3 In order to be eligible to be an Independent Person, s.28 Localism Act 2011 requires that an individual must not be an Elected Member, Co-opted Member or officer of Sandwell Council and must not have held any of these roles in the past 5 years prior to the appointment. The Council has decided to have three Independent Persons.
- 4.4 Full Council has previously given approval to the appointment of 3 Independent Persons for dealing with standards. There is currently 1 Independent Person and 2 vacancies. A recent recruitment exercise resulted in 1 completed application form was received. The application was put on hold pending review and has since been withdrawn.



## Remuneration

- 4.5 A benchmarking exercise was undertaken to review remuneration packages from similar Local Authorities. As the role is voluntary position no annual allowance is paid in respect of this appointment, other than payment of travelling and subsistence expenses at the appropriate rate.
- 4.6 Some authorities pay an allowance in recognition of the responsibilities of role (see table 1 below). This approach is permissible under s.28 of the Localism Act 2011 - *'a person appointed under the provision required by subsection (7) does not cease to be independent as a result of being paid any amounts by way of allowances or expenses in connection with performing the duties of the appointment'*.

**Table 1**

Local Authority	Annual Payment	Expenses	Number of IP
Swindon	£1,341	Travel and subsistence costs.	1
Portsmouth		Expenses	3
Milton Keynes	£640	Travel and subsistence costs.	2
Sunderland	£1,000	Travel and subsistence	2
Newcastle	£2,300 (Independent Chair) £1,150 (Independent Joint Vice Chair)	Paid in monthly instalments	2
Doncaster	£700 + £150 per sub committee hearing + £50 per meeting for Annual Report of MO		2



Local Authority	Annual Payment	Expenses	Number of IP
Sheffield	£809.21	Paid in monthly instalments – equal to co-opted members	2
Wakefield	£1,115.18		1
Salford	£580.78 (Chair) £408.44	Additional £57.00 per half day attendance and £114.00 for a full day	2
Coventry		Travel expenses will be paid	4
Wigan	£1,255 (+£127 per meeting if acting as Chair)		1
Bury	£500 (Additional £106 per meeting that exceeds 4 hours; £53 per meeting for meetings up to 4 hours)		1
Telford	£320.64		2
Walsall	£750	Subsistence/other related expenses	3
Wolverhampton	£750	Reasonable Expenses	1
Dudley		Reasonable Expenses	1

Walsall MBC offer remuneration to their Independent Persons *“to ensure that the Council attracts high quality candidate whilst recognising the complexity of the role, Standards Committee agreed that an allowance for members of the Standards Committee should be paid”*.



- 4.7 Walsall MBC advertised vacancies at a similar time as Sandwell but offering remuneration of £750.00 per annum (plus expenses). Walsall MBC has confirmed that they have appointed 3 Independent Persons as a result of their recent advert and that they received a wider breadth of community representative applications when compared to previous recruitment campaigns. In addition, their appointed Independent Persons have also been appointed to act as Independent Members on their Audit Committee.
- 4.8 There is currently no allocated budget to remunerate Independent Persons. As with Members of the Authority, should an allowance be agreed and implemented, claiming said allowance is not compulsory and so any Independent Person may choose not to do so.

## 5 Implications

<b>Resources:</b>	The role of Independent Person is a voluntary position and no annual allowance is paid in respect of this appointment. However, travelling and subsistence expenses are paid at the appropriate rate. The cost of advertising is met from within existing budgets. Should it be determined that the role be remunerated the council will require a budget to fund this. We currently have no allocated budget for this.
<b>Legal and Governance:</b>	S.27 of the Localism Act 2011 requires authorities to promote and maintain high standards of conduct by their members and co-opted members. This report sets out how the Council is complying with this statutory responsibility and undertaking continuous review of the process.  The position of Independent Persons does not require a fixed term of appointment to be agreed and so the appointments are not for a fixed period. Subject to consideration of feedback from the Independent Remuneration Panel at a future meeting of the Committee, reasonable travel expenses will continue be paid to the Independent Persons. In all other respects this is a voluntary role.



<b>Risk:</b>	S. 28(7) of the Localism Act 2011 requires local authorities appoint at least one Independent Person to advise the Council before it makes a decision on an allegation.
<b>Equality:</b>	An equality impact assessment is not required.
<b>Health and Wellbeing:</b>	There are no direct implications arising from this report.
<b>Social Value:</b>	There are no direct implications arising from this report.
<b>Climate Change:</b>	There are no direct implications arising from this report.
<b>Corporate Parenting:</b>	There are no direct implications arising from this report.

## 6 Appendices

None.

## 7. Background Papers

None.





## Report to the Ethical Standards and Member Development Committee

**7 November 2023**

<b>Subject:</b>	Gifts and Hospitality Register
<b>Director:</b>	Director of Law and Governance and Monitoring Officer – Surjit Tour
<b>Contact Officer:</b>	Trisha Newton <a href="mailto:Trisha_Newton@sandwell.gov.uk">Trisha_Newton@sandwell.gov.uk</a>







### **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](http://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 have been new entries to the Gifts and Hospitality Register since the last meeting of the Committee, detailed in Appendix 1 below.

## 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

<b>Resources:</b>	There are no strategic resource implications arising from this report.
<b>Legal and Governance:</b>	<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.
<b>Risk:</b>	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.
<b>Equality:</b>	There is no requirement for an equality impact assessment.
<b>Health and Wellbeing:</b>	There are no direct health and wellbeing implications from this report.
<b>Social Value</b>	There are no direct social value implications from this report.
<b>Climate Change</b>	There are no direct climate change implications arising from this report.

## 7. Appendices

Extract from the Council's Gifts and Hospitality Register for Elected Members

## 8. Background Papers

Declarations made by Elected Members are available to view under Councillors' profiles at [sandwell.moderngov.co.uk](http://sandwell.moderngov.co.uk).

## Appendix 1

### Gifts and Hospitality Registered Since Last Meeting:

Cllr Lewis	01 April 2023	Ride Vouchers for Fun Fair	£60	Accepted and given to local families
Cllr William Gill	16 August 2023	Parker Pen	£25	Accepted

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## Report to the Ethical Standards and Member Development Committee

7 November 2023

<b>Subject:</b>	National Cases
<b>Director:</b>	Director Law and Governance and Monitoring Officer - Surjit Tour
<b>Contact Officer:</b>	Johane Gandiwa <a href="mailto:Johane_Gandiwa@sandwell.gov.uk">Johane Gandiwa@sandwell.gov.uk</a> Committee and Constitutional Services Lead Officer

### 1 Recommendations







- 1.1 That the Ethical Standards and Member Development Committee considers the contents of the report and the cases in Appendix 1 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

<b>Resources:</b>	There are no resource implications arising from this report.
<b>Legal and Governance:</b>	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.
<b>Risk:</b>	Awareness of national cases will enhance the Ethical Standards and Member Development Committee's understanding of promoting high ethical standards within its duties.
<b>Equality:</b>	There are no direct equality implications arising from this report.
<b>Health and Wellbeing:</b>	There are no direct implications for health and wellbeing from this report.
<b>Social Value</b>	There are no social value implications arising from this report.
<b>Climate Change:</b>	There are no specific climate change implications arising from this report.
<b>Corporate Parenting:</b>	There are no specific corporate parenting implications arising from this report.

## 7. Appendices

Appendix 1 – Extract taken from <https://www.itv.com/news/tyne-tees/2023-10-09/councillor-breached-code-of-conduct-by-posting-racist-messages-online> Dated 09 October 2023.

## 8. Background Papers

No background papers.



### Spennymoor councillor breached code of conduct by posting 'racist'

A county councillor breached his authority's code of conduct by posting "racist" comments online.

**Spennymoor** councillor Pete Molloy was referred to Durham County Council's standards committee after he bemoaned "non-indigenous" British people for voicing their opinions in the mainstream media following the King's coronation.

Opposition councillors called for his immediate resignation following the post in May but Cllr Molloy stood by his claims. He argued it was posted from his personal Facebook page and not in his capacity as a county or town councillor.

The comments were in response to a news story headlined: 'Bridgerton star Adjoa Andoh stuns ITV presenters by calling the Buckingham Palace balcony "terribly white" during live Coronation coverage'.

"I don't care if this post offends anyone, because enough is enough now and it's about time more and more people grew a pair and speak their minds and stopped being the silent majority and become the vocal majority," Cllr Molloy said.

"Another non-indigenous British person with not just a chip, but a whole sack of King Eddie potatoes on their shoulder."

The comments shocked members across the council chamber, with Labour leader Cllr Carl Marshall calling for Cllr Molloy's resignation.

"These comments are racist, misogynistic, divisive and not beholden to a member holding elected office at **Durham County Council**," he said.

Cllr Molloy, a member of the Spennymoor and Tudhoe Independent Group, said he had a right to freedom of expression and the complaint was politically motivated. He also refuted claims that the comments were racist.



However, a standards committee found he was acting in his capacity as a councillor when the comments were made and did not accept his freedom of expression defence.

It comes after another standards committee meeting in 2021 found Cllr Molloy posted Islamophobic and racist material on social media, brought his town council into disrepute and bullied and disrespected two of its officers.

The panel said Cllr Molloy would be aware of the guidance regarding social media following the earlier ruling.

Cllr Molloy was ordered to take training on member relations.



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## Report to Ethical Standards and Member Development Committee

**7 November 2023**

<b>Subject:</b>	Complaints and Allegations Update
<b>Director:</b>	Director of Law and Governance and Monitoring Officer – Surjit Tour
<b>Contact Officer:</b>	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.

### 5 Alternative Options

- 5.1 None – the report is provided for information.

### 6 Implications

<b>Resources:</b>	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.
<b>Legal and Governance:</b>	The Local Government Act 2000 and Localism Act 2011 make provision for the arrangements for dealing with standards related matters.
<b>Risk:</b>	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



<b>Equality:</b>	There are no direct equality implications arising from this report.
<b>Health and Wellbeing:</b>	There are no direct health and wellbeing implications arising from this report.
<b>Social Value</b>	There are no direct social value implications arising from this report.
<b>Climate Change</b>	There are no direct climate change implications arising from this report.

## 7. Appendices

Complaints Update

## 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. MC190223-a	Member of the Public	It is alleged that the subject member has breached the code of conduct by failing to declare an interest.  Potential breaches of the members code of conduct 9.1	Received on 19 <sup>th</sup> February 2023. Breach of Code found and dealt with via local resolution.	Green	Breach found. Training provided to member	Training provided to member.
2. MC190223-b	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 1.1, 5.1	Received on 19 <sup>th</sup> February 2023. No further action taken.	Green	No breach of Code of Conduct.	
3. MC030623	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 1.1, 5.1	Received on 3 <sup>rd</sup> June 2023.	Green	Subject Member not acting in capacity of Cllr – Code therefore not applicable	





Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
4. MC050623	Anonymous	It is alleged that the subject member has breached the code of conduct.  Potential breaches of the members code of conduct 1.1, 5.1	Preliminary assessment undertaken by the Monitoring Officer on 12 <sup>th</sup> June 2023. Not a valid complaint and therefore not progressed to Stage 1. Matter closed.	Green	Not valid complaint. NFA	
5. MC120723	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 1.1, 5.1	Received on 12 <sup>th</sup> July 2023. Initial Assessment conducted. No breach of Member's Code of Conduct. Matter closed 14 <sup>th</sup> August 2023	Green	No breach of Code of Conduct.	Advice and guidance provided on use of social media
6. MC200723	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 1.1, 5.1	Received on 20 <sup>th</sup> July 2023. Initial Assessment completed.	Green	Subject member not acting in capacity of Cllr – Code therefore not applicable	
7. MC220823	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 1.1,1.2	Received 22 <sup>nd</sup> August 2023. Matter closed as complaint was withdrawn on 28 <sup>th</sup> August 2023	Green	Complaint was withdrawn on 28 <sup>th</sup> August 2023	N/A



Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
8. MC210823	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 1.1,1.2, 2.3, 4.1.	Received on 21 <sup>st</sup> August 2023. Initial Assessment completed. Local Resolution agreed.	Green	Local Resolution agreed on 27 October 2023.  Resolution to be implemented.	N/a



## Report to Ethical Standards and Member Development Committee

**7 November 2023**

<b>Subject:</b>	Work Programme for the 2023/24 Municipal Year
<b>Director:</b>	Surjit Tour - Director of Law and Governance and Monitoring Officer
<b>Contact Officer:</b>	Johane Gandiwa <a href="mailto:Johane_Gandiwa@sandwell.gov.uk">Johane_Gandiwa@sandwell.gov.uk</a>

### 1 Recommendations







- 1.1 That the Committee reviews the latest work programme and consideration be given to the suggested changes to the work programme as identified.

### 2 Reasons for Recommendations

- 2.1 A revised work programme for 2023/2024 is attached at Appendix 1 for the Committee's consideration. The work programme is kept under review through the year and updated at each meeting.
- 2.2 Sub-Committees of the Ethical 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

The work programme will be reviewed at each meeting.

#### 4.1 Networking Opportunities with Neighbouring Authorities

It is recommended that this item be deferred to the meeting scheduled for 5 December 2023.

#### 4.2 Review – Personal Safety for Elected Members

It is recommended that this item be deferred to the meeting scheduled for 5 December 2023.

#### 4.3 Duty to Promote High Standards of Conduct

It is recommended that this item be deferred to the meeting scheduled for 5 December 2023.

#### 4.4 Member Portal Update

It is recommended that this item be deferred to the meeting scheduled for 5 December 2023.

### 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

<b>Resources:</b>	There are no resources arising directly from this report.
<b>Legal and Governance:</b>	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.
<b>Risk:</b>	There are no risks arising directly from this report.
<b>Equality:</b>	
<b>Health and Wellbeing:</b>	
<b>Social Value</b>	
<b>Corporate Parenting</b>	
<b>Climate Change</b>	

## 7. Appendices

Latest work programme for the 2023-24 municipal year

## 8. Background Papers

None



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**Ethical Standards and Member Development Committee  
Work Programme 2023/24**

**4 July 2023**

- Appointment to Sub Committees/Standards Working Group
- Member Development Programme
- Complaints Update (Standing Item)
- Gifts and Hospitality (Standing Item)
- Work Programme 2023/24 (Standing Item)

**7 November 2023**

- Member Development Programme
- Member Portal update
- Review – Personal Safety for Elected Members
- Networking Opportunities with Neighbouring Authorities
- Duty to Promote High Standards of Conduct
- Committee on Standards in Public Life – Annual Report
- Review of Independent Persons – Recruitment Process/Remuneration
- Complaints Update (Standing Item)
- Gifts and Hospitality (Standing Item)
- National Cases for information (Standing Item)

**5 December 2023**

- Member Development Programme Update
- Networking Opportunities with Neighbouring Authorities.
- Member Portal update
- Duty to Promote High Standards of Conduct
- To receive an update on the review of personal safety for Members.
- Register of Members' Interests – Annual Review
- Review/Effectiveness of Member Code of Conduct and Arrangements for Dealing with Complaints under the Code
- Complaints Update (Standing Item)
- Gifts and Hospitality (Standing Item)
- National cases for information (Standing Item)

**5 March 2024**

- Annual Report of the Ethical Standards and Member Development Committee

- Review of CoSiPL Best Practice Recommendations
- Member Development Update
- Complaints Update (Standing Item)
- Gifts and Hospitality (Standing Item)
- National cases for information (Standing Item)