

## **STANDARDS COMMITTEE**

### **MINUTES OF MEETING HELD ON 28 MAY 2014**

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## **STANDARDS COMMITTEE**

### **MINUTES OF MEETING HELD ON 28 MAY 2014**

#### **Present:**

Councillor Mrs J Austen - Chair

Councillor G Butler

Councillor M E Thacker

“ Mrs C Smith

#### **Also Present:**

Matthew Kane – Deputy Monitoring Officer

Frazer Powell – Senior Governance Officer

Sarah Sternberg – Assistant Director Governance and Monitoring Officer

#### **31 Apologies for Absence**

Apologies for absence were received from Councillors G Baxter MBE, S Peters, Mrs T Reader, P Blackburn, S J Ellis and Councillor D Ruff (Parish/Town Council Representative).

#### **32 Declarations of Interest**

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations of interests by Members at this meeting.

#### **33 Minutes of Last Meeting**

RESOLVED – That the Minutes of the meeting of the Standards Committee held on 27 March 2014 be approved as a correct record and signed by the Chair.

#### **34 Whistleblowing Policy**

The Committee considered Report No ADGMO/12/14/MK/SS of the Assistant Director Governance and Monitoring Officer. The purpose of the report was to enable Members to consider information in respect of a draft Whistleblowing Policy.

The Public Interest Disclosure Act 1998 required employers to refrain from dismissing employees or subjecting them to any other detriment because they had made a protective disclosure (whistleblowing). Whistleblowing was an act where an employee or worker raised a concern about a possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, the public, or the organisation's reputation. Whistleblowing policies sought to foster a climate of openness and transparency in which individuals did not feel that they would be victimised if they raised concerns about wrong doing in their work place.

The Regulatory Reform Act 2013 made a number of key changes to the legislative framework in respect of whistleblowing, the Council's Policy needed to be updated to include them.

The changes proposed were:-

- There was an express requirement that whistleblowing by employees or workers needed to be made in the public interest, the legislation did not define public interest, but it was implicit that disclosure of any wrong doing by an employee must exclude those which can be characterised as purely of a personal nature;
- Disclosures no longer had to be made in good faith to be protected;
- Disclosure made purely out of malice or with the intention of personal gain would be protected as long as they were made with the reasonable belief that they were in the public interest;

During the Committee's consideration of the report the following comments were made:-

- That officers consider the option of a mentoring process in respect of complaints made under the Council's Whistleblowing Policy;
- That references to good faith throughout the Policy should be removed.

**RESOLVED –**

- (1) That the Whistleblowing Policy be recommended for approval by Cabinet.
- (2) That the Assistant Director Governance and Monitoring Officer be granted a delegated authority following consultation with the Chair of the Committee to make any amendments necessary to the Policy prior to its submission to Cabinet.
- (3) That a copy of the Whistleblowing Policy be submitted to the Audit and Corporate Governance Scrutiny Committee for its consideration.
- (4) That the Assistant Director Governance and Monitoring Officer be requested to investigate the possibility of a mentoring scheme being introduced for people making complaints under the Whistleblowing Policy.

(Assistant Director Governance and Monitoring Officer)

**35 Corruption in UK Local Government – The Mounting Risks**

The Committee considered Report No ADGMO/13/14/MK/SS of the Assistant Director Governance and Monitoring Officer. The purpose of the report was to submit for Members' consideration a report by Transparency International UK on their views on the risk/potential for corruption in local government.

The report by Transparency International UK concluded that a range of measures introduced by the Government including removing the sanctions available to Standards Committees, and abolishing the Audit Commission could lessen the ability to deal with corruption in local government in an efficient and effective manner. The report provided definitions on the types of corruption, together with a number of case

studies from across the United Kingdom. It contained 22 recommendations which were aimed at reducing the possibility of corruption in Local Government.

**RESOLVED** – That the content of the report on the views of Transparency International UK concerning the possibilities of an increasing risk of corruption in local government be noted.

(Assistant Director Governance and Monitoring Officer)

### **36 Work Programme 2014/2015**

The Committee considered Report No ADGMO/14/14/MK/SS of the Assistant Director Governance and Monitoring Officer. This was the first report on its Work Programme for the new municipal year 2014/15, the Committee noted that the document could be subject to amendment. The outcomes of the Standards Survey would assist Members' consideration of the Committee's Work Programme for 2014/2015.

The Committee was advised that a request had been received from a Member that the Council consider returning to a Committee system of governance rather than the Leader and Executive system operated at present. Committee considered which might be the appropriate body to discuss the request. It was noted that the request did have relevance to the work of this Committee in reviewing and making recommendations regarding the Constitution.

During the Committee's consideration of the Work Programme the following matters were raised by Members:-

- There should be a section included in the Committee's Annual Report for Parish/Town Council representatives to include their contributions and work on the Committee;
- That the Chair of the Committee and the Governance Team undertake discussions with the newly appointed Parish/Town Council representative on the Committee once they are appointed;
- That following the receipt of information in respect of the Standards Committee Survey an overview report be submitted to the July 2014 meeting with further reports to the September 2014 meeting in respect of the views of District Council Members and in respect of Parish/Town Council Members to the November 2014 meeting;
- That a review be undertaken of the position of Independent Persons and that a report on this matter be submitted to the March 2015 meeting of the Committee;

**RESOLVED** –

- (1) That the content of the Committee's Work Programme 2014/15 be approved, subject to the inclusion of the following items:-
  - That a section be included in the Committee's Annual Report 2014/15 detailing information provided by the Parish/Town Council representatives in respect of their role and contribution to the work of the Committee;
  - That following the receipt of information in respect of the Standards Survey that a report be prepared on:

- An overview of the Survey to be submitted to the July 2014 meeting of the Committee
  - A detailed analysis of the comments from District Councillors to be submitted to the September 2014 meeting of the Committee
  - A detailed analysis of the comments from Parish/Town Councillors to be submitted to the November 2014 meeting of the Committee;
- (2) That a review be undertaken on the position of the Independent Persons and that this be reported to the Committee's March 2015 meeting.
- (3) That the Committee notes that a request from a Member that the Council consider returning to a Committee system of governance had been received and that the request may be reported to a future meeting of Council.

(Governance Team)

### **37 Urgent Business – Public Session**

Members were advised that there was no urgent business to be discussed in the public session of this meeting of the Standards Committee.

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