

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 26 FEBRUARY 2015

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STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON 26 FEBRUARY 2015

Present:

Councillor J AustenChair

Councillor G Butler Vice-Chair

Councillor G Baxter MBE

Councillor S Peters

Parish/Town Council Representative

Councillor D Ruff - Wingerworth Parish Council

Also Present

Matthew Kane – Deputy Monitoring Officer

Frazer Powell – Senior Governance Officer

Sarah Sternberg – Assistant Director Governance & Monitoring Officer

628 Apologies for Absence

Apologies for absence from the meeting were received from Councillors S J Ellis, T Reader, Mrs C A Smith, M E Thacker and Mr E Mansbridge (Parish/Town Council representative).

629 Declarations of Interests

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.

Councillor G Butler declared an other interest which was not significant in Agenda Item No 4, Ethical Standards in Contracted Public Services as he was a Council appointed representative on the Rykneld Homes Board.

630 Minutes of Last Meeting

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

631 Ethical Standards in Contracted Public Services

The Committee was advised that the report on Ethical Standards for Contracted Public Services was proposed to be deferred for consideration at the next meeting of the Committee as the appropriate officer from Rykneld Homes Limited was not available to attend this meeting.

The Committee indicated its support for the request to defer the consideration of the report to its next meeting.

RESOLVED – That consideration of the Report on Ethical Standards for Contracted Public Services be deferred for consideration to the next meeting of the Committee on 26 March 2015.

(Managing Director Rykneld Homes Limited/Governance Team)

632 Gifts and Hospitality Annual Report

The Committee considered Report No ADGMO/01/15/MK/SS of the Assistant Director – Governance and Monitoring Officer. The purpose of the report was to advise Members of the entries in the Council's Gifts and Hospitality Register for the period 1 November 2013 to 31 October 2014.

The Council's Constitution Part 5 detailed the arrangements for the registration of gifts and hospitality made to Members and officers. There was requirement for a clear process for the recording and reporting of gifts and hospitality made to Members and officers. A copy of the entries in the Council's Gifts and Hospitality Register for the period 1 November 2013 to 31 October 2014 is attached as **Appendix A** to these Minutes.

The Committee was advised that the Council's Strategic Alliance Management Team had requested that in future details of the Gifts and Hospitality register not be included in the Council's publication The News. A copies of the Gifts and Hospitality register details were published on the Council's website and were available for the public to access as part of the public deposit copy of the agenda and reports for this Committee.

During the Committee's consideration of the report Members requested that in future the Gifts and Hospitality register include details of the department of the officer concerned.

RESOLVED –

- (1) That the content of the Gifts and Hospitality Annual report for the period 1 November 2013 to 31 October 2014 attached as **Appendix A** to these Minutes regarding entries in the Council's Gifts and Hospitality Register in respect of offers of gifts and hospitality made to Members and officers be noted.
- (2) That in future the Council's Gifts and Hospitality Register include a section so that each officer making an entry in the register provides details of their department.

(Governance Team)

633 Standards Survey Action Plan

The Committee considered Report No ADGMO/02/15/MK/SS of the Assistant Director – Governance and Monitoring Officer. The purpose of the report was to advise Members of the measures proposed to address issues raised in the recent standards survey for both District and Parish/Town Councillors and clerks.

The Committee in late 2013 commissioned a survey in respect of District Councillors/officers and Parish/Town Councillors and clerks on their views of the Council's ethical standards arrangements. The purpose of the survey was to establish what information was known about ethical standards and to compare attitudes between Members and officers and to identify any training requirements which may arise following the information from the surveys.

The surveys ran from 16 February to 31 May 2014, reports setting out the results from these surveys were submitted to the Committee at its meetings in July, October and November 2014. The findings from the surveys uncovered no evidence of misconduct, fraud or corruption, but did identify a lack of training on ethical standards amongst some groups and a lack of awareness of a number of key protocols and procedures.

The Action Plan attached as Appendix A to the report detailed the measures proposed in response to the survey results, Committee was requested to note that a significant number of actions proposed had already been implemented, these included:-

- Inclusion of Key protocols on the Council's intranet;
- Writing to Parish/Town Councils to offer support and training;
- Briefing officers on the Council's Constitution and decision making processes and ethical standards issues.

The Committee was informed that briefings on the Members' Code of Conduct for Parish/Town Councils and ethical standards issues generally were planned to take place following the May 2015 elections.

A copy of the Standards Survey Action Plan is attached as **Appendix B** to these Minutes.

RESOLVED – That the Committee:-

- (1) Approves the Standards Survey Action Plan attached as **Appendix B** to these Minutes.
- (2) Notes the work already taken in respect of some of the actions detailed in the Standards Survey Action Plan.
- (3) Requests that the Assistant Director Governance and Monitoring Officer submit a report to the Committee in six months time detailing progress on the Standards Survey Action Plan.

(Assistant Director Governance and Monitoring Officer/Deputy Monitoring Officer)

634 Committee on Standards in Public Life Annual Report 2013/14

The Committee considered Report No ADGMO/03/15/MK/SS of the Assistant Director – Governance and Monitoring Officer. The purpose of the report was to advise Members of the Annual Report 2013/14 from the Committee on Standards in Public Life. The Committee of Standards in Public Life, was an independent body which advises Government on ethical standards. The Committee's role included examining concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities and the making of recommendations regarding changes required to ensure the maintenance of high standards of propriety in public life.

The Committee's Annual Report for 2013/14 drew attention to a lack of awareness of the seven principles of public life which were first introduced in 1999. In terms of local government, the Committee found that the role of the Independent Person had been well received and the number of vexatious complaints was falling. However, concerns regarding the effectiveness of sanctions in respect of when a Member was found to have breached their Council's Code of Conduct were expressed. The Committee considered that the absence of appropriate sanctions presented a serious risk in terms of public confidence in local government.

A particular aspect of the Committee's work related to the provision of standards training as part of Members' induction. A survey by the Committee found that 90% of respondents had adequate arrangements in place in terms of Member induction. The Committee intended to monitor induction programmes and the profile of standards in public life following the ongoing reductions in local government funding.

RESOLVED – That the content of the Committee on Standards in Public Life Annual Report 2013/2014 be noted.

(Governance Team)

635 Work Programme 2014/2015

The Committee considered Report No ADGMO/04/15/MK/SS of the Assistant Director – Governance and Monitoring Officer. The Committee had at each of its meetings considered its work programme which detailed work to be undertaken in the municipal year, together with that completed. The work programme was based on the functions scheme approved by Council. There were a number of matters for consideration at the Committee's next meeting on 26 March 2015. The Committee was requested to include the report on the Regulatory of Investigatory Powers Act 2000 (RIPA) and the deferred report on Ethical Standards in Contracted Public Services on the list of matters to be considered at that meeting.

RESOLVED – That the Committee notes the content of its work programme 2014/15 and notes that in addition to the items listed for its meeting on 26 March 2015 that the following be included on the agenda for that meeting:-

- Report on the Regulatory of Investigatory Powers Act 2000 – Council Policy
- Ethical Standards in Contracted Public Services

(Governance Team)

636 Urgent Business (Public Session)

The Committee noted there was no urgent business to be considered in the public session of this meeting.

Standards (0226) Mins/AJD/MD

APPENDIX A

Entry No	Members/Officers name and Department	Date of Entry in Register	Details of Gifts/Hospitality etc (including Donor)
451	Sue Fisher	18 November 2013	Box of Tesco Chocolates (donated to foodbank) £3 – Client
452	Sharon Gillott	5 December 2013	Two Wallchart Calendars - Klipspringer
453	Andrew Green	10 December 2013	£10 cash for returning dog. AG refused but had to accept after the lady threw it into the vehicle and ran off. Passed to animal sanctuary that assists with stray dog service – Miss Kennelly
454	Nick Blaney	9 December 2013	X2 bottles of wine (donated to Chair's Charity) – Environ
455	John Knight Gareth Harper	18 December 2013	Bottle bag containing bottle of whisky, mug, coaster, golf bag and golf tees charity (Donated to Chairs) – AC Maintenance Limited
456	Steve Brunt	19 December 2013	Thorntons Food Hamper [Donated to Chair's Charity] – HW Martin Waste Limited
457	Dave Peat	24 December 2013	795g tin of Quality Street (staff nibbles) – Network Cars
458	Lisa Walton	10 March 2014	24 Hot Cross Buns (Distributed to the team. Have a short expiry date on them) – Gunstones Bakery
459	Adrian Kirkham	15 April 2014	4 Tickets to Derbyshire County Cricket Club – Councillor A Cooper
460	Kay Rodda (Elections Team)	29 May 2014	4 bottles wine [3 white, 1 red]. The 4 bottles were donated to the Chair's Charity – Mrs D Booth
461	Naomi Smith	30 May 2014	Tesco cupcakes – St Modwen Limited
462	Janine Wortley	2 July 2014	X1 Box chocolates – Mr R Poole
463	Charmaine Jack	29 July 2014	X1 Box chocolates (staff nibbles) – Mr B Miah
464	Frazer Powell	13 August 2014	1 bottle of Rose Wine. Wine donated to Chair's Charity – Councillor N Barker

Entry No	Member/Officers name and Department	Date of Entry in Register	Details of Gifts/Hospitality etc (including Donor)
465	Matthew Kane	15 October 2014	Two Dance Lessons – Councillor T Reader
466	Councillor Mrs E A Hill	2 December 2014	10 pink roses. Roses given by a member of the public for assistance on a housing matter – Member of the public
467	Joanna Hayes	9 December 2014	Box of biscuits. (less than £25) – Lower Grove Guest House
468	David Hay	11 December 2014	Flowers provided to Karen Bradbury – donated to Chair's Charity – Member of the public
469	Nick Blaney	18 December 2014	Two bottles of wine (one red, one white). Two boxes of chocolates (consumed). Wine given to Chair's Charity – Kier

Standards (0226) AGIN 5(a) – Gifts and Hospitality

Appendix B

Issue	Proposed actions	Timescale	Lead officer	Progress
Knowledge of what ethical standards is, where to find the Code of Conduct and how to report a breach (Mentioned by officers)	Council to hold briefing sessions covering ethical standards, the Code and how to report a breach Publish details of survey and protocols on the Intranet	October/November 2014 October 2014	AD – Governance and Governance Manager Governance Manager	Demystifying the Constitution sessions completed on 28/10 and 3/11/14. Separate session for SAMT planned for 23/1/15. Completed 20/10/14 (see appendix B)
Standards Committee not seen as making a positive difference to ethical standards (Officers, parish councillors and clerks)	Publicise the outcome of complaints where there has been a breach of the Code Send a copy of Committee's annual report to all parish and town councils Publish a copy of the Committee's annual report on the Intranet Results of ethical standards survey presented at District and Parish Liaison Meeting	As and when May 2015 May 2015 January 2015	Governance Manager Senior Governance Officer Senior Governance Officer Governance Manager / Chair of Committee	 On the agenda for 21 January 2015

<p>Lack of training given on ethical standards matters</p> <p>(Officers and clerks)</p>	<p>Council to hold briefing sessions covering ethical standards, the Code and how to report a breach</p>	<p>October/November 2014</p>	<p>AD – Governance and Governance Manager</p>	<p>Completed on 28/10 and 3/11/14. Separate session for SAMT on 23/1/15.</p>
	<p>Hold parish council event either before or after the elections, potentially plug into DALC seminar and SLCC event</p>	<p>Summer 2015</p>	<p>Governance Team</p>	
	<p>Make offer to clerks to attend parish and town councils to advise on standards and governance issues generally</p>	<p>December 2014</p>	<p>Senior Governance Officer</p>	<p>Completed – letter sent 11 December 2014 (see appendix C)</p>
<p>Concerns about level of clarity and accessibility of Council's complaints procedures</p> <p>(Officers and clerks)</p>	<p>Publish details of survey and protocols on the Intranet</p>	<p>October 2014</p>	<p>Governance Manager</p>	<p>Completed</p>
	<p>Hold parish council event either before or after the elections, potentially plug into DALC seminar and SLCC event</p>	<p>Summer 2015</p>	<p>Governance Team</p>	
	<p>Write to all parish clerks</p>	<p>Late April 2015</p>	<p>Governance Manager</p>	

	enclosing ROI forms and copies of relevant procedures			
Knowledge about Member/ Officer Protocol (Officers)	Publish details of survey and protocols on the Intranet	October 2014	Governance Manager	Completed
Knowledge of member decision making process (Officers)	Council to hold briefing sessions covering the decision-making process	October/November 2014	AD – Governance and Governance Manager	Completed on 28/10 and 3/11/14. Separate session for SAMT on 23/1/15.
Concerns about knowledge of confidential arrangements for staff to express concerns about fraud, misconduct and corruption (Officers)	Publish details of survey and protocols on the Intranet	October 2014	Governance Manager	Completed
Lack of knowledge about how seriously complaints are taken by the District Council (Officers)	Publicise the outcome of complaints where there has been a breach of the Code	As and when	Governance Manager	