



Our Ref: NC/AJD
Contact: Nicola Calver
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Date: Tuesday, 18 January 2022

To: **Members of the Standards Committee**

Please attend a meeting of the Standards Committee to be held on **Wednesday, 26 January 2022 at 2.00 pm in the Council Chamber**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.

Yours sincerely



Assistant Director of Governance and Monitoring Officer

Members of the Committee

Councillor P Antcliff (Vice-Chair)
Councillor W Armitage (Chair)
Councillor N Barker
Councillor D Hancock
Councillor P Kerry
Councillor H Liggett
Councillor K Rouse
Councillor D Ruff
Councillor R Welton

P Coleman - Parish Council Representative

For further information about this meeting please contact: Nicola Calver 01246 217753

A G E N D A

1 Apologies for Absence

2 Declarations of Interest

Members are 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 in the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of Last Meeting (Pages 5 - 8)

To approve as a correct record and the Chair to sign the Minutes of the Standards Committee held on 10 November 2021.

4 Review of the Constitution - Part 3 (Pages 9 - 23)

Report of the Solicitor to the Council and Monitoring Officer.

5 Whistleblowing Policy Review (Pages 24 - 37)

Report of the Solicitor to the Council and Monitoring Officer.

6 RIPA Annual Review - TO FOLLOW

Report of the Solicitor to the Council and Monitoring Officer.

7 Draft Parish Council - Code of Conduct for Councillors (Pages 38 - 55)

Report of the Monitoring Officer suggesting a draft of a Code of Conduct for Parish Councils for Members' comments.

8 Update on Parish Representative

To receive an update from the Governance Manager on the resignation and recruitment of one of the parish representatives on Standards Committee.

9 Gifts & Hospitality Annual Report (Pages 56 - 60)

Report of the Solicitor to the Council and Monitoring Officer.

10 Complaints Update (Page 61)

Report of the Solicitor to the Council and Monitoring Officer.

11 Work Programme (Page 62)

For Members to consider the Work Programme for the current municipal year.

12 Urgent Business (public session)

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.

We speak your language

Polish
Mówimy Twoim językiem

Romanian
Vorbim limba dumneavoastră

Urdu
ہم آپ کی زبان بولتے ہیں

Chinese
我们会说你的语言



North East
Derbyshire
District Council



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please contact the Governance Team at least 72 hours before the meeting starts.

STANDARDS COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY, 10 NOVEMBER 2021

Present:

Councillor William Armitage (Chair)
Councillor Pat Antcliff (Vice-Chair)

Councillor Nigel Barker
Councillor Heather Liggett
Councillor Richard Welton

Councillor Pat Kerry
Councillor Kathy Rouse
Pat Coleman - Parish Council
Representative

Also Present:

S Sternberg	Assistant Director of Governance and Monitoring Officer
K Shillitto	Solicitor & Deputy Monitoring Officer
R Pope	Customer Services Manager
N Calver	Governance Manager
A Bond	Governance Officer

STA/ Apologies for Absence

**9/21-
22**

Apologies for absence had been received from Councillors D Ruff, D Hancock and Parish Council Representative D Skinner.

STA/ Declarations of Interest

10/2

1-22

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 interests declared at this meeting.

STA/ Minutes of Last Meeting

11/2

1-22

It was noted that Councillor Antcliff was now the Vice Chair of the Standards Committee.

Committee was made aware that Councillor Pat Coleman had attended the previous meeting and heard that the Minutes would be amended accordingly.

RESOLVED – That the Minutes of the Standards Committee held on the 30 June 2021 be approved as a correct record, subject to the above amendments, and signed by the Chair.

STA/ Change in Order of Agenda Items

12/2

- 1-22** RESOLVED – It was agreed by the Chair that the order of the agenda be changed, and that the Local Government & Social Care Ombudsman Annual Review Letter would be considered first.

STA/ Local Government & Social Care Ombudsman Annual Review Letter

13/2

- 1-22** The Customer Services Manager presented a report on the Annual Review letter of the Local Government & Social Care Ombudsman (LGO).

The Council had received its Annual Review Letter from the Local Government & Social Care Ombudsman on the 21st July 2021. There were 13 complaints and enquiries received in total by the LGO. Six required a decision to be made by the LGO. Out of these 13; three were not investigated; four complaints were not received by the District Council; one related to a premature complaint and was referred back for local resolution; three complaints were not in scope with the Council's policy as they related to Rykneld Homes; and two complaints were UPHELD by the LGO.

This year's performance compared less favourably than the previous year's performance when two complaints were closed after initial enquiries, two were not upheld and one was referred back for local resolution.

Committee heard that the data would be uploaded to the LGO website where the performance of all Councils could be seen.

Members also heard about measures put in place to ensure that the Council maintains a customer friendly and robust Compliments, Comments and Complaints process. These included mandatory training across the organisation, periodically reviewing the Complaints Process, and ensuring that Officers completed a quality assurance document.

Committee congratulated those involved for their work on this.

RESOLVED – That the Standards Committee acknowledged the report and findings of the Local Government and Social Care Ombudsman.

STA/ Member Training Attendance

14/2

- 1-22** Standards Committee received a report that summarised the attendance by Councillors at recent training sessions. This highlighted the training which had been provided during May and June 2021 as part of the mid-term training programme delivered in conjunction with Bolsover District Council (BDC).

Members had a wide ranging discussion over the attendance figures including the lack of attendance at the final event and the low figures for the mandatory training events. It was agreed that Members should consider holding the events again in the New Year.

RESOLVED – That the Committee noted the information on Member training attendances.

STA/ 15/2 **Code of Conduct Training Update**

1-22 The Joint Head of Service for Corporate Governance & Monitoring Officer provided Committee with an update on the Parish and District Code of Conduct Training Sessions.

Members heard that the dates had all been organised and that some of the Parish sessions had already been held. Members were asked to promote the training sessions throughout their Parishes in order to increase attendance.

STA/ 16/2 **Update on the Delegation Scheme**

1-22 Standards Committee received an update on the Delegation Scheme.

Members heard that the Delegation Scheme had been revised under delegation to ensure that relevant delegations could still be legally and properly used with the changes made so far. The revised Delegation Scheme only allocated existing delegations to officers in the new structure. There were no new delegations.

It would be necessary to undertake a full review, including consideration of what additional delegations would be required, and for these to be built into the new Delegation Scheme once the Senior Management Review was completed.

The Monitoring Officer would bring a revised Delegation Scheme to the next meeting of Committee for consideration, provided that the review itself was completed.

RESOLVED – That the Delegated Decision aligning the Delegation Scheme to the new Senior Management Structure is noted and that a new draft Delegation Scheme is brought to Committee when the Senior Management Review is completed.

STA/ 17/2 **Review of the Constitution - Part 2**

1-22 The Governance Manager presented a report which outlined a list of areas for review within the Council's Constitution for consideration by the Standards Committee prior to submission as part of the Annual Review of the Constitution to Council for adoption.

Members heard that there were four areas being considered. These were; Review of Guidance and Constitutional Rules on Public Speaking at Council; Training Requirements for Councillors; Renumbering of the Articles and; Delegation Scheme – Property Sale.

Members were also shown the essential training schedule should they wish to make any alterations.

Members discussed the review of the constitution and inquired as to a right of appeal under section 9.2 of the Council Procedure Rules. Committee heard

that there was no formal right to appeal but the Monitoring Officer would accept and look into each argument on a case by case basis.

RESOLVED – That the Committee gave consideration to proposals for review and supported the submission of proposals to Council as part of the Constitution Review at a future meeting.

STA/ Complaints Update

18/2

1-22 Committee received a verbal update from the Joint Head of Corporate Governance and Monitoring Officer on Member Complaints.

It was reported that there were currently ten complaints, five of these were still open. Out of these ten, four were related to parish councils, five related to the District Council, and one was for both the Parish and District Councils.

STA/ Work Programme

19/2

1-22 Members gave consideration to the Work Programme for the Committee for the remainder of the municipal year.

Members heard that the 19 January meeting had moved to the 26 January.

RESOLVED – That the Work Programme be noted.

STA/ Urgent Business (public session)

20/2

1-22 There was no urgent business discussed at the meeting.

STA/ Exclusion of Public

21/2

1-22 RESOLVED – That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraphs 1, 2 and 3 in Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

STA/ Parish Council Representatives

22/2

1-22 Members discussed the attendance of Parish Council Representatives at meetings.

RESOLVED – That Committee would write to the Member in question and invite them to attend the next meeting of Council.

North East Derbyshire District Council

Standards Committee

26 January 2022

REVIEW OF THE COUNCIL'S CONSTITUTION (PART 3)

Report of the Assistant Director of Corporate Governance and Solicitor of the Council & Monitoring Officer

Classification: This report is public

Report By: Nicola Calver, Governance Manager

Contact Officer: Nicola Calver – 01246 217753
Nicola.calver@ne-derbyshire.gov.uk

PURPOSE / SUMMARY

To consider the list of areas for review within the Council's Constitution for consideration by the Standards Committee prior to submission as part of the Annual Review of the Constitution to Council for adoption.

RECOMMENDATIONS

1. That the Committee give consideration to proposals for review and support the submission of the proposals to Council as part of the Constitution Review at a future meeting.
-

IMPLICATIONS

Finance and Risk: Yes ☒ No ☐

Details:

Failure to ensure the Constitution meets legal requirements can leave the Council open to challenge, as does failure to comply with the provisions of the Constitution. It is therefore essential that Constitution is regularly reviewed and given robust oversight.

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes ☒

No ☐

Details:

The Council is required under the Localism Act 2011 to prepare and keep up-to-date a constitution that contains its standing orders, code of conduct, such other information that the Secretary of State may direct and such other information that the authority considers appropriate.

On Behalf of the Solicitor to the Council

Staffing: **Yes** ☐

No ☒

Details:

There are no human resources implications arising from the proposals within this report. Some areas for review may impact on staff. These implications will be addressed in relation to the specific areas for review.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Relevant officers are consulted at various stages of the Constitution Review

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

Demonstrating Good Governance

REPORT DETAILS

1 Background

- 1.1 The Constitution is the Council's 'rulebook'. It sets out how the Council operates and how it makes decisions. Council approved its latest version of the Constitution at the Annual Council meeting in April 2021.
- 1.2 One of the functions of the Standards Committee is to undertake an annual review of the Council's Constitution to ensure it is up to date and in line with legislation and current circumstances.

2. Details of Proposal or Information

- 2.1 The table below sets out how these areas of review will be considered over the municipal year and where the matters need to be considered by other Committees for consultation, these have been identified.

Area for Review	Lead Officer	Dates for Consideration
Questions by Members	Governance Manager	30/06/21
Debt Write Off	Monitoring Officer	30/06/21
Delegation Scheme Amendments	Governance Manager	30/06/21
New JSCC TORs	Governance Manager / HR and OD Manager	30/06/21
Review of Guidance and constitutional rules on public speaking at Council	Governance Manager	10/11/21
Training Requirements for Councillors	Governance Manager	10/11/21
Renumbering of the Articles	Governance Manager	10/11/21
Delegation Scheme Addition – Property Sale	Governance Manager / Head of Economic Development, Regeneration and Housing Delivery	10/11/22
Petition Scheme	Monitoring Officer	26/01/22
Planning and Licensing Decisions	Governance Manager	26/01/22

Clarification on deferring and adjourning	Governance Manager	26/01/22
Monitoring Officer Delegations	Governance Manager	26/01/22
Proper Officer Provisions	Governance Manager / Legal Team Manager	March
New Forum TORs	Director of Growth and ED	March
Employee Code of Conduct	HR and OD Manager	March
Minor wording changes or updating of job titles (housekeeping)	Governance Officers	Once final draft version produced

2.2 The areas for review for this meeting in the above table are detailed in the appendix to the report and set out the proposal and/or rationale and the sections of the Constitution to be amended.

2.3 The Monitoring Officer has utilised her delegated power to amend the Constitution since the last meeting of Standards, and this is set out in Appendix 1, with full details appended to the report.

3 Reasons for Recommendation

3.1 To ensure the Council has in place a fit for purpose Constitution which complies with English law.

4 Alternative Options and Reasons for Rejection

4.1 Members may consider alternative options to any proposals put forward, where legally permitted.

DOCUMENT INFORMATION

Appendix No	Title
1	Rationale and details of changes
2	Petition Scheme
3	Delegated Decision taken by the MO on 3 rd December 2021
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	

APPENDIX 1 - CHANGES FOR CONSIDERATION

Area of Review	Proposal and Rationale	Sections of the Constitution to be revised
Petitions Scheme	<p>The petitions scheme has been reviewed and largely it is considered to remain fit for purpose. One change is proposed as follows:</p> <p>Remove the following exclusions from the petition scheme –</p> <ul style="list-style-type: none">• Any matter which is currently or imminently subject to a consultation exercise.• Any matter which is subject to a statutory consultation exercise, such as the Local Plan or other local development plan documents. <p>And replace with:</p> <ul style="list-style-type: none">• Where any matter is currently or imminently subject to a consultation exercise, a decision as to whether the Petition can be dealt with under the Council's Petitions Scheme will be made by the Head of Paid Service having received the advice of the Monitoring Officer on the matter. <p>A tracked changes version of the scheme is attached for your reference as Appendix 2.</p>	Part 4, Petitions Scheme. Pages 93-97
Planning and Licensing Decisions	Council Procedure Rule 13.2 applies to Committees as well as Council and prohibits a motion or amendment to one similarly rejected being moved (lacking notice) without signature of one third or more of the Councillors appointed to that committee. When applied to Planning and Licensing Committees an issue has arisen whereby through the course of debate on applications a motion is put forward and rejected to both approve and deny planning permission or a licensing application. This	Part 4.1 Council Procedure Rules Page 72-91

	<p>could be for varying reasons, but the outcome would be that in order to decide the application suspension of council procedure rules needs to be employed as set out in CPR 23. As suspension of rules without notice requires half of the Councillors there present to agree, it becomes confusing for the public and elongates an already convention-heavy procedure.</p> <p>It is therefore proposed that both in respect of applications heard by either Licensing or Planning Committee that this rule should no longer apply. If Members were so minded to agree the amendment would be as follows:</p> <p>New CPR 24. 2 – CPR 13.2 does not apply to applications heard by either the Planning or the Licensing Committee. It does apply however to all other decisions taken by those committees.</p>	
Clarification of Deferment and Adjournment	<p>CPR 12.11(d) requires clarification from the Monitoring Officer. When a motion that the debate be now adjourned is carried, the discussion shall be resumed at the next meeting, when the Member who moved its adjournment shall be entitled to speak first. This applies to all working groups and committees. Adjournment of a debate is often referred to as 'deferred' by Members, however deferral only applies where an item of business has not been debated. Deferral means withdrawal before commencement of discussion so that the item can be debated at the next available meeting, not a partial debate to be continued at a later time. Adjournment requires a date specified to recommence. Where this is not specified it should be automatically taken to the next meeting of Council or that Committee.</p> <p>In order to ensure this rule is applied correctly the following amendments are made:</p> <p>New 12.11(e) When a motion that the debate be now adjourned is carried, the discussion shall be resumed at the next meeting, when the Member who moved its adjournment shall be entitled to speak first.</p>	Part 4.1 Council Procedure Rules Page 72-91.

	Footnote clarification *Members may use the term 'defer', however in the context of a debate commenced this is classed as 'adjournment'.	
Monitoring Officer Delegations	It has been requested that Designation of Neighbourhood Areas be a delegated function to the Monitoring Officer as this is a procedural matter. This would add a delegation: NEW 13.22 To designate Neighbourhood Areas in consultation with the Portfolio Holder for Environment.	Part 3, Scheme of Delegation for Officers Page 60
The following change to the constitution has already been made since the last meeting of Standards by the Monitoring Officer under Delegation 21.		
Clarifying how the Delegation Scheme is applied in relation to Part 4 of the ACPA 2012.	The Monitoring Officer utilised her delegated power to amend the constitution to provide clarity in its interpretation. The current wording within the Director of Environment and Enforcement's delegation 11.13 had become unclear, and to avoid any legal challenge to an order under Pt 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 it was prudent to ensure that the words of the delegation were express to avoid misinterpretation. The associated Delegated Decision is attached for information as Appendix 3 .	Part 3, Scheme of Delegation for Officers Page 58

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

PETITIONS SCHEME

Petitions

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns.

Petitions can be sent to:

The Monitoring Officer
North East Derbyshire District Council
District Council Offices
2013 Mill Lane
Wingerworth
Chesterfield
S42 6NG

Petitions can also be presented to a meeting of the Council. These meetings take place approximately every eight weekly basis; dates and times can be found here:

www.ne-derbyshire.gov.uk/council-democracy/meetings-and-committees.

If you would like to present your petition to the Council or would like your Councillor or someone else to present it on your behalf, please contact Sarah Sternberg – Monitoring Officer on (01246) 217057 or email her on MonitoringOfficer@ne-derbyshire.gov.uk at least 10 working days before the meeting and she will talk you through the process. If your petition has received 1,000 signatures or more it will also be scheduled for a Council debate and if this is the case we will let you know when this will happen.

Who can submit a petition?

Any person (regardless of age) who lives, studies or works in the District is able to submit a petition.

Merging petitions

Where the Council receives petitions relating to the same issue we will consider amalgamating the signatories only with the approval of the petition organisers.

What are the guidelines for submitting a petition?

Petitions submitted to the Council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.
- the contact details for the petition organiser (lead petitioner) so the Council knows who to contact (The contact details of the petition organiser will not be placed on the website.)
- the name, address, postcode and signature of any person supporting the petition.
- Date the petition is submitted.

If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to the petition organiser to explain the reasons.

Issues specifically excluded from the Petition Scheme

The following matters are specifically excluded under the Petitions Scheme and will not be considered under the scheme:

- Any matter relating to a planning application or decision
- Any matter relating to a licensing decision, including licensing applications under the Licensing Act 2003 and the Gambling Act 2005.
- ~~Any matter which is currently or imminently subject to a consultation exercise~~
- ~~Any matter which is subject to a statutory consultation exercise, such as the Local Plan or other local development plan documents.~~
- Where any matter is currently or imminently subject to a consultation exercise, a decision as to whether the Petition can be dealt with under the Council's Petitions Scheme will be made by the Head of Paid Service having received the advice of the Monitoring Officer on the matter.
- Any matters relating to complaints against Councillors under the Code of Conduct.
- Any matter where there is an existing right of appeal.
- Statutory petitions such as requesting a referendum on having an elected mayor.
- Any matter which is substantially the same as a petition submitted in the previous 12 months.
- Any matter which is considered to be vexatious, discriminatory, abusive or otherwise inappropriate.
- Any matter which is considered to be "exempt" under the Local Government Act 1972, Access to Information Act 1985, the Data Protection Act 1998, the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

We will notify you of the reasons for your petition not being dealt if it is excluded under one or more of the above grounds.

What will the Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. The petition will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

How will the Council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it but will usually include one or more of the following:-

- writing to the petition organiser setting out our views about the request in the petition.
- considering the petition at a Council meeting (where there are over 1000 signatures);

The Council may take other actions, such as holding public meetings or consultations, explore options to tackle the matter in conjunction with our local partners, or we may refer the petition for consideration by one of the Council's Scrutiny Committees.

Scrutiny committees are committees made up of Councillors who are responsible for scrutinising the work of the Council – in other words, a committee that has the power to hold the Council's decision makers to account.

Where a petition relates to specific wards or area the relevant ward members will be informed when a petition is received and how it will be considered.

If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible we will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you.

If your petition is about something that a different Council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event we will always notify you of the action we have taken.

Full Council Debates

If a petition contains more than 1,000 signatures it will be debated by the full Council unless it is a petition asking for a senior Council Officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend.

The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of up to 30 minutes.

The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council's Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The

petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Where the Council has received several different petitions it may be necessary to limit the number to be heard at a particular meeting of the Council but we will inform you if this is the case.

Officer Evidence

Your petition may ask for a senior Council Officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior Council Officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 600 signatures, the relevant senior officer will give evidence at a public meeting of one of the Council's Scrutiny Committees. The senior staff that can be called to give evidence include:

- Directors
- Heads of Service
- Monitoring Officer
- Chief Finance Officer

You should be aware that the Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Committee may also decide to call the relevant Portfolio Member, ward member or other appropriate member to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chairman of the Committee by contacting the Overview and Scrutiny Manager on 01246 217060 or email scrutiny@ne-derbyshire.gov.uk up to five working days before the meeting.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that one of the Council's Scrutiny Committees review the steps that the Council has taken in response to your petition. This will be the relevant Scrutiny Committee when your matter has been considered by Council, or an alternate Scrutiny Committee when your matter has been dealt with by the relevant Scrutiny Committee. It is helpful for everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate. To request a review, please contact the Monitoring Officer on (01246) 217057 or email her on MonitoringOfficer@ne-derbyshire.gov.uk within 28 days of the response you have received to the petition.

The Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, referring the matter to the corporate complaints procedure, making

recommendations to the Council's Executive (Cabinet) and arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the results within five working days. The results of the review will also be published on our website.

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

**RECORD OF DECISION TAKEN BY THE
MONITORING OFFICER**

3RD DECMEBER 2021

CLARIFICATION ON INTERPRETATION WITHIN THE DELEGATION SCHEME

Authority for decision	Decision	Reasons	Alternative options considered and rejected	Conflicts of interest and any dispensation
MO's delegation 20 – To Make appropriate changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation	<p>To amend the Director of Environment and Enforcement's delegation 11.13 to provide clarity on interpretation. The delegation currently states:</p> <p><i>"To authorise the making of Public Space Protection Orders under Part 4 of the Anti Social Behaviour, Crime and Policing Act 2014, following consultation with the Leader or Deputy Leader of the Council and relevant ward members, and to incur any necessary expenditure to create, manage or revoke Public Space Protection Orders."</i></p>	<p>The current wording has become unclear, and to avoid any legal challenge to an order under Pt 4 it is prudent to ensure that the word of the delegation are express and cannot be misinterpreted.</p>	<p>Status quo, no change. This is rejected as it may offer an opportunity for an argument to be put, in defence of a notice served, to challenge that the Authority had not allocated sufficient delegated powers to an authorised officer.</p>	<p>None</p>

	<p>The delegation was designed to encompass all Part 4 notices and orders, and singles out the making of PSPOs as requiring extra consultation above that of other notices / orders detailed in part 4 of the Anti social Behaviour Crime and Policing Act 2014.</p> <p>To rectify this potential conflict additional wording is added:</p> <p><i>“To authorise the making of notices and orders under Part 4 of the Anti Social Behaviour, Crime and Policing Act 2014. In the case of Public Space Protection Orders only these will require consultation with the Leader or Deputy Leader of the Council and relevant ward members, and authorisation given incur any necessary expenditure to create, manage or revoke Public Space Protection Orders.”</i></p>			
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	<p>NB: The delegation scheme has been changed recently under delegated decision to reflect changes in the Senior Management Team Structure – the delegation referred to now delegated to the HOPS as 11.14, however this is not yet printed in the constitution which is why reference is made above to the published delegation.</p>			
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Please complete the following where relevant:

Key Decision?	Confidential/ Exempt (if yes, please state paragraph)?	Do General Exception or Special Urgency Rules apply to this decision?	Consultation has taken place with the Section 151 & Monitoring Officer?	The Leader, Deputy Leader or relevant Portfolio Member have been consulted?
No	No	No	Yes	No

Authorising Signature:

Job title:

Unique Reference Number:

Date decision may be implemented following call in (if necessary):

Circulation to:

Head of Paid Service, Monitoring Officer, Section 151 Officer, Scrutiny Officer, Internal Audit

North East Derbyshire District Council

Standards Committee

26 January 2022

WHISTLEBLOWING POLICY – ANNUAL REPORT

Report of the Solicitor to the Council and Monitoring Officer

Classification: This report is public.

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PURPOSE / SUMMARY

- To provide an annual update to Members on use of the Whistleblowing Policy.

REPORT DETAILS

1 Background

- 1.1 Whistleblowing is a report from an employee, member or other person about suspected wrongdoing within the organisation. The Public Interest Disclosure Act 1998 requires employers to refrain from dismissing workers and employees or subjecting them to any other detriment because they have made a protected disclosure.
- 1.2 Whistleblowing policies should foster a climate of openness and transparency in which individuals in the workplace do not feel that they will be victimised, harassed or suffer any reprisals if they raise concerns about wrongdoing within the organisation. The Government expects all public bodies to have adequate whistleblowing procedures in place.
- 1.3 North East Derbyshire District Council and Bolsover District Council have previously had in place a Joint Whistleblowing Policy. This has now been adapted to present Members with a North East Derbyshire only Policy. The Council is committed to updating Policies on a regular basis to ensure that they are fit for purpose, and the last review took place in February 2021.
- 1.4 The Whistleblowing Policy has been reviewed and no substantive changes are recommended other than housekeeping amendments (shown in tracked changes on Appendix 1).

- 1.5 In accordance with the Whistleblowing Policy, the Monitoring Officer has overall responsibility for the maintenance and operation of the Policy, and will maintain a record of concerns raised and the outcomes. The Monitoring Officer is also required to report as necessary to Council on instances of Whistleblowing. There have been no instances to report for the 2021 calendar year.

2. Details of Proposal or Information Conclusions and Reasons for Recommendation

- 2.1 The Whistleblowing Policy has been reviewed to ensure that it remains fit for purpose and it is concluded that the existing version is satisfactory and up to date with current legislation and best practice.

- 2.2 There are no instances of Whistleblowing to report to Members.

3 Consultation and Equality Impact

- 3.1 There are no equalities issues arising from this report.

- 3.2 Standards Committee have the responsibility to oversee the Whistleblowing Policy and arrangements and are required to make recommendations to Council to amend the Policy as appropriate.

4 Alternative Options and Reasons for Rejection

- 4.1 None.

RECOMMENDATIONS

1. That Standards Committee:
- 1.1 agree the current Whistleblowing Policy is fit for purpose; and
- 1.2 note that no instances of Whistleblowing have been made since the 2021 Annual Review of the Whistleblowing Policy.

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes ☒

No ☐

Details: The legal implications in relation to whistleblowing are contained within the policy.

On Behalf of the Solicitor to the Council

Staffing:

Yes ☐

No ☒

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Significantly Affected	All
Links to Corporate Plan priorities or Policy Framework	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	No Details:

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

DOCUMENT INFORMATION

Appendix No	Title
1	Whistleblowing Policy
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	

North East Derbyshire District Council

~~Joint~~ Whistleblowing Policy



**North East
Derbyshire**
District Council

CONTROL SHEET FOR WHISTLEBLOWING POLICY

Policy Details	Comments/Confirmation (to be updated as the document progresses)
Policy title	Whistleblowing Policy
Current status –	Agreed 2021 version, with housekeeping changes only.
Location of Policy –	Corporate Governance
Member route for approval	Standards, then Council
Cabinet Member (if applicable)	N/A
Equality Impact Assessment (approval date)	N/A
Partnership Involvement (if applicable)	N/A
Final Policy approval route (i.e. Executive/Council Committee)	Council
Date Policy approved	26 14/04/21 (NEDDCBDG)
Date Policy due for review	Annually
Date Policy forwarded to Strategy and Performance (to include on Intranet and Internet, if applicable to the public)	

JOINT WHISTLEBLOWING POLICY

1. Introduction

- 1.1 Employees are often the first to realise that there may be something seriously wrong within a local authority. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Councils. They may also fear harassment or victimisation. In these circumstances employees may feel that it is easier to ignore the concern, rather than report what may just be a suspicion of malpractice.
- 1.2 The Council ~~iss-are~~ committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Councils encourage employees, Members and others with serious concerns about any aspect of the Council's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis.
- 1.3 Whistleblowing is the term used when someone who works in or for an organisation raises a concern about a possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, the public or the organisation's own reputation. For example instances of theft from the Council, accepting or offering a bribe, and failure by colleagues to adhere to Health & Safety directives could all be the subject of a Whistleblow.
- 1.4 This policy document makes it clear that concerns can be raised without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Policy is intended to encourage and enable employees to raise concerns within either Council in person, rather than overlooking a problem or using other methods to report concerns.
- 1.5 This policy applies to Council employees and other workers, including freelance staff, temporary and agency staff, trainers, volunteers, consultants, contractors, employees of another Local Authority with whom the Councils ~~have~~has entered into joint working arrangements and Members.
- 1.6 This policy also applies to all employees in organisations who work in partnership with the Councils and suppliers who wish to raise a concern.
- 1.7 The Public Interest Disclosure Act 1998 protects Council employees who report concerns from subsequent harassment, victimisation and other unfair treatment. Potential informants should feel reassured that it is illegal for the Councils to consider any action against them should their concerns not prove to be verifiable.

2. Aims and Scope of this Policy

2.1 This policy aims to:-

- encourage persons to feel confident in raising serious concerns that they may have about practices and procedures
- provide avenues to raise those concerns and receive feedback on any action taken
- allow persons to take the matter further if they are dissatisfied with the Council's response
- reassure employees that they will be protected from possible reprisals or victimisation if they have made any disclosure

2.2 Areas covered by the Whistleblowing Policy include:-

- criminal or other misconduct
- breaches of the Council's Standing Orders or Financial Regulations
- contravention of the Council's accepted standards, policies or procedures
- disclosures relating to miscarriages of justice
- health and safety risks
- damage to the environment
- unauthorised use of public funds
- fraud, bribery and corruption
- sexual, physical and/or verbal abuse of any person or group
- other unethical conduct
- the concealment of any of the above

2.3 Any concerns about any aspect of service provision or the conduct of officers or Elected Members of ~~either the~~ Council, or others acting on behalf of ~~either the~~ Council, can be reported under the Whistleblowing Policy. This may be about something that:-

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribes to; or
- Is against the Council's constitution and policies; or
- Falls below established standards of practice; or
- Amounts to improper conduct

3. When this Policy may not be appropriate

3.1 This policy is not a substitute for the Council's ~~ss~~ other policies and procedures on such matters as personal grievances, bullying and harassment, health and safety, safeguarding issues (children and/or adults) or complaints. It should also not be used to raise matters relating to an employee's own terms and conditions of service.

3.2 It is important to know the difference between a 'Whistleblow' and a 'grievance.' A Whistleblow has a public interest aspect to it, as it puts others at risk.

- 3.3 A grievance by contrast has no public interest factors, as it is a complaint about a particular employment situation. A grievance should be reported using the Grievance Policy, not this policy.
- 3.4 For example, a member of staff being formally interviewed on capability grounds, without previously having had any indication that their performance was not acceptable, may lead to a grievance complaint being made. Whilst a member of staff who observes colleagues sharing/selling confidential data to un-authorised others, should lead to a Whistleblow.
- 3.5 The policy is not to be used by members of the public to pursue complaints about services. These should be dealt with through the Council's Complaints Procedures.
- 3.6 This Policy is not to be used by members of the public to pursue complaints against councillors conduct. They should direct complaints in the first instance to the Monitoring Officer who will deal with their complaints under the Members Code of Conduct procedure.

4. Safeguards against Harassment or Victimisation

- 4.1 The Councils recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. However, the Councils will not tolerate any form of harassment or victimisation, and will take appropriate action to protect persons who have made a disclosure.
- 4.2 The Councils are committed to good practice and high standards and endeavours to be supportive of persons who raise concerns under this Policy.
- 4.3 In all cases, the provisions of The Public Interest Disclosure 1998 (PIDA) will be adhered to.
- 4.4 The Enterprise & Regulatory Reform Act 2013 (ERRA) introduced a Public Interest test requirement on Whistleblowers. In order to receive the protection of PIDA, Whistleblowers will now have to show that they reasonably believe that the disclosure they are making is in the public Interest.

5. Confidentiality

- 5.1 All concerns will be treated in confidence and the identity of the person raising the concern will not be revealed without his or her consent (subject to any legal requirements or decisions). At the appropriate time, however, the person may be expected to come forward as a witness.

6. Anonymous Allegations

- 6.1 This policy encourages you to put your name to any allegation wherever possible and receive the protection of PIDA as anonymous complaints are likely to be difficult to deal with effectively.

6.2 Concerns expressed anonymously will be considered at the discretion of the Council. In exercising this discretion the factors to be taken into account would include:-

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

7. Untrue Allegations & Legal Protection

7.1 If you are a Council employee you are given legal protection by the Public Interest Disclosure Act 1998. You will qualify for this protection if you reasonably believe that the disclosure is in the public interest.

7.2 If you make what is known as a “qualifying disclosure” under the 1998 Act to your employer or certain other persons/bodies, it will be unlawful for the Councils to subject you to any detriment (such as denial of promotion or withdrawal of a training opportunity), or to dismiss you, because of the disclosure.

7.3 Qualifying disclosures are disclosures of information where a Council employee reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

7.4 Compensation may be awarded to you by an Employment Tribunal if the Councils breaches the 1998 Act, following a successful claim for ‘detrimental treatment’.

8. How to raise a Concern under this Policy

8.1 Concerns may be raised normally in writing. Persons who wish to raise a concern should provide details of the nature of the concern or allegation in the following format:

- The background and history of the concern giving names, dates and places where possible.
- The reason why you are particularly concerned about the situation.
- Submit any relevant evidence or documentation.

8.2 The earlier you express the concern the easier it is to take action.

8.3 Although you are not expected to prove beyond reasonable doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

8.4 Employees may choose to be represented by a colleague or Trade Union representative.

Employees

- 8.5 Employees should normally raise concerns in the first instance with their Line Manager. Alternatively, dependent upon the nature, seriousness and sensitivity of the issues involved and the person suspected of malpractice you could approach;
- the Service Manager whom you feel would be the most appropriate
 - Internal Audit
 - the Head of Paid Service (responsible Officer for Safeguarding)
 - the Monitoring Officer
 - The Section 151 Officer
- 8.6 You may choose to contact a Prescribed Person. Prescribed persons, as prescribed under the Public Interest Disclosure Act 1998, are independent bodies or individuals that can be approached by whistleblowers where an approach to their employers would not be appropriate. Prescribed persons, which usually have an authoritative relationship with the whistleblowers' organizations, can be regulatory or legislative bodies, central government departments, arm's length bodies or charities and include all Members of Parliament. You may also contact the "Public Concern at Work" helpline if you wish to remain anonymous. The telephone number for this service is: 020 7404 6609.

Other Persons (including Elected Members)

- 8.7 Other persons can contact any of the following officers of the Councils directly:
- the Service Manager whom you feel would be the most appropriate
 - Internal Audit
 - the Head of Paid Service (responsible Officer for safeguarding)
 - the Monitoring Officer
 - The Section 151 Officer
- 8.8 Officers of the Councils can be contacted in writing, by telephone or by going through one of the Contact Centres. You can contact the Councils through your elected Councillor if this is preferable or more convenient.
- 8.9 You may also choose to contact a body external to the Council such as the External Auditor or the Police or a Prescribed Person.

9 How the Council will respond to a concern raised under this Policy

- 9.1 The Officer with whom the concern was initially raised will respond in writing within ten working days:
- acknowledging that the concern has been received
 - indicating how it is proposed to deal with the matter
 - stating whether any initial enquiries have been made
 - supplying information on what support is available and stating whether further investigations will take place and if not, why not

- 9.2 Concerns raised under this Policy will be investigated by the investigating officer who will be appointed at the Council's discretion.
- 9.3 When conducting the investigation, the investigating officer may involve:-
- Internal Audit
 - Legal & Governance Services
 - Human Resources
 - the Police (in some circumstances the Council will have no choice but to inform the Police if it believes a criminal offence has been committed and may do so without informing the whistle blower)
 - an external auditor
 - The Monitoring Officer
 - The S 151 Officer
 - The Head of Paid Service (responsible Officer for safeguarding)
 - Any other person at the discretion of the investigating officer
- 9.4 The investigating officer should in the first instance inform any employee who is the subject of a Whistleblowing allegation of the allegation before a decision is taken as to what will happen with it. If the investigating officer determines that this would not be appropriate in the circumstances then he should seek guidance from the Monitoring Officer who may advise not to inform the employee at this stage of the process.
- 9.5 The investigating officer will make initial enquiries to decide whether an investigation is appropriate and if so what form it should take having regard to the law and the public interest.
- 9.6 If the investigating officer decides that a disciplinary investigation is the appropriate course of action to take, he/she will advise Human Resources who will instruct an appropriate person to conduct the disciplinary investigation and ensure that the investigation is carried out in accordance with the Councils' Disciplinary Policy.
- 9.7 Some concerns may be resolved by agreed action without the need for investigation.
- 9.8 It may be necessary to take urgent action before any investigation is completed.
- 9.9 The Council will take steps to minimise any difficulties that persons may experience as a result of raising a concern. For instance, if he or she is required to give evidence in criminal or disciplinary proceedings the Council will arrange for advice to be given about the procedure (but not about what answers to give).
- 9.10 The Councils accept that persons need to be assured that the matter has been properly addressed. Subject to legal constraints, the Council will inform the Whistleblower of the progress and outcome of any investigation.
- 9.11 It is important for persons to understand that making a Whistleblowing allegation doesn't give them anonymity, but does give them protection from harassment or victimisation.

10 The Responsible Officer

10.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this Policy, and will maintain a record of concerns raised and the outcomes. This record will be in a form which does not compromise confidentiality and substantially in the form attached.

10.2 The Monitoring Officer will report as necessary to the Councils.

10.3 The Investigating Officer must inform the Monitoring Officer of the receipt of a concern raised under this Policy, how they intend to deal with it and how the matter was concluded.

11. How the Matter Can Be Taken Further

11.1 This Policy is intended to provide a process within the Councils, through which appropriate persons may raise concerns. If at the conclusion of this process the person is not satisfied with any action taken or feels that the action taken is inappropriate, the following are suggested as further referral points:

- the Councils external auditor
- Your Trade Union
- Your local Citizens Advice Bureau
- Relevant professional body or regulatory organisation
- A relevant voluntary organisation
- The Police
- Your Solicitor
- The Audit Commission

11.2 Advice should be taken before making an external disclosure and the internal procedure should normally have been followed first.

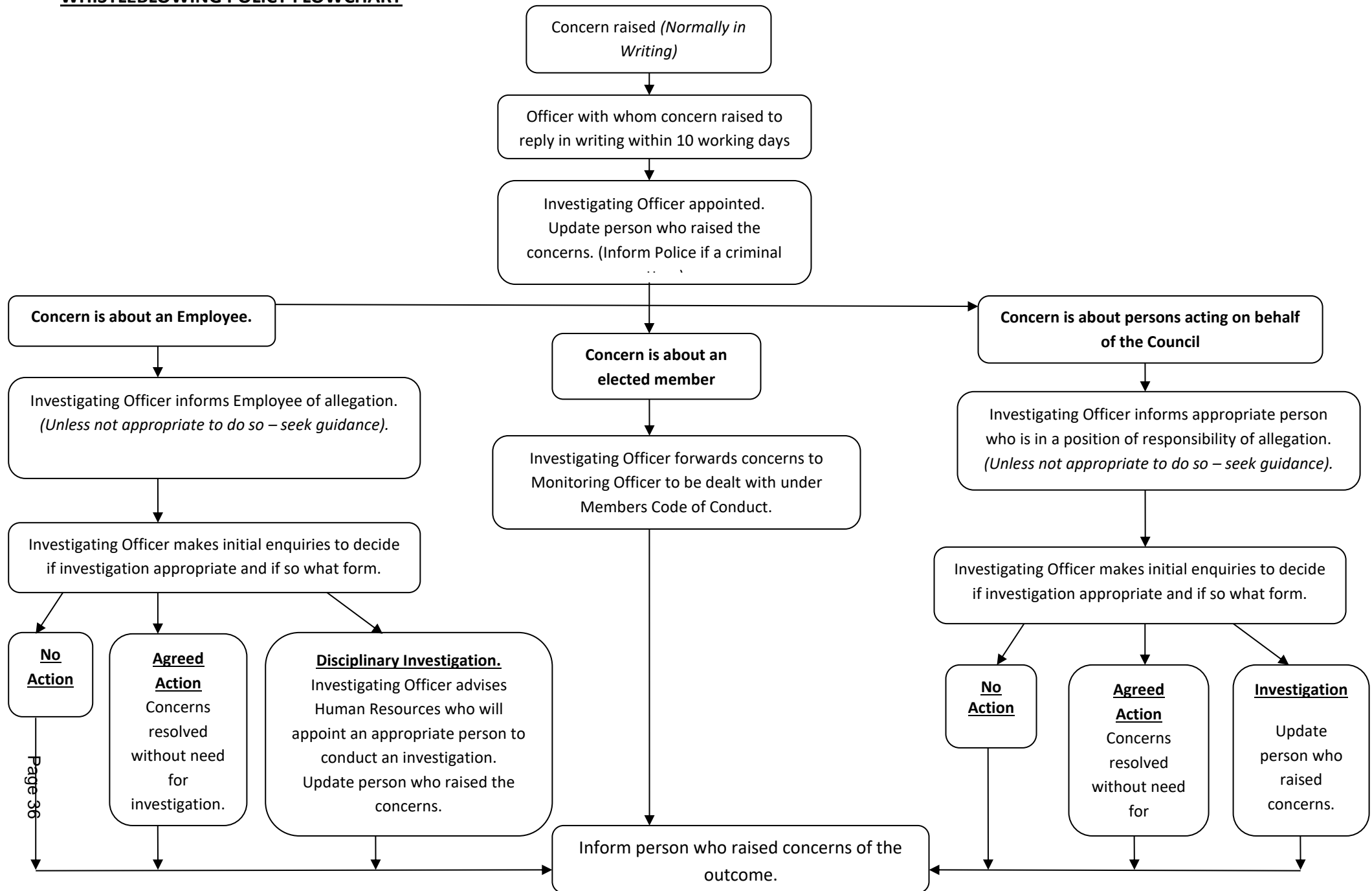
11.3 The Councils would not normally expect Whistleblowers to make disclosures to the press.

12. Whistleblowing Register

12.1 The Monitoring Officer in accordance with the ~~Joint~~ Whistleblowing Policy of ~~Bolsover District Council and~~ North East Derbyshire District Council has overall responsibility for the maintenance and operation of this Policy, and will maintain a record of concerns raised and the outcomes. This record will be in a form which does not compromise confidentiality and substantially in the form below.

Number	Council	Details	Outcome
1/20xx			

WHISTLEBLOWING POLICY FLOWCHART



*** Parish Council** **Code of Conduct for Councillors**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Each councillor's individual conduct affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

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

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

This is [NAME] Parish Council's Code of Conduct for Councillors which is based on the LGA Model Councillor Code of Conduct. [NAME] Parish Council will be referred to as "the Parish Council" throughout.

Definitions

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

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

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

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, Parish Council officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The use of support, training and mediation from the Monitoring Officer, the LGA and elsewhere is encouraged prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles. These are in Appendix A to this Code. This Code should be read in conjunction with these principles.

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

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

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

In undertaking my role:

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

Application of the Code of Conduct

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

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

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

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

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

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

The Monitoring Officer for the District Council has statutory responsibility for the implementation of the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk in the first instance, who may refer matters to the Monitoring Officer if required.

Standards of Councillor conduct

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

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

General Conduct

1. Respect

As a Councillor:

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

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

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

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

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the Parish Council, the relevant social media provider or the Police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and Parish Council employees, where concerns should be raised with the Parish Clerk.

2. Bullying, harassment and discrimination

As a Councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

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

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as

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

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

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

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

3. Impartiality of officers of the Parish Council

As a Councillor:

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

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

4. Confidentiality and access to information

As a Councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the**

Parish Council; and

3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

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

5. Disrepute

As a Councillor:

5.1 I do not bring my role or the Parish Council into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or the Parish Council and may lower the public's confidence in you or the Parish Council's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the Parish Council into disrepute.

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

6. Use of position

As a Councillor:

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

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

7. Use of Parish Council's resources and facilities

As a Councillor:

7.1 I do not misuse Parish Council resources.

7.2 I will, when using the resources of the Parish Council or authorising their use by

others:

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

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

Examples include:

- Office support
- Laptop and/or Ipad or other technology
- Stationery
- Transport
- Access to and use of Parish Council buildings and rooms.

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

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by the Parish or District Council.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

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

Protecting your reputation and the reputation of the Parish Council

9. Interests

As a Councillor:

9.1 I register and disclose my interests.

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

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

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

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

10. Gifts and hospitality

As a Councillor:

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

10.2 I register with the Clerk any gift or hospitality with an estimated value of at least £50 and where appropriate any with a value less than £50 within 28 days of its receipt.

10.3 I register with the Clerk any significant gift or hospitality that I have been offered but have refused to accept.

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

11 Training

You must attend the training set out in **Appendix C** and any other training the Council may deem is required from time to time.

You must attend the training detailed above as soon as reasonably practicable:

- (a) after your election; and
- (b) after your re-election;
- (c) after your appointment to a relevant Committee or Sub-Committee; and
- (d) as required after changes in legislation, policy or procedure affecting the relevant Committee or Sub-Committee outlined above; and/or
- (e) as frequently as set out in Appendix C

You must attend training if you are instructed to do so by a Standards Hearing Sub-Committee. If you fail to do so after 3 months or having been offered training on two occasions the fact of your failure will be reported to the Committee.

12 Dispensations

The Parish Council may grant you a dispensation to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.

Requests for dispensation must be made, in writing to the Clerk, on one of the following grounds:

- That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would impede the transaction of the business.
- That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the likely outcome of any vote on the matter.
- That the Parish Council considers that the dispensation is in the interests of persons living in the Authority's area;
- That the Parish Council considers that it is otherwise appropriate to grant dispensation.

13 Pre determination or bias

Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you should not be prohibited from participating in a decision in your political role as Member. However **do not** place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When making a decision, **do** consider the matter with an open mind and on the contents before the meeting at which the decision is to be taken. When reaching decisions on any matter you must have regard to any relevant advice provided to you by:

- (a) the Clerk or

(b) the Monitoring Officer,

where that officer is acting pursuant to his or her statutory duties.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

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

Integrity

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

Objectivity

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

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

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

"Disclosable Pecuniary Interest" (DPI) means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

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

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

Non participation in case of Disclosable Pecuniary Interest

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

Disclosure of Other Registerable Interests

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

interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

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

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

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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

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

Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.

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

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

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

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

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest:

a) any unpaid directorships

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

Appendix C

Training

North East Derbyshire District Council

Standards Committee

26 January 2022

GIFTS AND HOSPITALITY ANNUAL REPORT

Report of the Solicitor to the Council & Monitoring Officer

Classification: This report is public

Report By: Nicola Calver, Governance Manager

Contact Officer: Nicola.calver@ne-derbyshire.gov.uk / 01246 217753

PURPOSE / SUMMARY

To advise the Committee of the details of all entries in the Council's Gifts and Hospitality Register in respect of offers of gifts and hospitality made to Members and officers of the District Council during the period January 2021 to December 2021.

REPORT DETAILS

1 Background

- 1.1 The Council's Constitution, Part 5 specifies detailed arrangements for the registering of gifts and hospitality made to Members and officers. A copy of the provisions of the Constitution in respect of gifts and hospitality are attached as **Appendix 1** to this report. Details of the entries in the Council's Gifts and Hospitality Register for the period January 2021 to December 2021 are attached as **Appendix 2 (to follow)** to this report.

2. Conclusions and Reasons for Recommendation

- 2.1 It is important that there is a clear process for the recording and reporting of gifts and offers of hospitality offered to Members and officers of the Council.
- 2.2 The annual reporting of offers of gifts and hospitality made to Members and officers ensures that the Council's performance on this matter is monitored on a regular basis and that any changes in procedure can be introduced if necessary.

3 Consultation and Equality Impact

- 3.1 The annual reporting of offers of gifts and hospitality made to Members and officers should, together with other measure undertaken by the Council, support the clarity of the reporting process.

4 Alternative Options and Reasons for Rejection

- 4.1 There were no alternative options considered and rejected. The report is submitted for information only.
-

RECOMMENDATIONS

1. That the Standards Committee notes the content of this Annual Report for the period January 2021 to December 2021 in respect of offers of gifts and hospitality made to Members and officers.
-

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details: There are no financial implications arising directly from the content of this report.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐

Details: The Council has set a threshold of £25 for the declaration of gifts and hospitality as set out in its Constitution.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details: There are no Human Resources implications arising directly from the content of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All
Links to Corporate Plan priorities or Policy Framework	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	No Details:

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.
Good governance.

DOCUMENT INFORMATION

Appendix No	Title
1	Extract from the Council's Constitution: Protocol on gifts and hospitality
2	Schedule of Gifts and Hospitality January 2021 to December 2021 – TO FOLLOW
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	

EXTRACT FROM THE COUNCIL'S CONSTITUTION

PART 5 OF THE CONSTITUTION

Protocol on gifts and hospitality

This protocol has been adopted by the Council to give guidance to *Councillors* and officers about registering gifts and hospitality.

- 1 This Protocol relates to offers of gifts, favours or hospitality worth £25 or more that are made, given, or afforded to you in your capacity as a Member/officer whether you accept it or not. It is not intended to cover the ordinary social relationships which people enjoy with friends, provided that the friend is not applying to the Council for anything, seeking to do business with the Council, or involved in an ongoing business relationship with the Council.
- 2 Depending on the nature and value of the gift, favour or hospitality, it may be advisable for officers to consult their line manager and/or the *Monitoring Officer* for advice, in accordance with the officer code of conduct.
- 3 You must declare either in writing or electronically to the *Monitoring Officer* within 28 days of being offered or receiving it any gift or hospitality worth £25 or more. Such a declaration will be recorded in a register which will set out the date of declaration, the date on which the Member/officer received the hospitality, the name of the Member/officer, the nature of the gift or hospitality and, if a gift, what was done with it. The register will be signed or authorised electronically by the *Monitoring Officer*.

NEDDC COMPLAINTS MADE AGAINST MEMBERS – QUARTERLY UPDATE

List of Cases which do not proceed to investigation

DATE OF RECEIPT	PART OF CODE OF CONDUCT ALLEGED TO HAVE BEEN BREACHED	NAME OF COUNCIL	WHETHER A POTENTIAL BREACH WAS FOUND	REASONS FOR DECISION
03/06/21 5/2021	Making unwarranted and nonfactual personal comments	Wingerworth Parish Council	No	There was not a breach of the Code of Conduct but rather more a political debate had taken place.
07/10/21 10/2021	Making derogatory comments on social media	North East Derbyshire District Council	No	<p>The reason for this was that the language used was not out of place with the content and use of the social media site.</p> <p>The Member was advised to take care when choosing words or language that someone else may perceive to be derogatory. They were also sent a copy of the Social Media Policy.</p>

NEDDC STANDARDS COMMITTEE WORK PROGRAMME 2021/22

Meeting date	Item	Comments
30 June 2021	Code of Conduct Review of the Constitution Part 1 (a) Questions by Members (b) Debt Write off (c) Delegation Scheme Amendments (d) New JSCC TOR Complaints Update	
15 September 2021	MEETING CANCELLED	
10 November 2021	Member Training Attendance Local Government Ombudsman Annual Report Update on Code of Conduct Training Delegation Scheme Update Review of the Constitution Part 2 (a) Review of Guidance and constitutional rules on public speaking at Council (b) Training Requirements for Councillors (c) Renumbering of the Articles (d) Delegation Scheme Addition – Property Sale Complaints Update	Def from Sept Def from Sept
26 January 2022	Gifts and Hospitality Review 2021 Joint Whistleblowing Policy Review 2021 Review of the Constitution Part 3 (a) Petition Scheme (b) Planning and Licensing Decisions (c) Clarification of Deferment and Adjournment (d) Monitoring Officer Delegations RIPA Annual Review Parish Council Code of Conduct Complaints Update	
9 March 2022	Review of the Constitution Part 4 (a) Speaking at Planning Committee (b) Proper Officer Provisions (c) Employee Code of Conduct (d) Limiting the amount of words in motions and questions (e) New Forum TORs (f) Delegated Decision Review Standards Annual Report Work Programme 2021/22 – Achievements Work Programme 2022/23	