

# Swindon Borough Council

## Standards Committee

**Monday, 6 November 2017**

Committee Room 6, Civic Offices

At 5.00 p.m.

### **Councillors**

Kevin Parry  
Eric Shaw  
Timothy Swinyard  
Vera Tomlinson  
Colin Lovell (Deputy)  
Caryl Sydney-Smith (Deputy)  
(Conservative)

Jane Milner-Barry  
Teresa Page  
Joe Tray  
(Labour)

David Wood (Chair)  
(Liberal Democrat)

### **Co-opted Representatives**

Mr Trevor Davies  
Mr David Dawson  
(Lay Representatives)

Mr Mike Compton  
Mr Richard Hailstone  
(Parish Representatives)

### **Independent Persons for Information:**

Mr Paul Morris  
Mr Keith Strickland

**Committee Officer:** Vicki Yull (Tel: 01793 463603) email: [VYull@swindon.gov.uk](mailto:VYull@swindon.gov.uk)

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street, Swindon, SN1 2JH (Telephone 01793 445500)

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## **AGENDA**

### **PART 1 (PUBLIC ITEMS)**

#### **1. Apologies for Absence**

#### **2. Declarations of Interest**

Members are requested at the start of the meeting to declare any known interests in any matter to be considered, and are reminded that any such interest should also be declared at the start of an item or during any discussion of the matter concerned.

**3. Minutes** (Pages 5 - 6)

To receive the minutes of the meeting held on 17<sup>th</sup> July 2017.

**4. Public Question Time**

Please refer to the explanatory notes below.

**5. Exempt Items - Exclusion of Press and Public**

Certain items are expected to include the consideration of exempt information and the Standards Committee is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

| <u>Item No.</u> | <u>Paragraph No.</u> |
|-----------------|----------------------|
| 8               | 1 and 2              |

**6. Swindon Independent Remuneration Panel** DLDS (Pages 7 - 20)

**7. Ethical Framework Update** DLDS (Pages 21 - 60)

**PART 2 (TO BE CONSIDERED WITHOUT THE PRESS AND PUBLIC PRESENT)**

**8. Ethical Compliance Report** DLDS (Pages 61 - 64)

**Date of despatch:** 27<sup>th</sup> October 2017

**Key:**

DLDS - Director of Law and Democratic Services

**Public Question Time** - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services. We will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available from the Committee Officer named above or on the Council's Website at:

(<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sched=doc&cat=13338&path=0>).

**Access Arrangements** - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting, or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

### **Standards Committee - Terms of Reference**

The Standards Committee has the following roles and functions in accordance with Article 9 of the Council's Constitution:

- (a) promoting and maintaining high standards of conduct by councillors and co-opted members including church and parent governor representatives;
- (b) assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation of the Members' Code of Conduct;
- (e) recommending training on any aspect of conduct and behaviour for Councillors, and officers, where it considers it would be of benefit;
- (f) approving other codes of conduct and behaviour which apply to Councillors, employees, contractors and any other parties or organisations associated with Council activity (for employees approval will be subject to agreement through recognised negotiating machinery where appropriate).
- (g) receiving from the Council's Monitoring Officer details of all allegations of any breach of the Code of Conduct;
- (h) determining any matters which may be referred to it by the Monitoring Officer or which may arise under consideration of complaints as to breaches of the Members Code of Conduct or the Protocol for Member / Officer Relations or any Code or Protocol applying to Members and Co-opted Members;
- (i) supporting the Council's Monitoring Officer in discharging his/her role;
- (j) granting dispensations to councillors and co-opted members, including church and parent governor representatives, arising from requests relating to interests set out in the Members Code of Conduct and/or under section 33 of the Localism Act 2011;
- (k) exercising (a) to (i) above in relation to the parish councils wholly or mainly in its area and the members of those parish councils;
- (l) ensuring the Council's Customer Feedback Policy operates effectively in relation to standards of conduct and behaviour of staff and in particular the

Standards Committee may:

- receive an annual report on its operation
- receive monitoring reports on complaints in relation to standards of conduct and behaviour that have resulted in a final warning to a member of staff
- adjudicate upon all complaints which remain unresolved
- require Service Managers to report upon any areas of activity which may have been the subject of criticism in respect of standards of conduct and behaviour;

(m) reporting to the Council when it considers:-

- standards of conduct and behaviour in a particular area need reviewing, and
- the level of commitment necessary to resolve these difficulties should be greater;

(n) approving the Council's anti-fraud strategy and whistle-blowing procedures and ensure they operate effectively;

(o) recommending to the Council the payment of compensation or the taking of any other action relating to standards of conduct and behaviour where this is considered appropriate;

(p) reporting to the Council, should it deem it necessary, on the result of any investigation into the standards of conduct and behaviour of a Member; and

(q) approving procedures associated with the appointment of an independent remuneration panel for Councillors' Allowances.

**STANDARDS COMMITTEE**

**MONDAY, 17 JULY 2017**

PRESENT:- Councillor David Wood (Chair), Councillor Jane Milner-Barry, Councillor Teresa Page, Councillor Kevin Parry, Councillor Timothy Swinyard, Councillor Steve Weisinger, Councillor Caryl Sydney-Smith (Deputy), Mr Paul Morris, Mr Keith Strickland, Mr Trevor Davies and Mr Richard Hailstone.

Apologies for absence were received from Councillor Eric Shaw, Councillor Vera Tomlinson, Councillor Joe Tray, Mr David Dawson and Mick Compton.

**1. Appointment of Vice-Chair of the Committee**

Resolved – That Councillor Steve Weisinger be Vice-Chair of the Standards Committee for the Municipal Year 2017/2018.

**2. Declarations of Interest**

The Chair reminded members of the need to declare known interests in any matters to be considered at the meeting.

No declarations of interest were made.

**3. Minutes**

Resolved – That the minutes of the meeting held on 27<sup>th</sup> March 2017 be confirmed and signed as a correct record.

**4. Public Question Time**

There were no public questions.

**5. Exempt Items - Exclusion of Press and Public**

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item listed below on the grounds that it involved the likely disclosure of exempt information as defined in the respective paragraphs of Part 1 of Schedule 12A of the Act.

| <u>Item No.</u> | <u>Paragraph Nos.</u> | <u>Minute No.</u> |
|-----------------|-----------------------|-------------------|
| 10              | 1 and 2               | 9                 |

**6. Standards Committee Annual Report**

The Committee was asked to consider its Draft Annual Report for 2016/17 which provided a record of the work of the Standards Committee for the period 1<sup>st</sup> June 2016 to 31<sup>st</sup> May 2017.

Resolved – (1) That the Draft Standards Committee Annual Report 2016/17, attached at Appendix 1 to the report, be agreed.

(2) That the Director of Law and Democratic Services be authorised to finalise the document for publication on the Council's website.

## **7. Annual Work Programme**

The Committee considered a report of the Director of Law and Democratic Services inviting the Committee to agree its Work Programme for the 2017/2018 Municipal Year.

Resolved – (1) That the Committee's draft Work Programme for 2017/2018, as attached at Appendix 1 to the report, be agreed.

(2) That it be noted that the proposed work programme was sufficiently flexible to accommodate any unforeseen matters that might arise in relation to the Council's Ethical Framework.

## **8. Ethical Framework Update**

The Committee received a report from the Director of Law and Democratic Services providing an update on matters relating to the Ethical Framework, including:

- Dispensations
- Membership of the Standards Committee – Parish Representatives
- Draft Annual Governance Statement
- Summary of Code of Conduct Complaints
- Member Training

Resolved – (1) That the Ethical Framework Update report be noted.

(2) That the draft Annual Governance Statement, attached at Appendix 1 to the report, be approved to be signed off by the Leader and Chief Executive.

## **9. Ethical Compliance Report**

The Committee considered a report of the Director of Law and Democratic Services regarding the outcome of various ethical compliance matters, including the details of any Whistleblowing cases, breaches of the Member / Officer Protocol, and Code of Conduct complaints received since the last Committee, and the outcome of any completed investigations in relation to these.

Resolved – That the Ethical Compliance report be noted.

## **Independent Remuneration Panel on Councillors' Allowances: Membership and Allowances**

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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Author: Director of Law and Democratic Services

Wards: All

Parishes Affected: All

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### **1. Purpose and Reasons**

- 1.1 To seek the Standards Committee's approval of the appointment of a Lay Representative to serve on the Swindon Independent Remuneration Panel, and to update the Committee on the current membership of the Panel.
- 1.2 To review the current role profile and level of allowance paid to members of the Swindon Independent Remuneration Panel.
- 1.3 The operation of effective and transparent arrangements for the Swindon Independent Remuneration Panel supports the Council's commitment to good governance.

### **2. Recommendations**

The Committee is recommended to:

- 2.1 Approve the appointment of Mr Ram Thiagarajah as a Lay Representative on the Swindon Independent Remuneration Panel for a further period of three years.
- 2.2 Note and endorse the membership of the Independent Remuneration Panel.
- 2.3 Review the current role profile of the Swindon Independent Remuneration Panel Member to determine if the profile is fit for purpose or requires updating.
- 2.4 Review the current level of allowance paid to the Swindon Independent Remuneration Panel members to determine if the level is appropriate.

### **3. Detail**

Background

- 3.1 The Council established the Swindon Independent Remuneration Panel (IRP) in late 2001.
- 3.2 The IRP operates under the provisions of the Local Authorities (Members Allowances) (England) Regulations 2003. These Regulations require that all councils should set up independent panels, and take account of their advice, before changing their Councillors' Allowances Scheme.

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Further information on the subject of this report can be obtained from Vicki Yull, 01793 463603, [vyull@swindon.gov.uk](mailto:vyull@swindon.gov.uk).

# **Independent Remuneration Panel on Councillors' Allowances: Membership and Allowances**

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

- 3.3 The IRP helps set the level of allowances that are paid to Borough Councillors each year. The IRP is also involved in setting the level of allowances that are paid to Parish and Town Councillors in Swindon.

## Membership

- 3.4 The Standards Committee is responsible under Article 9 of the Council's Constitution for overseeing and approving the composition and appointments procedure associated with the establishment and maintenance of the IRP.
- 3.5 The IRP is made up of six members who are independent of the Council – one each is nominated by the Education, Business and Voluntary / Community Sectors, and there are three Lay Representatives appointed by the Standards Committee following public advertisement. The three members of the IRP appointed from stakeholder / partner organisations serve for a term of office of four years. The three Lay Representatives are appointed for a period of three years. There is no restriction on the re-appointment of members.
- 3.6 The current membership of the IRP is:

| <b>Member</b>                  | <b>Capacity</b>                                   | <b>Term of Office</b> | <b>Expiry date</b> |
|--------------------------------|---|-----------------------|--------------------|
| Mr Keith Strickland<br>(Chair) | Lay Member  | 3 years               | March 2020         |
| Mr Ram Thiagarajah             | Lay Member  | 3 years               | October 2017       |
| Mr David Body                  | Lay Member  | 3 years               | October 2019       |
| Mr John Dernie                 | Business Sector<br>Representative                 | 4 years               | April 2018         |
| Ms Wendy Hall MBE              | Voluntary /<br>Community Sector<br>Representative | 4 years               | February 2018      |
| Mr Gus Strang                  | Education Sector<br>Representative                | 4 years               | October 2019       |

## Appointment of Lay Representative

- 3.7 Mr Ram Thiagarajah was appointed to the IRP in October 2014 for a period of three years. Mr Thiagarajah has been approached about his continuing to serve on the IRP and has agreed to do so, if it is the Committee's wish.

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Further information on the subject of this report can be obtained from Vicki Yull, 01793 463603, [vyull@swindon.gov.uk](mailto:vyull@swindon.gov.uk).



# **Independent Remuneration Panel on Councillors' Allowances: Membership and Allowances**

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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- 3.8 In view of his experience and commitment, the Committee is asked to appoint Mr Thiagarajah as a Lay Representative to the IRP for a further three year period, ending in November 2020. The Committee is also asked to note and endorse the membership of the Swindon IRP going forward.

## Panel Member – Role Profile

- 3.9 A Panel Member Role Definition (attached at Appendix 1) has been in place for some years to assist in the recruitment of panel members. It would be appropriate to review this and, to assist members, a copy of the relevant role profile was requested from the authorities within the former Audit Commissions 'family grouping' to which Swindon Borough Council belonged. Of those who responded, two had profiles in place (Medway Council and Plymouth City Council) and these are included in Appendix 1 for reference.
- 3.10 Members are asked to consider if the Swindon Panel Member Role Definition remains up-to-date and fit for purpose, or whether the current profile should be updated having regard to any comments from members.

## Panel Member – Remuneration

- 3.11 Local authorities are able to pay allowances to IRP members, and the Standards Committee has the delegated responsibility to determine this matter.
- 3.12 When the IRP was originally established in 2001, the Standards Committee determined at that time that an annual allowance of £125 should be paid to each member. This was based on an estimated time commitment of 15 hours per year. Travel and subsistence allowances were also payable as for other co-opted members, as set out in the Council's Scheme of Allowances.
- 3.13 At its meeting on 31<sup>st</sup> January 2005, the Standards Committee was requested to review this payment since additional responsibilities had been placed on Panels as a result of the Local Authorities (Members Allowances) (England) Regulations 2003 being introduced. The time commitment of panel members had proven to be more in the region of 18 hours per year for attendance at meetings plus preparation time. The Committee therefore agreed that the allowance should be increased to £200 per year, with travel and subsistence allowances remaining payable as for other co-opted members.
- 3.14 Given that the allowance payable to members of the IRP has not been amended since 2005, it is timely to seek members' views on this matter. A matrix showing the IRP information provided by the local authorities within the former Audit Commission 'family grouping' is attached at Appendix 2 to assist members in their consideration of this matter.

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Further information on the subject of this report can be obtained from Vicki Yull, 01793 463603, [vyull@swindon.gov.uk](mailto:vyull@swindon.gov.uk).

# **Independent Remuneration Panel on Councillors' Allowances: Membership and Allowances**

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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- 3.15 The views of the Swindon IRP members have been sought on this matter. The panel members on the whole are supportive of this review due to the length of time which has elapsed since the current allowance amount was determined, though none of them have requested a change to the amount paid. It is also worth noting that an individual panel member can choose not to accept any allowance payment offered, should they so wish.
- 3.16 The Swindon IRP meets every year to undertake a review. The length of the review, and therefore the time commitment required from the panel members, is different each year depending on the circumstances considered at the time. For example, the IRP conducted a lengthy and in-depth review of allowances for the 2017/2018 year, with significant changes being put in place as a result of its recommendations. In view of this, a 'lighter touch' review was completed for the 2018/2019 year, with no significant changes being proposed by the Panel. At its meeting on 13<sup>th</sup> November 2017, the Panel will begin its review of the Scheme of Allowances for the 2019/2020 year. It is likely that the Panel will wish to conduct a more significant review to assess if there has been any impact from the changes implemented for 2017/2018.
- 3.17 Given the examples above which demonstrate how the workload varies from year to year, it is difficult to calculate an average annual amount of time commitment required from the panel members. Any allowance set needs to acknowledge this yearly variation, and members are asked to consider whether the current amount of £200 is adequate recompense or whether the amount needs to be amended.

## **4. Alternative Options**

- 4.1 The Standards Committee could determine to not endorse the appointment of the suggested Lay Representative to the IRP.

## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 Members of the Independent Remuneration Panel are currently entitled to receive an allowance of £200 per year (if they choose to claim it). Any increases to this allowance would be found from within existing budgets.

### Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with convention rights.

# **Independent Remuneration Panel on Councillors' Allowances: Membership and Allowances**

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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## All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 No other implications were identified in the preparation of this report.

## Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment (DIA) has not been undertaken as the report does not make any recommendations or have implications that affect services.

## Risk Management

- 5.5 No risk management implications were identified in the preparation of this report.

## **6. Consultees**

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

- 7.1 None.

## **8. Appendices**

- 8.1 Appendix 1 – Role Profiles of Independent Remuneration Panel members.
- 8.2 Appendix 2 – Comparison of Independent Remuneration Panels within Swindon's 'family grouping' of local authorities.

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## **Swindon Independent Remuneration Panel Role Definition Panel Member**

### **ROLE PURPOSE:**

- A.** To be responsible for making recommendations to the Council about the type and level of allowances to be paid to Councillors.

In particular, as a member of the Independent Remuneration Panel, to make recommendations to Swindon Council on:-

the amount of basic allowance that shall be payable to elected Members;  
the amount of any co-optee allowance that shall be payable to non-elected members serving on the Council;  
the roles and responsibilities for which a special responsibility allowance is payable and the amount of each such allowance;  
the amount of travel, subsistence and dependant care allowances to be paid to councillors and non-elected members (co-optees) and the means by which they are determined;  
general issues associated with councillors' allowances, pensions and the Council's Scheme of Councillors' Allowances.

- B.** To be responsible for making recommendations to parish and town councils in Swindon about the type and level of allowances to be paid to parish and town councillors.

In particular, as a member of the Independent Parish Remuneration Panel, to make recommendations to parish and town councils on:-

the amount of basic allowance that shall be payable to Swindon parish and town councillors;  
the payment of allowances to the chairs of parish and town councils in Swindon;  
the amount of travel and subsistence allowances payable to Swindon parish and town councillors and the means by which they are determined;  
general issues associated with parish and town councillors' allowances in Swindon.

### **DUTIES AND RESPONSIBILITIES:**

To work with other Panel Members and officers of the Council:-

1. To meet the requirements of a non-elected member of a local authority, including compliance with all relevant codes of conduct.
2. To fully take part in the activities and decision-making role of the Independent Remuneration Panel and the associated Independent Parish Remuneration Panel.

3. To develop, as necessary, a working knowledge of the role of councillors, the Councillors' Allowances Scheme, the structure and operation of Swindon Council and its policies and practices.
4. To develop, as necessary, a working knowledge of the role of parish and town councillors, parish and town council allowances schemes, the structure and operation of parish and town councils and their policies and practices.
5. To develop as necessary a working knowledge of the statutory requirements, regulations and Government guidance concerning Councillors' allowances.
6. To develop, as necessary, a working knowledge of the councillors' allowances schemes operating in other local authorities and public bodies.

### **Applicant Specification**

*Set out below is an "Applicant Specification" to apply to applications for membership of the Independent Remuneration Panel on Councillor's Allowances*

*Independence* - The Council's Standards Committee stresses the need for appointments to the Independent Remuneration Panel to be clearly seen as independent.

Applicants for membership of the Panel should not be associated with the political groups on the Council. Applicants must declare friendship or any other personal association with any member or officer of the Council.

Preference will always be given to applicants who in the minds of the local community will be perceived as being independent of the Council and its Members.

***Qualifications and Experience*** – No formal qualifications or experience are required.

An interest in issues of local governance is essential

A candidate's knowledge of local government and the way it works is desirable. However, a lack of familiarity with the functions of councils will not bar an appointment.

A candidate will need to be able to assess and interpret information and situations and to communicate effectively their views.

Proven administrative and organisational skills would be useful but are not essential.

A conscientious approach and an approachable manner will be desirable in any Panel member.

An understanding of benchmarking remuneration or of job evaluation or remuneration schemes in other settings would be useful.

## Medway Statutory Independent Remuneration Panel

### PERSON SPECIFICATION

|    | FACTOR  | ESSENTIAL<br>OR<br>DESIRABLE | MEANS OF<br>ASSESSMENT    |
|----|---|------------------------------|---------------------------|
|    | <b>Knowledge and experience</b>   |                              |                           |
| 1  | Knowledge of local government procedures, policies and practices  | D                            | Application and interview |
| 2  | Some knowledge of Member activities & remuneration, knowledge of personnel/staff matters                                      | D                            | Application and interview |
| 3  | Lives in Medway or strong links to the area   | E                            | Application and interview |
|    | <b>Qualifications</b>   |                              |                           |
| 4  | A good standard of education, sufficient to understand reports and numerical information that might be complex                | E                            | Application and interview |
|    | <b>Skills</b>   |                              |                           |
| 5  | Must be literate and numerate, sufficient to read reports and understand numerical information that might be complex          | E                            | Application and interview |
| 6  | Effective and confident written and verbal communication skills   | E                            | Application and interview |
| 7  | Ability to contribute to, and work effectively with, other members of the Panel   | E                            | Application and interview |
| 8  | Capability of analysing moderately complex information, identify key issues, weigh up evidence and reach informed conclusions | E                            | Application and interview |
| 9  | Effective listening and questioning skills to identify key points and open up discussion                                      | E                            | Application and interview |
|    | <b>Personal attributes</b>  |                              |                           |
| 10 | Understanding of the importance of being seen to be working independently of the Council                                      | E                            | Application and interview |
| 11 | Ability to deal tactfully and sensitively with a variety of people  | E                            | Interview                 |
| 12 | Maintains high ethical standards, acts with integrity, respects confidentiality, takes responsibility for own actions         | E                            | Application and interview |
| 13 | Impartial and non-political in approach   | E                            | Application and interview |
| 14 | Commitment to the needs of the local community  | E                            | Application and interview |
| 15 | Committed to undertaking background work in preparation for meetings  | E                            | Interview                 |

### Plymouth City Council

| Role profile                   |  |
|--------------------------------|--|
| <b>Title</b>                   | Member of the Independent Remuneration Panel   |
| <b>Reference:</b>              | <b>IRP/2017</b>  |
| <b>Reports to:</b>             | N/A  |
| <b>Primary purpose of role</b> | To attend meetings of the Panel to consider information in connection with the Members' Allowances Scheme; and to contribute to the production of recommendations to be put before the Council.  |
| <b>Disqualifications</b>       | <p>Persons will be disqualified from serving on the Panel if they are:</p> <ul style="list-style-type: none"> <li>• an elected Councillor of any Local Authority;</li> <li>• employed by Plymouth City Council;</li> <li>• a senior employee (in a politically restricted post) of another local authority;</li> <li>• the holder of any position within a political party at local, regional or national level;</li> <li>• the subject of a bankruptcy restrictions order or interim order;</li> <li>• subject to a conviction in the last 5 years of an offence with a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine;</li> <li>• a relative or personal friend of an elected Member of Plymouth City Council.</li> </ul> |
| <b>Key activities</b>          | <ul style="list-style-type: none"> <li>• To consider information on Member Allowances, including the views of Members, together with statutory guidance on what allowances may be paid</li> <li>• To formulate a view and make recommendations to the Council as to any appropriate changes to the Members' Allowances Scheme, as laid down in the Local Authorities (Members' Allowances) (England) Regulations 2003 and Section 7, Superannuation Act 1972, namely:- <ul style="list-style-type: none"> <li>○ the level of basic allowance for all Members;</li> <li>○ categories of special responsibility for which a special responsibility allowance should be paid and the levels of those allowances;</li> </ul> </li> </ul>   |



|  |  |
|--|--|
|  | <ul style="list-style-type: none"> <li>○ the rate of childcare / dependency allowance;</li> <li>○ Travel &amp; Subsistence Allowance; and</li> <li>○ any annual uplift.</li> </ul> <ul style="list-style-type: none"> <li>• To receive reports from Officers of the Council in connection with the Members' Allowance Scheme and to discuss the information with Panel colleagues, reach conclusions and make recommendations to the Council.</li> <li>• To propose an allowances scheme which does not deter local people from standing for election to the Council for financial reasons and which appropriately recognises the time commitment of Members with special responsibilities.</li> <li>• To make recommendations to the authority as to the amount of basic allowance that should be payable to its elected Members and recommendations on other allowances (i.e. travel and subsistence allowance and allowances for attendance at certain meetings and conferences).</li> <li>• To make recommendations as to the amount of co-optees' allowance and make recommendations to council.</li> <li>• To make recommendations as to whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run.</li> </ul> |
| <b>Essential qualifications/ knowledge</b>         | <ul style="list-style-type: none"> <li>• Good general standard of education, sufficient to understand complex arrangements and issues</li> </ul>   |
| <b>Desirable qualifications/ knowledge</b>         | <ul style="list-style-type: none"> <li>• Knowledge of reasonably complex organisations</li> <li>• Confident and effective communicator within a small group</li> <li>• Good team member</li> </ul>   |
| <b>Desirable Personal Qualities and Commitment</b> | <ul style="list-style-type: none"> <li>• Commitment to the needs of the local community</li> <li>• Interest in local government</li> <li>• Able to make informed judgements based upon complex information</li> <li>• An awareness of the sensitive and confidential nature of the work</li> <li>• To be available to attend and contribute to meetings</li> <li>• Committed to undertaking the background work in preparation for meetings</li> <li>• Have experience of setting remuneration levels in complex organisations</li> </ul>  |

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>• Knowledge of Local Authority structures</li> </ul>  |
| <b>Desirable experience</b>   | <ul style="list-style-type: none"> <li>• Experience or knowledge of Local Government and its functions and/or an understanding of financial matters</li> <li>• Decision making role in some previous capacity (not necessarily management)</li> <li>• Lead role in either paid or unpaid capacity</li> </ul>   |
| <b>Essential skills</b>   | <ul style="list-style-type: none"> <li>• Ability to communicate effectively and work with others in order to produce a report and recommendations.</li> <li>• Strong analytical capability, including the ability to question, probe and seek clarification about complex issues</li> <li>• Ability to consider matters without regard to personal political views; objectivity and an absence of pre-conceived views</li> </ul> |
| <b>Corporate standards</b> <ul style="list-style-type: none"> <li>▪ In accordance with Council policies and guidance on information management and security, it is your personal responsibility for data protection, client confidentiality and information governance.</li> <li>▪ Act at all times in accordance with appropriate legislation and regulations, codes of practice, the provisions of the Council's constitution and its policies and procedures.</li> <li>▪ Work within the requirements of the Council's Health and Safety policy, performance standards, safe systems of work and procedures.</li> <li>▪ Undertake all duties with due regard to the corporate equalities policy and relevant legislation.</li> </ul> |  |

| Council          | Panel Member No's  | Allowances   | Expenses  | Review of IRP allowances  |
|------------------|--|--|---|---|
| BANES            | Was 3 - now disbanded and plan to share IRP with neighbour authority | None   | None  | -   |
| Bracknell Forest | 5  | Chair is a Consultant who submits an invoice. Other panel members are paid LGA recommended daily rate of £152.77 | -   | Reviewed by relevant Head of Service and Director of Resources when required  |
| Derby            | 6  | None   | Reimburse reasonable expenses                                   | Reviewed by Audit and Accounts Committee when required  |
| Medway           | 6  | £50 for attendance at each formal meeting  | Remiburse travel and subsistence (using local government rates) | Nothing formal in place   |
| Peterborough     | 3  | None   | Reimburse reasonable expenses                                   | Nothing formal in place   |
| Plymouth         | 4  | £200 per review - held every four years  | Reimburse reasonable expenses                                   | Nothing formal in place - possibly previously set by Democratic Services Manager / Portfolio Holder for Finance / Assistant Chief Executive |
| Swindon          | 6  | <b>£200 per member on annual basis</b>   | <b>Reimburse reasonable expenses</b>                            | <b>Standards Committee - last review 2005</b>   |
| Telford & Wrekin | 3  | Panel does not meet regularly - fees negotiated as required  | Reimburse reasonable expenses                                   | Report submitted to Council   |

| Council    | Panel Member No's  | Allowances   | Expenses  | Review of IRP allowances  |
|------------|--|--|---|---|
| Thurrock   | 5 in total on shared Panel - 2 from Southend on Sea, 2 from Thurrock, Chair is ex-Chief Executive of Brentwood Council | Chair receives £700 per day. Panel members receive £500 per day. Convenes for two days every four years. Costs shared 50/50 by 2 councils              | Reimburse for travel, parking and accommodation - food is provided by hosting council | -   |
| West Berks | 3  | None   | Reimburse reasonable expenses   | Nothing formal in place   |
| Wiltshire  | 3  | Agree amount every time dependent on work expected e.g. full review £1600 per member, light touch review £500 per member. Do a review every four years | Reimburse reasonable travel expenses  | Fee negotiated by the Associate Director of Legal and Governance and the Associate Director of Corporate Function, Procurement & Programme Office |

## Ethical Framework Update

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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Author: Director of Law and Democratic Services

Wards: All

Parishes Affected: All

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### **1. Purpose and Reasons**

- 1.1 To provide an update on various matters related to the Ethical Framework, and to keep the Committee informed of issues of probity in the Council.

### **2. Recommendations**

The Committee is recommended to:

- 2.1 Note the ethical framework update, including dispensations granted to members of the Borough Council, the Summary of Code of Conduct complaints, the latest position regarding member training and development within the Borough, and the update from the Committee on Standards in Public Life.
- 2.2 Consider the effectiveness of the Council's codes and protocols attached at Appendix 1, and determine whether changes are required to ensure these remain fit for purpose.
- 2.3 Review the Ethical Audit Desktop Analysis attached at Appendix 2 and, subject to any comments from members, endorse its contents.
- 2.4 Determine whether a response is to be provided to the consultation on the disqualification criteria for local authority members as set out in Appendix 4 and, subsequently, what form that response should take.

### **3. Detail**

Dispensations

- 3.1 Section 33 of the Localism Act 2011 enables members who consider that they may have a disclosable pecuniary interest to apply for a dispensation to allow them to speak and vote. Any dispensation granted under section 33 of the Localism Act 2011 must specify the period for which it has effect, and the period specified may not exceed four years.
- 3.2 At its meeting on 7<sup>th</sup> November 2016, the Standards Committee authorised the Director of Law and Democratic Services to grant any applications for a dispensation on the subject matter of Council Tax for a four year period. Dispensations are granted in consultation with the Chair of the Standards Committee and are reported back to the next available meeting.

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Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, [staylor@swindon.gov.uk](mailto:staylor@swindon.gov.uk).

# Ethical Framework Update

## Standards Committee

Date: 6<sup>th</sup> November 2017

3.3 Also at its meeting on 7<sup>th</sup> November 2016, the Standards Committee authorised the Director of Law and Democratic Services, in consultation with the Chair of the Standards Committee, to grant applications for urgent dispensations on any subject matter in between meetings of this Committee. Any such dispensations to be reported to the next scheduled meeting of this Committee.

3.4 No Councillors have sought dispensations since the last report to this Committee.

### Summary of Code of Conduct Complaints

3.5 At its meeting on 21<sup>st</sup> July 2014, the Committee agreed that, in response to a suggestion put forward by a member of the public during the consultation on the Council's Standards arrangements, a summary of Code of Conduct complaints, including details of complaints received during the year and comparative data for preceding years, be made to each meeting of the Committee. This information is set out below.

| Year    | Complaints | No Further Action | Referred for Investigation | Referred for Monitoring Officer or other Action | Breach following hearing | No action following referral | Local Resolution |
|---------|------------|-------------------|----------------------------|---|--------------------------|------------------------------|------------------|
| 2008/09 | 14         | 13                | 1                          | 0   | 1                        | 0                            | N/A              |
| 2009/10 | 7          | 5                 | 2                          | 1   | 1                        | 1                            | N/A              |
| 2010/11 | 12         | 8                 | 4                          | 4   | 0                        | 4                            | N/A              |
| 2011/12 | 10         | 8                 | 2                          | 2   | 0                        | 2                            | N/A              |
| 2012/13 | 5          | 5                 | 0                          | 0   | 0                        | 0                            | N/A              |
| 2013/14 | 14         | 11                | 3                          | 1   | 0                        | 1                            | 2                |
| 2014/15 | 5          | 5                 | 0                          | 1   | 0                        | 0                            | 0                |
| 2015/16 | 4          | 4                 | 0                          | 2   | 0                        | 0                            | 0                |
| 2016/17 | 1          | 1                 | 0                          | 1   | 0                        | 0                            | 0                |
| 2017/18 | 4          | 4                 | 0                          | 2   | 0                        | 0                            | 0                |

3.6 The Committee is asked to note that an Assessment Panel will be convened on 6<sup>th</sup> November 2017 to consider a Code of Conduct Complaint. The table above will be updated to reflect any outcomes subsequent to this meeting.

Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, [staylor@swindon.gov.uk](mailto:staylor@swindon.gov.uk).

# Ethical Framework Update

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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## Consideration of any recommended updates to Codes and Protocols

- 3.7 In the annual work programme approved at the beginning of the year, it was agreed that the Standards Committee would consider any recommended updates to Codes and Protocols to ensure that these remain appropriate and up to date:
- Members' Code of Conduct
  - Officers' Code of Conduct
  - Monitoring Officer Protocol
  - Councillor Role Definitions
  - Media Guidelines for Councillors
  - Protocol for Member/Officer Relationships
  - Members Code of Good Planning Practice
  - Local Code of Corporate Governance
  - Recording, Photography and use of social media protocol and guidance
  - Public Question Time at Council meetings Protocol and Guidance
  - The Whistleblowing Policy
- 3.8 There are no recommended updates at this time. However, in accordance with the Committee's previously utilised review process, in the period to the next meeting of the Committee in January 2018, the Monitoring Officer will consult on each of the above Codes and Protocols with relevant officers, the political groups on the Council, and also with Parish Councils, and report back to the Standards Committee at its meeting on 15<sup>th</sup> January 2018.
- 3.9 In the meantime, as part of the review process, Members' views are invited regarding the effectiveness of the codes and protocols (Appendix 1 – circulated under separate cover) and whether changes are required to ensure these remain fit for purpose.

## Update to the Council's Ethical Audit Self-Assessment

- 3.10 The Committee last reviewed the Desktop Ethical Audit at its meeting on 7<sup>th</sup> November 2016. It had previously been agreed that this should be updated on a regular basis.
- 3.11 The latest Desktop Ethical Audit is attached at Appendix 2 for the Committee to review and endorse.

## Member Training

- 3.12 Attached at Appendix 3 are the details of the training and development events planned for the 2017-18 Municipal Year. A log of member attendance, and the feedback received from councillors at these events, will be kept and reported to this Committee at a future meeting.

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Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, [staylor@swindon.gov.uk](mailto:staylor@swindon.gov.uk).

# Ethical Framework Update

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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- 3.13 The Committee is reminded that, at present, a number of sessions are held by the Monitoring Officer each year around the parishes to train parish councillors on the ethical framework, and charring skills. Borough Councillors who are also parish councillors attend.
- 3.14 The Monitoring Officer has conducted two training sessions since the last meeting of this committee; namely, Code of Conduct on 18<sup>th</sup> September 2017 (9 attended), and Charring Skills on 27<sup>th</sup> September 2017 (2 attended). A further session on decision-making / governance is planned for 8<sup>th</sup> November 2017.

## Consultation on updating the disqualification criteria for local authority members

- 3.15 On 18<sup>th</sup> September 2017, the Department for Communities and Local Government published a consultation paper setting out the government's proposals for updating the criteria disqualifying individuals from being elected, or holding office, as a local authority member or directly elected mayor.
- 3.16 The proposal (attached at Appendix 4) is to update the disqualification criteria to include an individual being added to the sex offenders register, being given an Anti-social Behaviour Injunction, and being given a Criminal Behaviour Order.
- 3.17 The consultation closes on 8<sup>th</sup> December 2017, and members are asked to agree if they wish to respond and, if yes, what form that response should take.

## Committee on Standards in Public Life

- 3.18 The Committee on Standards in Public Life held a 'horizon scanning' breakfast on 10<sup>th</sup> July 2017 which brought together a range of interested organisations and individuals to look ahead at possible ethical standards issues on the horizon.
- 3.19 The discussions included the role of the Committee, public perceptions of MPs, social media, local government, referendums, and public service providers. Members are asked to note the contents of the minutes attached at Appendix 5.

## **4. Alternative Options**

- 4.1 Any alternative options are set out in the body of the report.

## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 Any financial or procurement implications will be contained within the existing budget.

### Legal and Human Rights Implications

- 5.2 The legal and human rights implications, where applicable, are set out in the body of the report.
- 

Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, [staylor@swindon.gov.uk](mailto:staylor@swindon.gov.uk).



# Ethical Framework Update

**Standards Committee**

**Date: 6<sup>th</sup> November 2017**

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## All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 There are no other implications that have been identified as important for this report.

## Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment has not been completed for this report, as it does not recommend a change in Council policy or service.

## Risk Management

- 5.5 A risk assessment has not been completed in relation to this report, as it does not recommend a change in Council policy or service. Arrangements for meeting the requirements of the Localism Act, and monitoring probity of the Council, ensures that good governance is maintained and protects the reputation of the organisation.

## **6. Consultees**

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

- 7.1 None.

## **8. Appendices**

- 8.1 Appendix 1 – Codes and Protocols (circulated under separate cover to members and can be found on the Council's website at:  
<http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=282&MId=8176&Ver=4>)
- 8.2 Appendix 2 – Ethical Audit Desktop Analysis
- 8.3 Appendix 3 – Member Training and Development Programme 2017-2018
- 8.4 Appendix 4 – Consultation on the disqualification criteria for councillors and mayors
- 8.5 Appendix 5 – Committee on Standards in Public Life Note

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Ethical Audit Desktop Analysis  
Matrix of Key Information held by Swindon Borough Council  
November 2017

|   | Key Information                                   | Held | Current position, including action taken since the last review in November 2016  | Area of review or action to be identified by the Standards Committee |
|---|---|------|--|--|
| 1 | Constitutions / Current Decision Making Framework | Yes  | <p>The Constitution is reviewed and updated at least annually, and was last adopted in May 2017.</p> <p>The Constitution's operation is monitored by the Council's Monitoring Officer, and also by the Corporate Governance Review Working Group whose recommendations feed into the review process.</p> <p>The Council's Audit Committee was first established in May 2006 and continues to operate effectively. It receives assurances from the Standards Committee in relation to matters of internal control such as the operation of the Whistleblowing Policy.</p> <p>The Annual Audit Letter summarises the key findings arising from the work carried out by the External Auditor. The Annual Audit Letter for 2016/17 confirmed unqualified opinions for the year ended 31 March 2017 in relation to the Council's financial statements and its VFM conclusion in relation to the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources.</p> |  |
| 2 | Procedural Standing Orders                        | Yes  | Updated in Constitution – May 2017   |  |
| 3 | Contracts Standing Orders                         | Yes  | Updated in Constitution – May 2017   |  |
| 4 | Employees' Code Of Conduct                        | Yes  | Following consultation with Council employees and  |  |

|   | Key Information          | Held | Current position, including action taken since the last review in November 2016  | Area of review or action to be identified by the Standards Committee |
|---|--------------------------|------|--|--|
|   |                          |      | <p>unions, the Employee Code of Conduct was initially approved by the Standards Committee in July 2006. The Code of Conduct is issued to all Council employees, who are required to sign to confirm that they have read and will act in accordance with the Code.</p> <p>The Code of Conduct is intended to:</p> <ul style="list-style-type: none"> <li>• help officers to understand how they can fulfil their ethical obligations in performing their role.</li> <li>• set clear expectations for their conduct as a public employee in the Council.</li> <li>• provide guidance to help them deal properly with ethical issues they might encounter in their work.</li> </ul> <p>The Code is submitted to Council annually for approval. It was approved at the Annual Council meeting in May 2017.</p> |  |
| 5 | Members' Code Of Conduct | Yes  | <p>The new Members Code of Conduct was adopted in June 2012, taking effect on 1 July 2012, under the Localism Act 2011. The Code is reviewed annually. It was last reviewed in January 2017 and was subsequently adopted at the Annual Council meeting in May 2017.</p> <p>Procedures for determining complaints against councillors were the subject of review during the 2013/14 and 2014/15 Municipal Years. A number of changes to the "Arrangements for dealing with member Code of Conduct complaints" were agreed by Standards Committee at its meeting on 21 July 2014 and these were incorporated into the process.</p>   |  |

|   | Key Information                               | Held | Current position, including action taken since the last review in November 2016   | Area of review or action to be identified by the Standards Committee |
|---|---|------|---|--|
|   |   |      | The Monitoring Officer has provided guidance and training on the Members Code of Conduct to Officers and Members, together with Parish Clerks and Parish Councillors. Refresher training is also regularly provided.  |  |
| 6 | Confidential Reporting Procedure              | Yes  | <p>The Whistleblowing Policy was first approved in November 2001. It is reviewed on a regular basis to ensure that it complies with legislation and best practice.</p> <p>The approved Whistleblowing Policy is publicised through staff communications, including the Core Brief, Manager Bulletin and other publications as appropriate, and also via Team Briefings.</p> <p>Complaints received are investigated and the outcomes reported to the Standards Committee.</p> <p>In September 2005, the Committee approved the Council's subscription to the Public Concern at Work Helpline to provide a formal method of confidential reporting for staff who do not feel able to raise issues directly with the Council. The Council has maintained this provision, but also makes available the following support via a contract with Care First, the Council's employee assistance programme:</p> <ul style="list-style-type: none"> <li>• An advice and information service</li> <li>• A counselling service</li> <li>• On-line information</li> <li>• A manager support service</li> </ul> |  |
| 7 | Terms Of Reference of the Standards Committee | Yes  | The current Standards Committee was established in July 2012, under the terms of the Localism Act 2011, giving Councils the option of whether to retain a   |  |

|    | Key Information                   | Held | Current position, including action taken since the last review in November 2016  | Area of review or action to be identified by the Standards Committee |
|----|-----------------------------------|------|--|--|
|    |                                   |      | Standards Committee or nominate another Committee to oversee the determination of Code of Conduct complaints. The Borough Council's Standards Committee retained much of its extended terms of reference, beyond the determination of complaints, in particular in relation to its monitoring of Anti-Fraud and Corruption Strategy and Whistleblowing Complaints.                         |  |
| 8  | Scheme Of Delegation              | Yes  | The Constitution was updated in the early part of the current Municipal Year and was subsequently approved as part of the 2017/2018 Constitution at the meeting of Annual Council in May 2017.   |  |
| 9  | Members' Register Of Interests    | Yes  | Held on file and on the Council's website. Regular reminders are issued.<br><br>In accordance with the requirements of the Localism Act, the Council also now publishes Register of Interest forms for all Parish Councillors in the Borough Area.   |  |
| 10 | Recorded Declaration Of Interests | Yes  | Interests are recorded at meetings and are recorded on the website.  |  |
| 11 | Members' Induction Process        | Yes  | All new Councillors are provided with a comprehensive induction programme in relation to the ethical framework and the decision-making process, as well as service specific issues. Attendance at the induction programme is monitored to ensure all new members are properly inducted.<br><br>New Councillors elected in by-elections attend induction training following their election. |  |

|    | Key Information                              | Held | Current position, including action taken since the last review in November 2016  | Area of review or action to be identified by the Standards Committee |
|----|--|------|--|--|
| 12 | Officers' Induction Process                  | Yes  | <p>A corporate induction process is in place and departmental induction processes are also in place.</p> <p>Reference is included in the Officers' Induction Process to the ethical framework. During staff induction, it is checked that staff have received a copy of the Code of Conduct (which they usually have with their contracts) and they are reminded that it is their responsibility to read it and speak with their manager if they have any concerns. Staff are also advised of the disclosure of gifts requirements, and are also advised to contact their managers with any concerns regarding this, or any special arrangements made (for example, working in a care home at Christmas where people may buy them lots of gifts/goodies).</p> <p>It is the responsibility of managers to enforce the Code of Conduct and ethics and probity issues with staff.</p> <p>The Monitoring Officer liaises with the Head of People, Performance and Engagement on evaluating the implementation across departments of training on the ethical framework within the Officers' Induction Programme and on the monitoring of the officer induction process.</p> |  |
| 13 | Members' Continuing Development and Training | Yes  | <p>A range of development / training opportunities are offered and a record of attendance kept.</p> <p>Training for Councillors is facilitated by Committee and Member Services, in consultation with a cross-party Member Development Advisory Group. This agrees the programme for training at the beginning of each year and</p>  |  |

|    | Key Information                                       | Held | Current position, including action taken since the last review in November 2016  | Area of review or action to be identified by the Standards Committee |
|----|---|------|--|--|
|    |   |      | monitors the success of each course and the uptake from Councillors.   |  |
| 14 | Officers' Continuing Development                      | Yes  | The Council's behaviour framework sets out the values and behaviours expected from officers and members. This currently forms part of the annual appraisal in place across the Council, and identifies development needs and provides structured options to accessing appropriate training.  |  |
| 15 | Officers' Training                                    | Yes  | The Council has launched an online Learning & Development resource (E-Zone), which provides practical learning and development materials. It includes mandatory E-learning modules as well as a number of useful resources to support staff. Information about available courses is accessed via ESS (Employee Self-Serve) and bookings can also be made through ESS.  |  |
| 16 | Other Council Specific Additional Codes And Protocols | Yes  | <p><u>Monitoring Officer Protocol</u> - last reviewed and updated in January 2017. Approved by the Council at its Annual Meeting in May 2017.</p> <p><u>Guidance to Councillors on Dealing with the Media</u> – first adopted February 2002, and last reviewed and updated in January 2017. Approved by the Council at its Annual Meeting in May 2017.</p> <p><u>Protocol on Member / Officer Relations</u> - introduced September 2002, and last reviewed and updated in January 2017. Approved by the Council at its Annual Meeting in May 2017.</p> <p><u>Members' Planning Code of Good Practice</u> – first</p> |  |



|  | Key Information | Held | Current position, including action taken since the last review in November 2016   | Area of review or action to be identified by the Standards Committee |
|--|-----------------|------|---|--|
|  |                 |      | <p>adopted February 2004, and last reviewed and updated in January 2017. Approved by the Council at its Annual Meeting in May 2017.</p> <p><u>Anti-Fraud and Bribery Strategy</u> – adopted November 2001 and regularly reviewed and updated. The strategy sets out best practice and complies with relevant legislation. A Fraud Response plan was developed by Internal Audit at the same time to assist managers in knowing how to deal with allegations of wrongdoing.</p> <p>The outcome of investigations are reported to the Standards Committee.</p> <p>A Swindon Internal Audit Services Bulletin is issued to Members and Officers approximately twice a year to promote fraud awareness by communicating information on frauds elsewhere to officers and Members, and enabling similar frauds to be prevented.</p> |  |

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| <b>Corporate Training and Development Programme<br/>for Councillors 2017/2018</b><br><b>(Note: service areas will organise service specific training in addition to the below)</b> |   |   |
|--|---|---|
| <b>Dates</b>   | <b>Subject</b>  | <b>Facilitator</b>  |
| 22 May 2017<br>6.00pm<br>Committee Room 6  | Induction for New Members of the Licensing Committee – followed by a session on chairing Licensing Panels   | Kathryn Ashton, Licensing Officer<br>Phil Wirth, Legal Department   |
| 24 May 2017<br>6.00pm<br>Committee Room 1  | Induction for New Members of the Planning Committee and any councillor with an interest in planning process | Richard Bell, Planning Officer<br>Kehinde Awojobi, Legal Department |
| 25 May 2017<br>6.00pm<br>Committee Room 6  | Education Transport Appeals Sub-Committee   | Emily Heaton, School Admissions Manager                             |
| 26 June 2017<br>6.00pm<br>Committee Room 6   | Chairing Skills   | Stephen Taylor, Director of Law and Democratic Services             |
| 7 July 2017<br>4.00pm<br>Committee Room 2  | Responsibilities of councillors appointed by the council to the boards of outside bodies                    | Kehinde Awojobi, Head of Conveyancing, Environment and Contracts    |
| 18 September 2017<br>6.00pm<br>Committee Room 6  | Code of Conduct   | Stephen Taylor, Director of Law and Democratic Services             |
| 27 September 2017<br>6.00pm<br>Committee Room 2  | Chairing Skills   | Stephen Taylor, Director of Law and Democratic Services             |
| 16 October 2017<br>6.00pm<br>Committee Room 6  | Media Skills Awareness  | David McGrath, Link Support Services UK Ltd                         |
| 8 November 2017<br>6.00pm<br>Committee Room 1  | Decision Making / Governance  | Stephen Taylor, Director of Law and Democratic Services             |

|  |  |  |
|--|--|--|
| 29 January 2018<br>6.00pm<br>Committee Room 6  | Equalities and Inclusion – what are the responsibilities of elected members? | Nick Stephenson, Change Lead: Equality & Diversity   |
| 20 September 2017<br>15 November 2017<br>21 February 2018<br>16 May 2018<br>All at 11.30am<br>Waterside Park | Visit to Waterside Recycling Centre  | Lance Greenhalgh, Head of Depot Operations   |
| TBC  | Understanding the Capital Budget   | Paul Smith, Head of Technical Finance  |
| Training session provided at each meeting  | Corporate Parenting Advisory Board   | Director of Children's Services  |
| Ad-hoc – organised at request of member  | Customer Services and the Members Hotline process                            | Dorinda Dodson, One Stop Shop Team Leader and Amalia Morris, Customer Feedback and Insight Officer |

### External providers

Members are invited to apply to attend external events and conferences, and attendance is approved through a Cabinet Member Briefing Note.

### Dates for member training

Potential dates earmarked for future member training (all 6pm start time):

| <b>2018</b> |
|-------------|
| 3 January   |
| 21 February |
| 27 February |

### EZone Modules

- Data Protection.
- Equality and Diversity.

- Fraud Awareness.
- Freedom of Information.
- Information Security.
- Child Sexual Exploitation.

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# Disqualification criteria for Councillors and Mayors

Consultation on updating disqualification criteria for local authority members



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Department for Communities and Local Government  
Fry Building  
2 Marsham Street  
London  
SW1P 4TF  
Telephone: 030 3444 0000

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# Scope of the consultation

**A consultation paper issued by the Department for Communities and Local Government on behalf of the Secretary of State**

|                                    |  |
|------------------------------------|--|
| <b>Topic of this consultation:</b> | This consultation paper sets out the government's proposals for updating the criteria disqualifying individuals from standing for, or holding office as, a local authority member, directly-elected mayor or member of the London Assembly.  |
| <b>Scope of this consultation:</b> | <p>The Department for Communities and Local Government is consulting on proposals to update the criteria disqualifying individuals from standing for, or holding office as, a local authority member, directly-elected mayor or member of the London Assembly, if they are subject to:</p> <ul style="list-style-type: none"> <li>• the notification requirements set out in the Sexual Offences Act 2003 (commonly referred to as 'being on the sex offenders register');</li> <li>• a civil injunction granted under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014; or</li> <li>• a Criminal Behaviour Order made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014.</li> </ul> <p>Any changes to the disqualification criteria would require changes to primary legislation, in particular the Local Government Act 1972, the Local Democracy, Economic Development and Construction Act 2009, and the Greater London Authority Act 1999.</p> <p>The proposed changes would not act retrospectively.</p> |
| <b>Geographical scope:</b>         | The proposals in this consultation paper apply to certain authorities in England, including local authorities, combined authorities and the Greater London Authority. They do <u>not</u> apply to authorities in Wales, Scotland or Northern Ireland.  |
| <b>Impact Assessment:</b>          | No impact assessment has been produced for this consultation.  |

# Basic Information

|   |   |
|---|---|
| <b>To:</b>                                    | This consultation is open to everyone. We particularly seek the views of individual members of the public, prospective and current councillors and those bodies that represent the interests of local authorities and councillors at all levels.  |
| <b>Body responsible for the consultation:</b> | The Local Government Stewardship Division in the Department for Communities and Local Government is responsible for conducting the consultation.  |
| <b>Duration:</b>                              | The consultation will begin on Monday 18 September 2017. The consultation will run for 12 weeks and will close on Friday 8 December 2017. All responses should be received by no later than 5pm on Friday 8 December 2017.  |
| <b>Enquiries:</b>                             | <p>If you have any enquiries, please contact:</p> <p>Stuart Young<br/>email: <a href="mailto:stuart.young@communities.gsi.gov.uk">stuart.young@communities.gsi.gov.uk</a></p> <p>DCLG Tel: 0303 44 40000</p> <p>How to respond:</p> <p>Please respond by email to:<br/><a href="mailto:Section80consultation@communities.gsi.gov.uk">Section80consultation@communities.gsi.gov.uk</a></p> <p>Alternatively, please send postal responses to:</p> <p>Stuart Young<br/>Department for Communities and Local Government<br/>2nd Floor, NE, Fry Building<br/>2 Marsham Street<br/>London<br/>SW1P 4DF</p> <p>Responses should be received by 5pm on Friday 8 December 2017.</p> |
| <b>How to respond:</b>                        | <p>You can respond by email or by post.</p> <p>When responding, please make it clear which questions you are responding to.</p> <p>When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an</p>   |

|  |  |
|--|--|
|  | <p>official response on behalf of an organisation, and include:</p> <ul style="list-style-type: none"> <li>- your name</li> <li>- your position (if applicable)</li> <li>- the name and address of your organisation (if applicable)</li> <li>- an address, and</li> <li>- an email address (if you have one)</li> </ul> |
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# Introduction

1. Local authority members (i.e. councillors), mayors of combined authorities, members of the Greater London Assembly and the London Mayor take strategic decisions that affect all our lives. They decide how best to use taxpayers' money and manage local authority resources, including property, land and assets. They also have a leading role to play in building and preserving a society where the rights and freedoms of individuals are respected. They should be community champions. It is vital, therefore, that they have the trust of the electorate.
2. The Government considers that there should be consequences where councillors, mayors and London Assembly members fall short of the behaviour expected of anyone in a free, inclusive and tolerant society that respects individuals and society generally, and where this has led to enforcement action against an individual.
3. Existing legislation prevents individuals standing, or holding office, as a local authority member, London Assembly member or directly-elected mayor if they have, within five years of the day of the election, or since their election, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment, suspended or not, for a period of not less than three months without the option of a fine.
4. The Government considers that the law should be updated to reflect new options which exist to protect the public and address unlawful and unacceptable behaviour.
5. This consultation proposes updating the disqualification criteria in section 80 of the Local Government Act 1972, paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, and section 21 of the Greater London Authority Act 1999 to prohibit those subject to the notification requirements (commonly referred to as 'being on the sex offenders register') and those subject to certain anti-social behaviour sanctions from being local authority members, London Assembly members or directly-elected mayors.
6. This consultation does not propose changing the disqualification criteria for Police and Crime Commissioners (PCCs). For the purposes of this consultation, 'local authority member' also extends to directly-elected mayors and co-opted members of authorities, and 'local authority' means:
  - a county council
  - a district council
  - a London Borough council
  - a parish council

The disqualification criteria in section 80 of the Local Government Act 1972, paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, and section 21 of the Greater London Authority Act 1999 do not cover the Council of the Isles of Scilly or the Common Council of the City of

London. Therefore, the proposals in this consultation do not extend to these councils.

# The Current Disqualification Criteria

7. Under section 80 of the Local Government Act 1972, a person is disqualified from standing as a candidate or being a member of a local authority, if they:
  - are employed by the local authority;
  - are employed by a company which is under the control of the local authority;
  - are subject to bankruptcy orders;
  - have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine;
  - are disqualified under Part III of the Representation of the People Act 1983;
  - are employed under the direction of various local authority committees, boards or the Greater London Authority; or
  - are a teacher in a school maintained by the local authority.
8. Paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 sets out the criteria on disqualification from standing as, or being, a directly-elected mayor of a combined authority. A person is disqualified from being elected or holding office as the mayor of a combined authority if they:
  - hold any paid office or employment (other than the office of mayor or deputy mayor), including any appointments or elections made by or on behalf of the combined authority or any of the constituent councils of the combined authority;
  - are subject to bankruptcy orders;
  - have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine; or
  - is disqualified for being elected or for being a member of a constituent council under Part 3 of the Representation of the People Act 1983.
9. Section 21 of the Greater London Authority Act 1999 disqualifies someone from being the Mayor or an Assembly member if they:
  - are a member of staff of the Authority;
  - hold an office that disqualifies the holder from being Mayor or an Assembly member;
  - are subject to bankruptcy orders are bankrupt or have made a composition agreement with creditors;
  - have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine;
  - are disqualified under section 85A or Part III of the Representation of the People Act 1983 from being the Mayor or an Assembly member; or

- are a paid officer of a London borough council who is employed under the direction of:
  - a council committee or sub-committee whose membership includes the Mayor or someone appointed on the nomination of the Authority;
  - a joint committee whose membership includes a member appointed on the nomination of the council and a member appointed on the nomination of the Authority;
  - the council executive, or one of its committees, whose membership includes the Mayor or someone appointed on the nomination of the Authority;
  - a member of the council's executive who is the Mayor or someone appointed on the nomination of the Authority.



# Sexual Offences

10. The Government considers that anyone who is subject to sex offender notification requirements, commonly referred to as 'being on the sex offenders register', should be barred from standing for election, or holding office, as a local authority member, directly-elected mayor or member of the London Assembly. The period of time for which they would be barred would end once they were no longer subject to these notification requirements.
11. An individual can become subject to notification requirements by committing certain criminal acts or being issued with certain types of civil order:
- Being subject to sex offender notification requirements is an automatic consequence of being cautioned or convicted of a sexual offence listed in Schedule 3 of the Sexual Offences Act 2003 (see: <http://www.legislation.gov.uk/ukpga/2003/42/schedule/3>).
  - Sexual Harm Prevention Orders are civil orders intended to protect the public from offenders convicted of a sexual or violent offence who pose a risk of sexual harm to the public by placing restrictions on their behaviour. Offenders who are subject to Sexual Harm Prevention Orders become subject to notification requirements.
  - Notification Orders are civil orders intended to protect the public in the UK from the risks posed by sex offenders who have been convicted, cautioned, warned or reprimanded for sexual offences committed overseas. Such offenders may be British or foreign nationals convicted, cautioned etc. abroad of a relevant offence. Offenders who are subject to Notification Orders become subject to notification requirements.
12. The duration of the notification requirement period (i.e. how long a person is on the sex offenders register) is set out in the Sexual Offences Act 2003 and in the table below. The courts have no discretion over this.

| Where the (adult) offender is:  | The notification period is: |
|---|-----------------------------|
| Sentenced to imprisonment for life or to a term of 30 months or more                  | An indefinite period        |
| Detained in a hospital subject to a restriction order                                 | An indefinite period        |
| Sentenced to imprisonment for more than 6 months but less than 30 months imprisonment | 10 years                    |
| Sentenced to imprisonment for 6 months or less  | 7 years                     |
| Detained in a hospital without being subject to a restriction order                   | 7 years                     |
| Cautioned   | 2 years                     |

|   |   |
|---|---|
| Conditional discharge                                 | The period of the conditional discharge |
| Any other description (i.e. community sentence, fine) | 5 years                                 |

These periods are halved for offenders who are under 18 on the date of the caution, conviction or finding, as defined within the 2003 Act.

13. Offenders who are subject to the notification requirements must notify the police of (amongst other things) their: name, date of birth, national insurance number, home address, passport number, bank account and credit card details. They must do this annually, any time the details change or when they travel abroad. They must also notify the police when they stay or reside with a child for more than 12 hours.
14. Further information on the Sexual Offences Act 2003 can be found at: <https://www.gov.uk/government/publications/guidance-on-part-2-of-the-sexual-offences-act-2003>.
15. The Government does not propose including another type of civil order, the Sexual Risk Order, as this person would not have been convicted or cautioned of a sexual offence under the Sexual Offences Act 2003 and are not subject to notification requirements for registered sex offenders. A Sexual Risk Order does require the individual to notify to the police their name and their home address. A Sexual Risk Order can be sought by the police against an individual who has not been convicted, cautioned etc. of an offence under Schedule 3 or Schedule 5 of the 2003 Act but who is nevertheless thought to pose a risk of harm to the public in the UK and/or children or vulnerable adults abroad.

**Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. who is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**

**Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**

# Anti-Social Behaviour

16. Anti-social behaviour blights people's lives and can leave victims feeling powerless. These are a range of powers to the courts, police and local authorities to tackle the problems in the table below.

17. The Government considers that an individual who is subject to an anti-social behaviour sanction that has been issued by the court, i.e. a Civil Injunction or a Criminal Behaviour Order, should be barred from standing for election, or holding office, as a local authority member, directly-elected mayor or member of the London Assembly. The period of time for which they would be barred would end once they were no longer subject to the injunction or Order.

## Anti-Social Behaviour (ASB) Powers

| Type  | Power                           | Description   |
|---|---------------------------------|---|
| Issued by the court to deal with individuals                | <b>Civil Injunction</b>         | A civil order with a civil burden of proof. The injunction can include both prohibitions and positive requirements to tackle the underlying causes of the behaviour. Applications can be made by police, councils, social landlords, Transport for London, Environment Agency, Natural Resources Wales and NHS Protect.   |
|   | <b>Criminal Behaviour Order</b> | A court order available on conviction. The order can be issued by any criminal court against a person who has been convicted of an offence. It is aimed at tackling the most persistently anti-social individuals who are also engaged in criminal activity. The order can include both prohibitions and positive requirements. Applications are made by the prosecution, in most cases by the Crown Prosecution Service, either at its own initiative or following a request from the police or council.   |
| Used by the police to move problem groups or individuals on | <b>Dispersal Power</b>          | A flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community. It allows the police to deal instantly with someone's behaviour and prevent it escalating. The use of the power must be authorised by an officer of at least inspector rank, to be used in a specific locality for up to 48 hours or on a case by case basis. This is to ensure that the power is used fairly and proportionately and only in circumstances in which it is necessary. |

|   |                                       |  |
|---|---------------------------------------|--|
| Issued by councils, the police and social landlords to deal with problem places | <b>Community Protection Notice</b>    | A notice designed to deal with particular problems which negatively affect the community's quality of life. The Notice can be issued to anyone aged 16 or over, businesses or organisations. This is a two-stage power and a written warning has to be issued first. Failure to stop the behaviour or take action to rectify the problem would lead to the notice being issued. The power can be used by councils, police and social landlords (if designated by the council).   |
|   | <b>Public Spaces Protection Order</b> | Designed to deal with anti-social behaviour in a public place and apply restrictions to how that public space can be used to stop or prevent anti-social behaviour. The order is issued by the council. Before the order can be made, the council must consult with the police and whatever community representatives they think appropriate, including regular users of the public space. Before the order is made the council must also publish the draft order.   |
|   | <b>Closure Power</b>                  | A fast and flexible two-stage power. Can be used to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder, including residential, business and licensed premises. The police and councils are able to issue Closure Notices for up to 48 hours and the courts are able to issue Closure Orders for up to six months if satisfied that the legal tests have been met. Following the issue of a Closure Notice, an application must be made to the magistrates' court for a closure order. |

**Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**

**Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**

# Retrospection

18. Legislation does not generally apply retrospectively, the principle being that the law should operate in a clear and certain manner and the public is entitled to know the state of the law at a particular time.
19. The proposals in this consultation would not apply retrospectively, i.e. any incumbent local authority member, directly-elected mayor or member of the London Assembly, who is on the sex offenders register or subject to a Civil Injunction or Criminal Behaviour Order at the time the changes come into force would not be affected.
20. Such individuals would of course be prevented from standing for re-election after the changes came into force.

# Questions

**Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**

**Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or the London Mayor?**

**Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**

**Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**

**Q5. Do you consider that the proposals set out in this consultation paper will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010?**

**Q6. Do you have any further views about the proposals set out in this consultation paper?**

# About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.  
Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

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## Committee on Standards in Public Life

HORIZON SCAN EVENT AND LAUNCH OF [SETTING THE STANDARD](#), THE CSPL ANNUAL REPORT 2016-17, FORWARD PLAN 2017-18 AND STRATEGIC PLAN

HELD AT 9AM ON MONDAY 10 JULY 2017 IN 1 HORSE GUARDS ROAD, LONDON, SW1A 1HQ

### ORGANISATIONS REPRESENTED:

- Advisory Committee on Business Appointments
- Cabinet Office
- Commissioner for Public Appointments
- CSPL Research Advisory Board
- Constitution Unit, University College London
- Coventry City Council
- Electoral Commission
- Full Fact
- Independent Parliamentary Standards Authority
- Institute for Government
- Leeds City Council
- Local Government Chronicle
- New Local Government Network
- Ofgem
- Parliamentary Commissioner for Standards
- The Co-operative Group
- Transparency International
- UK Statistics Authority
- Unlock Democracy
- Westminster Parliament (representatives attended in a personal capacity)
- Wilkin Chapman LLP
- Academics in a personal capacity from Royal Holloway, University of London; University of Nottingham; Queen Mary, University of London; Newcastle University; University of Cambridge, University of Oxford, King's College London.

## **BROAD THEMES DISCUSSED**

### **The Committee's Role**

- People are aware of CSPL's work, but the Committee could potentially have a higher profile. It was suggested it was important to seek partners' aid to ensure that the Committee's work was as influential and productive as it should be.
- CSPL needs to be sensitive to what the public is thinking, whilst balancing the view that this may not necessarily be the priority issue for the Committee at any one time given the context in which the Committee works and its particular remit.
- CSPL's 'agenda' is vast. In view of this potentially infinite remit, it was suggested the Committee should concentrate on issues at the highest level as it is the major institutions that set the tone and moral climate expected in public life.
- The Committee might look at how other countries manage standards issues when considering ethical standards issues in England.
- Notwithstanding the fact that the Committee no longer has a remit to consider standards in the Devolved Administrations (following the Triennial Review of the Committee in 2013), it would be helpful and sensible to keep a light touch on what's happening elsewhere in the UK. It was noted that the Devolved Administrations has their own standards arrangements, and robust regulations on ethics.

### **MPs - public perceptions**

- The role and the impact of Advisory Committee on Business Appointments (ACoBA) was discussed. There was a view that codes on their own do not always work; values need to drive attitudes and behaviour.
- The perception of MPs is as important as the facts and how they behave, and perceptions of national politicians affect views of local government too. The MPs' expenses scandal had done great damage. More might be done to promote the fact that people in public life make many sacrifices to do the job.
- The difficulties of evaluating appropriate pay for an MP without a firm understanding of what the requirements of the role was discussed.
- The problems of intimidation of those in public life, both off and online.

### **Social Media**

- It was suggested it would be important to work with others on the vast and quickly evolving topic that is social media. There were big questions around how social media is regulated, if at all? For example, how groups use social media with regard to funding of party campaigns and advertising spend, potentially getting around spending rules. A theme of confluence of money, power and influence.
- The point was made that organisations needed to think about how to keep their fingers on the pulse. There was an opportunity for organisations to use social media to reach out and try to bring in the wider public perspective about their work. It was important to tap into the public's concerns.

- Communication with the public is important, and using new modes of communication can help with this. Established organisations in Government and Parliament haven't really grasped how to deal with that.

## **Local Government**

- It was suggested there was a need for a fresh look at rules of codes of conduct for councillors. A strengthening of the ethics system and declaration of interests. Local government was often the first level at which the public interact with politics.
- The issue was not just around particular standards issues such as conflict of interests, but went wider to the issue of governance of local government where it seemed there was a rather mixed system, with little/no effective scrutiny, and defects around conduct.
- The issue of the development around town centres was raised and the huge sums of money involved.

## **Referendums**

- The Committee's ongoing interest in referendums and elections was welcomed. The problems around negative campaigning was mentioned.

## **Ethical Standards for Providers of Public Services**

- Attendees welcomed the Committee's follow-up work in this area which some saw as an area of vulnerability (i.e. the provision of public services). The tragedy of Grenfell had shed light on vulnerabilities in the system and lessons might be drawn out more generally.

## **Other areas for the Committee to consider**

- Appointments to the House of Lords.
- Mapping of the plethora of standards bodies that exist - why are there so many, what do they do, are they independent? The Committee's view of whether some rationalisation was needed might be useful.
- Impact of Brexit. The potential for a large number of public appointments needing to be made in light of leaving the EU. Close liaison with the Commissioner of Public Appointments should continue.
- The conduct of elections was likely to be increasingly important.
- 'Revolving door' concerns, and not just at the very top of an organisation, but also at directorate level.
- Barriers to public understanding of politics needed to be further understood.
- Training and education and induction - the UK had an institutional landscape based on a common set of values and unspoken set of understandings, now people within those institutions should be inducted with the organisation's values.
- Fractured ministerial silos, many departments appear to be doing the same work

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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