

Ethical Framework Update

Standards Committee

Date: 27th March 2017

Author:	Director of Law and Democratic Services
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To provide an update on various matters related to the Ethical Framework, 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.
- 2.2 Appoint Mr Keith Strickland as a Lay Representative to the Council's Independent Remuneration Panel for a further period of three years.
- 2.3 Note the Prescribed Persons (Reports on Disclosures of Information) Regulations 2017.

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 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.
- 3.3 At its meeting on 25th January 2017, the Committee was advised that a number of members had not sought a dispensation. Following the issue of reminders, the Committee may wish to note that all members of the Council have now sought and been granted dispensation by the Director of Law and Democratic Services, in consultation with the Chair of the Standards Committee.
- 3.4 Also at its meeting on 7 November 2016, the Standards Committee authorised the Director of Law and Democratic Services, in consultation with the Chair of the

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Standards Committee, to grant applications for urgent dispensations on any subject matter in between meetings of this Committee. Any such dispensations will be reported to the next scheduled meeting of this Committee.

Independent Remuneration Panel - membership

- 3.5 Swindon Borough Council's Independent Remuneration Panel helps set the level of allowances that are paid to Borough Councillors each year. The Panel is also involved in setting the level of allowances that are paid to Parish and Town Councillors in Swindon.
- 3.6 In accordance with its Terms of Reference, the Standards Committee is responsible for approving procedures associated with the appointment of an independent remuneration panel for Councillors' Allowances.
- 3.7 The current membership of the Panel is:

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

- 3.8 The term of office for a Lay Member of the Panel is three years. Mr Keith Strickland was appointed to the Panel in March 2014, therefore his term of office will expire at the end of this month. Mr Strickland has been approached about his continuing to serve on the Panel and has agreed to do so, if it is the Committee's wish.
- 3.9 The Committee is asked to appoint Mr Strickland to the Panel for a further three year period, ending in March 2020.

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Summary of Code of Conduct Complaints

- 3.10 At its meeting on 21 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 and members will note that there has been no change since the last meeting.

Year	Complaints	No Further Action	Referred for Monitoring Officer or other Action	Referred for Investigation	Breach following hearing	No action following referral	Local Resolution
2008/09	14	13	0	1	1	0	N/A
2009/10	7	4	1	2	1	1	N/A
2010/11	12	4	4	4	0	4	N/A
2011/12	10	6	2	2	0	2	N/A
2012/13	5	5	0	0	0	0	N/A
2013/14	14	10	1	3	0	1	2
2014/15	5	5	0	0	0	0	0
2015/16	3	3	0	0	0	0	0
2016/17	1	1	0	0	0	0	0

Member Training

- 3.11 Attached at Appendix 1 is a record of all the member training events that have taken place so far this Municipal Year, including details of councillor attendance at those events. Attached at Appendix 2 is the training and development programme for councillors for 2016/2017 for information. Members are asked to note that this does not include any ad-hoc training events that the Committee and Member Services team may be asked to arrange.

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- 3.12 Work is progressing on the Member Training and Development Programme for the 2017-2018 Municipal Year. The Member Development Advisory Group will be asked at its next meeting on the 28 March 2017 to discuss and agree the training opportunities available to councillors, and any outcomes from those discussions and their impact on member training will be reported to a future meeting of this Committee.
- 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 chairing skills. Borough Councillors who are also parish councillors are able to attend. In addition, parish councillors are also able to attend training sessions as advertised in the Members Bulletin.
- 3.14 A copy of the summary of training provided for town and parish councillors during 2016 is attached at Appendix 3.

The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017

- 3.15 The Committee is advised that these draft Regulations will come into force in April 2017. The Regulations require prescribed persons (to whom a worker can report whistleblowing in certain circumstances) to produce an annual report on any matters that are reported to them within the 12 month period commencing 1 April each year.
- 3.16 The regulations specify that the annual report should not contain information that may identify the worker, the employer or the person in respect of whom the disclosure has been made. It is also specified that the report is published on the Council's website, or other appropriate method to bring the report to the attention of the public.
- 3.17 The Committee is asked to note the position.

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.

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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 Head 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 - Member Training Events and attendance details
- 8.2 Appendix 2 - Training and development programme for councillors for 2016/2017
- 8.3 Appendix 3 – A summary of training provided for town and parish councillors during 2016.