

Swindon Borough Council

Standards Committee

Monday, 27 March 2017

Committee Room 6, Civic Offices

At 5.00 p.m.

Councillors

Colin Lovell
Cathy Martyn (Deputy)
Kevin Parry (Deputy)
Gary Sumner
Vera Tomlinson
Steve Weisinger
Caryl Sydney-Smith (Deputy)
(Conservative)

Jane Milner-Barry
Teresa Page
Joe Tray
(Labour)

David Wood (Chair)
(Liberal Democrat)

Independent Persons for Information:

Paul Morris
Keith Strickland

Committee Officer: Steve Jones (Telephone 01793 463602)
email: stevejones@swindon.gov.uk

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AGENDA

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

4. Public Question Time

(See explanatory note below. Please phone the Committee Clerk whose name and number appears at the top of this agenda if you need further guidance.)

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".

Item No.	Paragraph No.
7	1 and 2

6. Ethical Framework Update (Pages 5 - 20)

7. Ethical Compliance Report (Pages 21 - 24)

16 March 2017 (being date of agenda despatch)

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 on the Council's Website.

(<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

Access Arrangements - *The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Officer, whose name appears at the top of this agenda, as soon as possible prior to the date of the meeting.*

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

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.

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

Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, staylor@swindon.gov.uk.

Ethical Framework Update

Standards Committee

Date: 27th March 2017

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.

Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, staylor@swindon.gov.uk.

Ethical Framework Update

Standards Committee

Date: 27th March 2017

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.

Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, staylor@swindon.gov.uk.

Ethical Framework Update

Standards Committee

Date: 27th March 2017

- 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.

Further information on the subject of this report can be obtained from Stephen Taylor, 01793 463012, staylor@swindon.gov.uk.

Ethical Framework Update

Standards Committee

Date: 27th March 2017

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.

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5 May 2016 – 17 March 2017

	Individual Customer Services Session – Ad-hoc	Induction Session 1 9 May 2016	Induction Session 2 12 May 2016	Introduction to Licensing 23 May 2016	Introduction to Planning 24 May 2016	Safeguarding Children 25 May 2016	Visit to Waterside Centre 15 June 2016	Safeguarding Adults 27 June 2016	* Education Transport Appeals 30 June 2016	* Chairing Skills 6 September 2016	Total Events attended
Total Attendance	0	6	6	8	8	4	3	6	16	6	63
Ali, Junab											0
Allsopp, Steve											0
Amin, Abdul											0
Ballman, John											0
Ballman, Ray											0
Bishop, Alan				1					1		2
Bushell, Emma											0
Courtcliff, Matthew		1	1			1					3
Crabbe, Wayne											0
Davies, Malcolm		1	1	1			1				4
Dempsey, Mark		1	1								2
Dixon, Paul											0
Donachie, Oliver											0
Elliott, Toby											0
Ellis, Claire											0
Exell, Steph					1				1		2
Faramarzi, Emma											0
Foley, Fionuala											0
Ford, Brian								1			1

5 May 2016 – 17 March 2017

	Individual Customer Services Session – Ad-hoc	Induction Session 1 9 May 2016	Induction Session 2 12 May 2016	Introduction to Licensing 23 May 2016	Introduction to Planning 24 May 2016	Safeguarding Children 25 May 2016	Visit to Waterside Centre 15 June 2016	Safeguarding Adults 27 June 2016	* Education Transport Appeals 30 June 2016	* Chairing Skills 6 September 2016	Total Events attended
Friend, Mary								1	1		2
Grant, Jim											0
Haines, John											0
Heenan, Dale											0
Holland, Russell											0
Howard, Fay											0
Lovell, Colin											0
Martin, Mary											0
Martin, Nick								1	1	1	3
Martyn, Cathy				1				1	1	1	4
McCracken, Gemma							1		1	1	3
Milner-Barry, Jane		1	1		1	1	1	1	1		7
Moffatt, Des											0
Montaut, Derique				1	1				1		3
Page, Teresa									1		1
Pajak, Stan					1						1
Parry, Barbara		1	1			1					3
Parry, Kevin					1				1		2
Penny, Maureen									1		1
Perkins, Garry											0

5 May 2016 – 17 March 2017

	Individual Customer Services Session – Ad-hoc	Induction Session 1 9 May 2016	Induction Session 2 12 May 2016	Introduction to Licensing 23 May 2016	Introduction to Planning 24 May 2016	Safeguarding Children 25 May 2016	Visit to Waterside Centre 15 June 2016	Safeguarding Adults 27 June 2016	* Education Transport Appeals 30 June 2016	* Chairing Skills 6 September 2016	Total Events attended
Renard, David											0
Robbins, James					1						1
Shaw, Eric											0
Shelley, Carol				1					1		2
Small, Kevin											0
Sumner, Gary		1	1		1	1					4
Swinyard, Tim											0
Sydney-Smith, Caryl				1				1		1	3
Tomlinson, Vera									1		1
Tray, Joe									1		1
Watts, Chris											0
Watts, Nadine				1					1		2
Watts, Peter				1	1				1		3
Weisinger, Steve											0
Williams, Keith											0
Wood, David											0
Wright, Bob										1	1
Wright, Julie										1	1

* Also attended by Parish Councillors

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Training and Development Programme for Councillors 2016/2017		
Dates	Subject	Facilitator
9 May 2016 2.00pm Function Room	Induction (1) for Newly Elected Councillors	Corporate Management Team Director of Law and Democratic Services The Mayor and Lead Members
12 May 2016 5.00pm Function Room	Induction (2) for Newly Elected Councillors	Karen McMahon, Patrick Weir, Stephen Taylor, Cllr McCracken and Cllr Howard
23 May 2016 6.00pm Ctte Room 6	Induction for New Members of the Licensing Committee – followed by a session on chairing Licensing Panels	Kathryn Ashton, Licensing Officer Phil Wirth, Legal Department
24 May 2016 6.00pm Ctte Room 6	Induction for New Members of the Planning Committee and any councillor with an interest in planning process	Richard Bell, Planning Officer Kehinde Awojobi, Legal Department
25 May 2016 6.00pm Ctte Room 6	Safeguarding Children	Karen Reeve, Head of Children, Families and Community Health
15 June 2016 10.30am Waterside Park	Visit to Waterside Recycling Centre	Lance Greenhalgh, Head of Depot Operations
27 June 2016 6.00pm Ctte Room 6	Safeguarding Adults	Doug Bale, Adult Safeguarding Manager
30 June 2016 6.00pm Ctte Room 6	Education Transport Appeals Sub-Committee	Rebecca Mathis, School Admissions Manager Victoria Nicholls, Passenger Transport
6 September 2016 6.00pm Ctte Room 6	Chairing Skills	Stephen Taylor, Director of Law and Democratic Services

2 November 2016 6.00pm Ctte Room 6	Briefing session – Renewable Energy Centre at the Keypoint Swindon site	David Potter
16 November 2016 6.00pm Ctte Room 2	New Members Induction – six month review	Stephen Taylor, Director of Law and Democratic Services
Training session provided at each meeting	Corporate Parenting Advisory Board	Karen Reeve, Head of Children, Families and Community Health
Ad-hoc – organised at request of member	Customer Services and the Members Hotline process	Lisa Pittard, Operations Manager

External providers

Members are invited to apply for an external event, 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):

2017
24 April 2017

Potential subjects for member training – delivered by officers

- Public Health and the mandated public health responsibilities that the council now has.
- Maximising the benefits of Swindon Borough Council's property portfolio.
- The role of Swindon Borough Council in the economic development of the Borough.
- Improving skills and increasing employment.
- Child Protection Level 1 – on line.
- CSE – on-line

- Understanding how to make a referral to children's social care - direct training. 2 hours anytime in year.
- General awareness-raising of Adult Services.
- An introduction to housing services.

Learning Zone Modules

- Data Protection.
- Freedom of Information and Information Security.
- Officer training sessions also suitable for members.

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Training sessions held for Parish Councillors in 2016

	4 February 2016 Chairing Skills	9 March 2016 Ethics	10 August 2016 Chairing Skills	6 September 2016 Chairing Skills	5 December 2016 Ethics
Parish	Attendees	Attendees	Attendees	Attendees	Attendees
Bishopstone					
Blunsdon St Andrew					
Castle Eaton					
Chiseldon		4	3		5
Covingham		2			
Hannington					
Haydon Wick		5	10	2	
Highworth					7
Liddington		1			
Nythe					
South Marston		3			
Stanton Fitzwarren					
Stratton St Margaret		1		2	
Wanborough		1			
Wroughton	5	2		4	
	5	19	13	8	12

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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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