

Ethical Framework Update

Standards Committee

Date: 20th October 2014

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 Endorse the Ethical Audit Desktop Analysis attached at Appendix 3, subject to any comments from members.

3. Detail

Dispensations

- 3.1 Section 33 of the Localism Act 2011 enables members who consider that they may have a disclosable pecuniary interest (DPI) to apply for a dispensation to allow them to speak and vote.
- 3.2 At its meeting on 12 December 2012, the Standards Committee authorised the Director of Law and Democratic Services to grant any applications for a dispensation in relation to any meeting at which any matter which has a bearing on the setting of the discounts and exemptions for Council Tax is being or is due to be considered for a four year period. Dispensations are granted in conjunction with the Chair or the Standards Committee and are reported back to the next available meeting.
- 3.3 New members have joined the Council since the election of May 2014. With the round of meetings due to begin shortly at which the budget is discussed, it was thought timely to invite these members to apply for a dispensation.
- 3.4 A list of members who have applied for a dispensation is attached at Appendix 1. The dispensation sought relates to any meeting at which any matter which has a bearing on the setting of the Council Tax is being or is due to be considered, and covers both of the restrictions in Section 31(4) of the Localism Act 2011 so as to allow them to participate in any discussion and participate in any vote without risk of challenge.

Ethical Framework Update

Standards Committee

Date: 20th October 2014

- 3.5 The Director of Law and Democratic Services granted these dispensations (Appendix 1) since failure to grant a dispensation would impede the transaction of the business because of the number of members having the same disclosable pecuniary interest. These dispensations have been granted until 14 October 2016 in line with the other dispensations already granted on this matter to existing members. The Committee is asked to note the list of members.

Summary of Code of Conduct Complaints

- 3.6 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.

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 (to date)	0	-	-	-	-	-	-

Consideration of any recommended updates to Codes and Protocols

- 3.1 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

Ethical Framework Update

Standards Committee

Date: 20th October 2014

- Officers' Code of Conduct
- Monitoring Officer Protocol
- Councillor Role Definitions
- Media Guidelines for Councillors
- Protocol for Member/Officer Relationships
- Local Code of Governance
- Members Planning Code of Good Practice
- Independent Persons' Protocol

- 3.2 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 2015, 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 recommend any valid changes to the Standards Committee at its meeting in January 2015.
- 3.3 In the meantime, as part of the review process, Members' views are invited regarding the effectiveness of the codes and protocols (Appendix 2) and whether changes are required to ensure these remain fit for purpose.

Update to the Council's Ethical Audit Self-Assessment

- 3.4 The Committee last reviewed the Desktop Ethical Audit at its meeting in October 2013. It had previously been agreed that this should be updated on a regular basis.
- 3.5 The latest Desktop Ethical Audit is attached at Appendix 3 for the Committee to review.

Training

- 3.6 Attached at Appendix 4 are the details of proposed training events to be held over the 2014-15 Municipal Year. A log of member attendance at these events will be kept and reported to this Committee at a future meeting.
- 3.7 Members have previously been advised that discussions have taken place on the potential for additional training for Councillors. Work is progressing on enhancing the support and training offered to members such as mentoring opportunities and hosting regular briefings on Committee-specific issues.
- 3.8 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 attend. As usual, attendance at these events will be logged and reported to this Committee at a future meeting.

Ethical Framework Update

Standards Committee

Date: 20th October 2014

Committee on Standards in Public Life – Annual Report 2013-14

- 3.9 The Committee is invited to consider the Annual Report 2013-14 of the Committee on Standards in Public Life (attached at Appendix 5) and members are in particular referred to the section on Local Government Standards (pages 15 and 16 refer).

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.

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.

Links to One Swindon, Plans and Policies

- 5.4 Monitoring of issues of probity in the Council underpins the Council's plans and policies and the delivery of One Swindon objectives.

Diversity Impact Assessment

- 5.5 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

- 5.6 A risk assessment has not been completed in relation this report, as it does 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.

Ethical Framework Update

Standards Committee

Date: 20th October 2014

6. Consultees

- 6.1 The Board Director Resources (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 – Dispensations
- 8.2 Appendix 2 – Codes and Protocols (*circulated to members under separate cover. Copies can be obtained via Committee and Member Services and/or inspected on the website.*)
- 8.3 Appendix 3 - Desktop Ethical Audit
- 8.4 Appendix 4 – Member Training Events
- 8.5 Appendix 5 - Annual Report 2013-14 of the Committee on Standards in Public Life