

<i>REPORT TO</i>	<i>DATE OF MEETING</i>
STANDARDS COMMITTEE	23 February 2017

Report template revised June 2008



<i>SUBJECT</i>	<i>PORTFOLIO</i>	<i>AUTHOR</i>	<i>ITEM</i>
PROGRESS REPORT	Not applicable	Caroline Elwood	5

SUMMARY AND LINK TO CORPORATE PRIORITIES

Members resolved that Officers explore a number of issues at their meeting on the 8 December 2017. This report updates Members on the progress in relation to these issues, including the development of a Member/ Officer Protocol, training and development and the creation of a work programme/ forward plan. The report also deals with the dispensation for voting at Budget Council.

The report reflects the Corporate Priority of an “Efficient, Effective and Exceptional Council”.

RECOMMENDATIONS

1. That Members note the position in relation to progress on the matters set out below and agree the proposed Work Programme/ Forward Plan
2. That Members agree to grant a dispensation under section 33 of the Localism Act 2011 in respect of voting on the setting of the Council Tax for the next 3 financial years as set out in the Council’s Code of Conduct
3. That the draft Terms of Reference at Appendix B are approved and submitted to the Governance Committee for recommendation to full Council.

DETAILS AND REASONING

At their previous meeting Members requested that further reports be brought on a number of matters:

Member/Officer Protocol

The Council currently has a Protocol within the Constitution which deals with Member/ Officer Relations but the Committee requested that a new Member/Officer Protocol be developed.

In order for this to be effective and owned by both Officers and Members this issue has been included within the Council’s draft Corporate Improvement Plan with the intention that its development should be part of the work to be undertaken by the Centre for Public Scrutiny (CfPS). The CfPS has recently met with both Members and Officers over a two day period to undertake a diagnostic audit. The results of this work will feed into a Development Plan with the development of a Member/Officer Protocol one of the outcomes sought.

This work has been funded by the LGA as part of the support for the Council going forward.

Training and Development

Members also requested that Member attendance at training and development be explored.

The Council is currently developing an Organisational Strategy which will look at Member Development as well as other development areas.

Although there are a number of development opportunities for Independent Persons there tends to be less for Standard Committee Members or Members generally on standards and ethical issues since the introduction of the Localism Act 2011 and the abolition of the Standards Board for England. Accordingly any training is likely to need to be bespoke or provided internally.

Further updates will be brought as the Strategy is developed.

Work Programme/Forward Plan

Suggested topics for a Work Plan/ Forward Plan for the Committee is as follows. Members may wish to add additional items:

Standards Committee Date	Topic
29 June 2017	Review the Council's Investigation and Hearings Procedure Feedback from Peer Review on ethical governance issues Update on Training and Development
21 September 2017	Review the Council's confidentiality arrangements – how best to ensure confidentiality of sensitive documents are maintained Update on Member /Officer Protocol
7 December 2107	Annual Report on Member Complaints Review Protocol relating to the Independent Person
15 March 2018	Annual Report on Ombudsman Complaints

Dispensation for Budget Council

The Council's Code of Conduct currently provides a general dispensation permitting any member to attend the Budget Council meeting and vote on any matter relating to the setting of the Council tax or a precept under the Local Government Finance Act 1992. However, in previous years this has also been supplemented by a resolution of the Standards Committee to grant a formal dispensation under the Localism Act to enable Member to speak and vote. Practice varies in other authorities but to be prudent the Committee is requested to endorse the provisions of the Code and grant a dispensation under section 33 of Localism Act 2011 to enable all Members to speak and

vote on the setting of the Council Tax at Budget Council for the Financial year 2017/18 and 2018/19 and 2019/20. The Local Elections in May 2019 mean that the dispensation should be reviewed at that point.

It should be noted that Members in arrears of Council Tax may not vote despite this dispensation.

Review of Terms of Reference for Committee

The current Terms of Reference of the Committee are set out at Appendix A. This comprises an extract from Article 10 of the Council's Constitution and of Section 3D Committee Functions. Both documents have been reviewed and revised to take account of the provisions and changes brought in by the Localism Act 2011 (for example there is no longer a requirement to have Parish Councillors sit on the Committee) and amended versions are attached at Appendix B.

Appendix B has been designed to follow the guidelines laid down by the Governance Committee in reviewing the Constitution as a whole. This requires the adoption of consistent terminology and the use of plain English. Duplication within the Constitution is also unhelpful and as a result it is proposed that all the information relating to the Standards Committee is captured in one document rather than in two different places as now.

Member's views are sought. It should be noted that the amended document requires the approval of the Governance Committee at its April meeting and subsequently Annual Council in May as the Terms of Reference form part of the Council's Constitution.

Summary

Members are asked to note the position and comment accordingly.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these.

FINANCIAL	There are no financial implications arising from this report.
LEGAL	<p>The legal implications of the Budget Dispensation are set out in the report.</p> <p>Granting a dispensation is very much "a belt and braces" approach as there is already something in our Code of Conduct. However, different councils have different practices and it is considered prudent so to do.</p> <p>The criteria in section 33 of the Localism Act can easily be met as this is an issue that would affect all councillors.</p>
RISK	There are no specific risk implications other than those set out in the report.

**THE IMPACT ON
EQUALITY**

There are no specific equality implications in this Progress Report.

OTHER (see below)

<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

Constitution