



Worcester
CITY COUNCIL

STANDARDS COMMITTEE

AGENDA

Date: Wednesday, 12th July, 2017

Time: 7.00 pm

Venue: Guildhall

STANDARDS COMMITTEE

Members of the Committee:-

Chairman: Councillor Jo Hodges (L)

Vice-Chairman: Councillor Gareth Jones (C)

Mrs. Valarie A. Barrall (Co-opted)

Mrs Pam Clayton (Co-opted)

Mr Roger Knight (Co-opted)

Councillor Matthew Lamb (L)

Councillor Steve Mackay (C)

Mrs. Dawn Merriman (Co-opted)

Mr. Raymond Needham JP (Co-opted)

Councillor George Squires (L)

Councillor James Stanley (C)

C = Conservative

G = Green

L = Labour

Information for Members of the Public

Access to the Guildhall is via the front entrance in the High Street. The nearest car park is Copenhagen Street (pay and display). If you are a wheelchair user or have restricted mobility, access to the Guildhall can be gained either through the door on the right side of the forecourt as you face the Guildhall, or through the sliding doors at the rear of the Guildhall. There is dedicated disabled parking space at the rear (access via Copenhagen Street). Most meetings are held on the ground floor, which can be reached by using a lift. If you are a wheelchair user or have restricted mobility and you wish to attend a meeting, please telephone or email the officer mentioned below in advance and we will make any necessary arrangements to assist your visit.

Part I of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this part of the Agenda as well as background documents used in the preparation of these reports. Details of the background papers appear at the foot of each report. Please note that this is a public meeting and members of the public and press are permitted to report on the proceedings. "Reporting" includes filming, photographing, making an audio recording and providing commentary on proceedings. Any communicative method can be used to report on the proceedings, including the internet, to publish, post or share the proceedings. Accordingly, the attendance of members of the public at this meeting may be recorded and broadcast. By choosing to attend this public meeting you are deemed to have given your consent to being filmed or recorded and for any footage to be broadcast or published. Part II of the Agenda (if applicable) deals with items of 'Exempt Information' for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

At the start of the meeting under the item 'Public Participation' up to fifteen minutes in total is allowed for members of the public to present a petition, ask a question or comment on any matter on the Agenda. **Participants need to indicate that they wish to speak by 4.30 p.m. on the last working day before the meeting by writing, telephoning or E-Mailing the officer mentioned below.**

If you have any queries about this Agenda or require any details of background papers, or to discuss arrangements for the taking of photographs, film, video or sound recording please contact **Julian Pugh, Democratic Services Administrator, Democratic Services, Guildhall, Worcester WR1 2EY. Telephone: 01905 722006 (direct line); E-Mail Address: committeeadministration@worcester.gov.uk**

This agenda can be made available in large print, braille, on PC disk, tape or in a number of ethnic minority languages. Please contact the above named officer for further information.

Agendas and minutes relating to all City Council Committees and Council Meetings are also available electronically, click on the option "Committee Minutes and Documents", Website Address: worcester.gov.uk

AGENDA

Part 1
(ITEMS FOR DISCUSSION AND DECISION IN PUBLIC)

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| 1. Appointment of Substitutes | |
| 2. Declarations of Interest | To receive any declarations of interest. |
| 3. Public Participation | Up to a total of fifteen minutes can be allowed, each speaker being allocated a maximum of five minutes, for members of the public to present a petition, ask a question, or comment on any matter on the Agenda or within the remit of the Committee. |
| 4. Minutes
Page(s): 1 - 2 | Of the meeting held on 13 th March 2017 to be approved and signed. |
| 5. Terms of Reference and Work Programme
Page(s): 3 - 4
Ward(s): All Wards
Contact Officer: Timothy O'Gara,
Deputy Director -
Governance
Tel: 01905
722019 | That the Committee notes the content of this report. |
| 6. Annual Report of the Standards Committee 2016/17
Page(s): 5 - 12
Ward(s): All Wards
Contact Officer: Timothy O'Gara,
Deputy Director -
Governance
Tel: 01905
722019 | That the Committee consider the draft Annual Report of the Standards Committee for the Municipal Year 2016/17. |

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| <p>7. Complaints Made Under the Members' Code of Conduct
 Page(s): 13 - 14
 Ward(s): All Wards
 Contact Officer: Timothy O'Gara,
 Deputy Director -
 Governance
 Tel: 01905
 722019</p> | <p>That the Committee note the contents of the report.</p> |
| <p>8. Reports of the Local Government Ombudsman
 Page(s): 15 - 16
 Ward(s): All Wards
 Contact Officer: Joanna Payne,
 Transformation
 and Performance
 Officer
 Tel: 01905
 722407</p> | <p>That the Committee note any complaints which have received a report, an upheld decision or where maladministration has been identified by the Local Government Ombudsman.</p> |
| <p>9. Registers of Members' and Officers' Gifts and Hospitality and Register of Interests
 Ward(s): All Wards
 Contact Officer: Julian Pugh,
 Democratic
 Services
 Administrator
 Tel: 01905
 722006</p> | <p>To review the registers of Members' and Officers' gifts and hospitality and register of interests. The registers will be available for inspection from 6.30p.m. onwards, so that Members can have the opportunity to review them either before or at the meeting.</p> |
| <p>10. Any Other Business</p> | <p>Which in the opinion of the Chairman is of sufficient urgency as to warrant consideration.</p> |

STANDARDS COMMITTEE**13th March 2017****Present:** Councillor Hodges in the ChairCouncillors P. Denham, Mrs L. Hodgson
(Vice-Chairman), Lamb and Mackay**Also in Attendance:**Mrs P. Clayton, St. Peter's Parish Council
Mrs V.A. Barrall, Warndon Parish Council
Mrs D. Merriman, Warndon Parish Council**Officers:** Claire Chaplin, Deputy Monitoring Officer**Apologies:** Councillor Stanley and Mr P. Thorlby, St.
Peter's Parish Council**21 Appointment of Substitutes**

None.

22 Declarations of Interest

None.

23 Public Participation

None.

24 Minutes**RESOLVED: That the minutes of the meeting held on 14th November 2016 be approved as a correct record and signed by the Chairman.****25 Guidance on Use of Social Media**

At the meeting on 14th November 2016, the Committee asked the Monitoring Officer to prepare some guidance for Members on the use of Social Media. Draft guidance had now been prepared and was set out in Appendix 1 of the Monitoring Officer's report for consideration. The Deputy Monitoring Officer highlighted the main points.

In the ensuing discussion Committee Members expressed unanimous support for the draft guidance.

RESOLVED: That the Committee adopts the Guidance on the use of Social Media in Appendix 1 of the report.**26 Complaints Made Under the Members' Code of Conduct.**

The Committee were advised that, since the last meeting, the Monitoring Officer had not considered any complaints with an Independent Person.

RESOLVED: That the Committee note the report.

27 Reports of the Local Government Ombudsman

The Committee were advised that, to date for the year commencing 1st April 2016, there had been no reports or upheld decisions received or incidents of maladministration identified by the Ombudsman to report to the Committee.

RESOLVED: That the Committee note the report.

28 Registers of Members' and Officers' Gifts and Hospitality and Register of Interests

The Committee were given the opportunity to review the registers of Members' and Officers' gifts and hospitality and register of interests.

29 Any Other Business

The Chairman made reference to issues for future meetings. She proposed that the Committee consider guidance for Members on issues relating to Outside Bodies, including the appointments process, duties of representatives, the roles of Trustees and Directors, and dealing with any potential conflict of interests.

Other Committee Members supported the Chairman's proposal.

Duration of the meeting: 7.00p.m. – 7.25p.m.

Chairman at the meeting on
10th July 2017



Report to: Standards Committee, 12th July 2017

Report of: Monitoring Officer

Subject: TERMS OF REFERENCE AND WORK PROGRAMME

1. Recommendation

1.1 That the Committee notes the content of this report.

2. Terms of Reference

2.1 The roles and responsibilities of the Committee are set out in the Annual Report, which is included elsewhere on the agenda.

3. Work Programme

3.1 An indicative work programme for the Committee is set out below for review by the Committee.

12 July 2017
1. Terms of Reference and Work Programme
2. Standards Committee Annual Report
3. Complaints Made Under the Members' Code of Conduct
4. Reports of the Local Government Ombudsman
5. Review of Register of Members' and Officers' Gifts and Hospitality and Register of Interests

1 November 2017
1. Local Government Ombudsman Annual Letter
2. Guidance on Confidential Information
3. Outside Bodies
4. Reports of the Local Government Ombudsman
5. Complaints Made Under the Members' Code of Conduct
6. Review of Register of Members' and Officers' Gifts and Hospitality and

Register of Interests

14 March 2018

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| 1. Reports of the Local Government Ombudsman |
| 2. Complaints Made Under the Members' Code of Conduct |
| 3. Review of Register of Members' and Officers' Gifts and Hospitality and Register of Interests |

Ward(s): All Wards
Contact Officer: Tim O’Gara, Deputy Director - Governance
Tel. No. 01905 722019
Email: timothy.ogara@worchester.gov.uk
Background Papers: None



Report to: Standards Committee, 12th July 2017

Report of: Monitoring Officer

Subject: ANNUAL REPORT OF THE STANDARDS COMMITTEE 2016/17

1. Recommendation

1.1 That the Committee consider the draft Annual Report of the Standards Committee for the Municipal Year 2016/17.

2. Background

2.1 The Standards Committee produces an Annual Report each year, setting out the key issues dealt with during the previous Municipal Year. The draft Annual Report for the Municipal Year 2016/17 is attached at **Appendix 1** for consideration by the Committee.

3. Preferred Option

3.1 The Annual Report shows how the Committee has successfully achieved its objectives over the last year in promoting and maintaining high standards of conduct by Councillors, Co-opted Members and Parish Councillors.

4. Alternative Options Considered

4.1 None.

5. Implications

5.1 Financial and Budgetary Implications
None.

5.2 Legal and Governance Implications
None.

5.3 Risk Implications
None.

5.4 Corporate/Policy Implications
The Annual Report should be reported to the full Council meeting on 26th July 2017 for information.

5.5 Equality Implications
None.

5.6 Human Resources Implications
None.

5.7 Health and Safety Implications
None.

Ward(s): All Wards
Contact Officer: Tim O’Gara, Deputy Director - Governance – Tel: 01905 722019
Background Papers: Standards Committee Agendas and Minutes July 2016 – March 2017



WORCESTER CITY COUNCIL

ANNUAL REPORT OF THE

STANDARDS COMMITTEE

2016/17

ANNUAL REPORT OF THE STANDARDS COMMITTEE 2016/17

1. Introduction and Background

- 1.1 Under the Localism Act 2011 new standards arrangements came into effect on 1 July 2012. Local authorities are now responsible for their own standards arrangements, including promoting and maintaining high standards of conduct and having mechanisms in place to investigate complaints and make decisions on them.
- 1.2 The terms of reference of the Standards Committee are:
- (a) Promoting and maintaining high standards of conduct by Councillors, Co-opted Members and Parish Councillors.
 - (b) Advising the City Council and its Parish Councils on the adoption and amendment of local Codes of Conduct for Councillors, protocols for member officer relations, whistleblowing policies and complaints procedures collectively known as Local Codes.
 - (c) Monitoring the operation of the Local Codes adopted by the City Council and its Parish Councils.
 - (d) Advising and training or arranging for the training of City Councillors, Parish Councillors, Co-opted Persons and Officers on matters relating to the Local Codes.
 - (e) Granting dispensations in respect of Members' Interests in accordance with regulations made by the Secretary of State for Communities and Local Government.
 - (f) Considering allegations of breaches of the Local Codes by members of the City Council or its Parishes and considering what sanctions, if any, to impose where allegations are found proven.
 - (g) Considering reports from the Monitoring Officer.
 - (h) Considering any reports issued by the Local Government Ombudsman regarding the City Council, authorising any payments proposed by the Local Government Ombudsman and recommending any other action that may be appropriate.
 - (i) Considering any reports issued by the Local Government Ombudsman regarding either of the City's Parish Councils and recommending any appropriate action to them.
 - (j) Approving payments or the provision of other benefits to a person (or persons) where the Committee considers that maladministration has occurred on the part of the City Council and that the person or persons has or have been adversely affected by it.
 - (k) Considering and taking any appropriate action in respect of any alleged breaches of the Council's Local Codes.

2. Membership and Meetings

- 2.1 For the 2016/17 Municipal Year, the Standards Committee membership was as follows:

City Councillors

Chairman: Councillor Jo Hodges

Vice-Chairman: Councillor Mrs. Lucy Hodgson

Councillors Paul Denham, Matthew Lamb, Steve Mackay, James Stanley

Co-opted Independent Members

Mr. Raymond Needham JP

Mrs Christine Davenport MBE (Resigned July 2016)

Parish Council Representatives

Mrs Pam Clayton and Mr. Paul Thorlby - St. Peter the Great Parish Council

Mrs. Valarie Barrall and Mrs Dawn Merriman - Warndon Parish Council

During the year, Mrs Christine Davenport MBE tendered her resignation. The Chairman expressed her sadness at the decision and Committee Members thanked Mrs Davenport for her valuable work over the years, many of which had been spent as Chairman.

- 2.2 The Committee met 3 times in 2016/17, in July, November and March. Meetings took place at the Guildhall and were open to all Members of the Council and the public.

3. Monitoring Officer

- 3.1 The Committee is supported by Tim O’Gara, Deputy Director - Governance, who is also the Council’s Monitoring Officer. Claire Chaplin, Democratic and Civic Services Manager and Georgina Coley, Legal Team Manager, carry out jointly the role of Deputy Monitoring Officer.

4. Consideration of Complaints as to Conduct of Councillors

- 4.1 Complaints made under the Members’ Code of Conduct are made to the Monitoring Officer.
- 4.2 The Complaints Procedure was adopted by the Council in March 2014 and provides that a complaint will initially be considered by the Monitoring Officer and an Independent Person, once the Monitoring Officer is in receipt of all relevant information to enable an initial assessment of the complaint to take place. After consulting the Independent Person, the Monitoring Officer will decide either to take no action on the allegation, to resolve the complaint informally or to arrange an investigation.
- 4.3 During the year, the Committee were advised of 3 complaints received. Before making a decision on each case, the Monitoring Officer consulted one of the Independent Persons from the pool appointed to consider complaints. The Monitoring Officer and the Independent Person found as follows:

- Complaint 1 – no action taken
- Complaint 2 – no action taken
- Complaint 3 – complaint resolved informally.

5. Members' and Officers' Interests and Gifts and Hospitality

5.1 The Committee reviews these registers at each meeting. All Members are required to complete a declaration of disclosable pecuniary interests – DPIs - under the Localism Act 2011. These are reviewed by each Member annually and updated as appropriate. Where Members have updated their declarations, they have completed a fresh form. The information declared is published on the Council's website.

6. Ombudsman Complaints

6.1 The Committee receives reports on formal reports that are issued by the Local Government Ombudsman following investigation of a complaint, where resolution is not agreed or there is an issue of public interest.

6.2 In addition, the Monitoring Officer has a duty to report when there has been an investigation which identifies maladministration in the exercise of administrative functions or a failure in a service or a failure to provide a service.

6.3 For the year commencing 1st April 2016, there were no reports or upheld decisions received or incidents of maladministration identified by the Ombudsman to report to the Committee.

7. Guidance on the Use of Electronic and Social Media

7.1 The Committee considered and approved guidance on the use of social media in meetings by Members. The purpose of the guidance is to highlight the relevant provisions in the Council's Constitution and to provide some practical guidance on the use of social media and other electronic devices.

7.2 The Committee has also adopted guidance for Members on the use of social media, including Twitter, Facebook, Instagram, Pinterest, Blogger, Wordpress, Snapchat and YouTube. Aspects of the Members' Code of Conduct apply to Members' online activity in the same way as to other written or verbal communication. Councillors should comply with the general principles of the Code in what they publish and what they allow others to publish.

8. Training for Members on Standards Issues

8.1 In November 2016, training was provided for all Members, including Parish Council representatives, on the Code of Conduct and local codes and protocols. Aspects covered included: Current Framework, Role of Monitoring Officer, Role of Standards Committee, Code of Conduct and General Obligations, Codes and Protocols for Planning and Licensing, Registering Interests (DPIs) and Disclosing Interests at Meetings, Complaints about Member Conduct, Member/Officer Relations, Hospitality and Gifts. Members also had the opportunity to discuss a variety of scenarios, which generated some lively feedback.

9. Conclusion

- 9.1 The City Council adopted a new Code of Conduct for Members at the Full Council meeting on 26th June 2012. The Council promotes a high standard of Conduct and the Standards Committee will continue to monitor the operation of the local Code.
- 9.2 The Council commenced a new Committee system of governance in May 2017, under which there are two types of committees: 'Policy' Committees and 'Regulatory' Committees. Three 'Policy' committees - Policy and Resources, Communities and Environment – have replaced the former executive arrangements. The Council's four 'Regulatory' committees - Licensing and Environmental Health, Planning, Audit and Governance and Standards – have not changed. This Committee will continue to produce an Annual Report, highlighting the work that it has undertaken over the last twelve months, which will be referred to the full Council for information.

Councillor Jo Hodges
Chairman of the Standards Committee
July 2017

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Report to: Standards Committee, 12th July 2017

Report of: Monitoring Officer

Subject: COMPLAINTS MADE UNDER THE MEMBERS' CODE OF CONDUCT

1. Recommendation

1.1 That the Committee note the contents of the report.

2. Background

2.1 With effect from May 2008, complaints made under the Members' Code of Conduct are made to the Monitoring Officer.

2.2 The Complaints Procedure adopted by the Council in March 2014 provides that a complaint will initially be considered by the Monitoring Officer and an Independent Person, once the Monitoring Officer is in receipt of all relevant information to enable an initial assessment of the complaint to take place. After consulting the Independent Person, the Monitoring Officer will decide either to take no action on the allegation, to resolve the complaint informally or to arrange an investigation.

3. Information

3.1 Since the last meeting of the Committee, 2 complaints have been considered.

3.2 Before making a decision, the Monitoring Officer consulted one of the Independent Persons from the pool appointed to consider complaints.

3.3 The Monitoring Officer and the Independent Person found that there was no further action to take in respect of one of the complaints. The second complaint was resolved informally through mediation facilitated by the Monitoring Officer.

Ward(s): All Wards
Contact Officer: Tim O'Gara, tel: 01905 722019, Email: timothy.ogara@worcester.gov.uk
Background Papers: None

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Report to: Standards Committee, 12th July 2017

Report of: Monitoring Officer

Subject: REPORTS OF THE LOCAL GOVERNMENT OMBUDSMAN

1. Recommendation

1.1 That the Committee note any complaints which have received a report, an upheld decision or where maladministration has been identified by the Local Government Ombudsman.

2. Background

2.1 The Council operates a three stage complaints process which allows for complainants to appeal and request further investigation if they are not happy or feel that important information has not been taken into account.

Stage I – the initial investigation and response by the service

Stage II – reviewed independently of the Service

Stage III – referral to the Local Government Ombudsman

2.2 Once the Ombudsman has investigated a complaint, if resolution is not agreed or there is an issue of public interest, a formal report is issued. Reports are made to each meeting of the Standards Committee on any reports received.

2.3 In addition, the Monitoring Officer has a duty to report when there has been an investigation which identifies maladministration in the exercise of administrative functions or a failure in a service or a failure to provide a service.

3. Ombudsman Decisions

3.1 To date for the year commencing 1st April 2017, there have been no reports or upheld decision received or incidents of maladministration identified by the Ombudsman to report to the Committee.

4. Annual Review Letter

4.1 The Ombudsman's Annual Review Letter, which includes a summary of complaints statistics for the Council for the year ending 31 March 2017, will be published on the LGO website on the 27 July 2017 and will be reported to the next meeting of the Committee in November 2017.

Ward(s):

All

Contact Officer:

Joanna Payne: Tel: 01905 722407

joanna.payne@worcester.gov.uk

Background Papers:

[Worcester City Council Complaints and Feedback Policy](#)

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