



## AGENDA ITEM: 3

### SUMMARY

<b>Report for:</b>	<b>Standards Committee</b>
<b>Date of meeting:</b>	<b>9<sup>th</sup> June 2016</b>
<b>PART:</b>	<b>I</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Committee Work Plan for 2016/17 and Standards update</b>
Contact:	Mark Brookes (Solicitor to the Council and Monitoring Officer) Directline: 01442 228236, internal extension: 2226 Mark.brookes@dacorum.gov.uk
Purpose of report:	<ol style="list-style-type: none"> <li>1. To approve a work plan for 2016/17.</li> <li>2. Update Members on reported progress from Berkhamsted Town Council.</li> <li>3. Provide an overview of the Code of Conduct for Members.</li> </ol>
Recommendation	<ol style="list-style-type: none"> <li>1. That Members consider and approve the proposed work plan included in the background to this report.</li> <li>2. That Members note the update provided by the Town Clerk of Berkhamsted Town Council following the recommendation of the Standards Committee.</li> <li>3. That Members be provided with an overview of the Code of Conduct for Members by the Monitoring Officer.</li> </ol>
Corporate objectives:	The promotion and maintenance of high standards of conduct by Members of the Council will assist the Council in achieving its priorities of performance excellence and

	reputation and profile delivery.
Implications: 'Value For Money Implications'	There are financial and efficiency costs to the Council in having to deal with complaints made under the Code of Conduct. There are, therefore, value for money benefits to the Council in striving to ensure that complaints against Members are minimised as far as possible and any complaints that are received are dealt with as cost effectively as possible.
Risk Implications	The risk to the Council in not having in place a robust local standards regime could damage its reputation for good governance and undermine public confidence in the Council as a whole.
Monitoring Officer	This is a report prepared by the Solicitor to the Council in his capacity as Monitoring Officer.
Consultees:	None
Background papers:	Code of Conduct For Members

### **Committee Work Plan**

1. Following discussions with Chairman, Councillor Roger Taylor, it is proposed to use the meeting on 9<sup>th</sup> June as an opportunity to set a work plan for 2016/17.
2. The Solicitor to the Council and Chairman were keen to ensure that the best use of the committee is made in the forthcoming year and ensure that due regard is given to the full Terms of Reference for the committee, which are as follows:
  - (a) promote and maintain high standards of conduct by the Members and co-opted Members of the Council;
  - (b) advise and assist Parish and Town Council(s) and Councillors to maintain high standards of conduct and to make recommendations to Parish and Town Councils on improving standards or actions following a finding of a failure by a Parish or Town Councillor to comply with the Code of Conduct;
  - (c) advise the Council on the adoption or revision of the Members' Code of Conduct;
  - (d) receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the Council's assessment criteria;

(e) receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members' Code of Conduct;

(f) advise, train or arrange to train Members and Co-Opted Members on matters relating to the Members' Code of Conduct;

(g) assist Councillors and co-opted Members to observe the Members' Code of Conduct;

(h) conduct hearings and determine complaints about Members and Co-Opted Members referred to it by the Monitoring Officer;

(i) advise the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards of conduct throughout the Council;

(j) maintain oversight of the Council's arrangements for dealing with complaints;

(k) inform Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints;

(l) report, with recommendations, to the Council and/or to the Cabinet

3. It is recognised that there may be meetings where no formal complaints are before the committee and therefore it is proposed that the meetings are used to give consideration to the codes/protocols and other procedures which relate to standards across the Council. The proposal is for the committee to be presented with the current code or protocol with suggested amendments from key officers. The committee will then either endorse/reject or suggest further amendments which will form the basis of a recommendation to Cabinet/Council as appropriate for formal adoption.

4. Draft work plan for 2016/17

The following is suggested as a draft but comments and additions are invited from Members.

<b>Committee Date</b>	<b>Agenda Items</b>
15 <sup>th</sup> September 2016	<ol style="list-style-type: none"><li>1. To report on any standards complaints</li><li>2. To receive a report from the Monitoring Officer on the Protocol for Member/Officer Relations</li></ol>
8 <sup>th</sup> December 2016	<ol style="list-style-type: none"><li>1. To report on any standards complaints</li><li>2. To receive a report from the Monitoring Officer on the</li></ol>

	Planning Code of Practice
9 <sup>th</sup> March 2017	<ol style="list-style-type: none"> <li>1. To report on any standards complaints</li> <li>2. Training for Standards Committee Members</li> </ol>

## **BERKHAMSTED TOWN COUNCIL UPDATE**

5. Members will recall the recommendations of the Standards Committee following the complaint made by former Berkhamsted Town Councillor Garrick Stevens. The recommendations were as follows:
  - a. The Town Council should ensure that it has developed and adopted clear written terms of reference for all its Standing Committees and Working Groups, in particular the Finance and Policy Committee and the Support Services Group. The terms of reference for the Working Groups should make clear that such groups have no delegated decision-making authority except to make recommendations to its parent Committee or to full Council.
  - b. The Town Council should ensure that the terms of reference of the Standing Committees and the Working Groups should be included within its Standing Orders and should ensure that a copy of the Standing Orders is provided to each Town Councillor and that they are aware of its contents.
  - c. The Town Council should ensure that it has developed in accordance with the ACAS Code of Practice clear employment policies and procedures relating to the employment of its staff, in particular the Town Clerk and any other senior staff. The employment policies and procedures should cover such matters as recruitment, probationary periods, performance appraisals, responsibility for line management, grievance, conduct and capability, discipline and dismissal.
  - d. The Town Council should ensure that all relevant Town Councillors are made aware of all such employment policies and procedures and are trained on their use and application.
  
6. The new Town Clerk, Janet Mason emailed Steve Baker on the 11<sup>th</sup> May and provided the following update:

*“Just to advise you that the recommendations of the Standards Committee as set out in your 11 March e-mail were discussed at the full meeting of Berkhamsted Town Council on 18 April 2016. I have set out below an extract from the minutes which I hope will fulfil your recommendations:*

- (i) *To receive e-mails to the Town Clerk dated 4 and 11 March setting out the outcome and recommendations of Dacorum Borough Council Standard Committee's consideration of standards complaints made by Cllr G Stevens and Mr J Higgins;*
- (ii) *To confirm that recommendations relating to committee/working group terms of reference and standing orders are being progressed by the Governance Working Group;*
- (iii) *To ask the Town Clerk to prepare suitable policies and procedures, in accordance with relevant legislation and the ACAS Code of Practice on Disciplinary and Grievance Procedures, together with proposals for Councillor training;*
- (iv) *To refer item (iii) to the Governance Working Party for discussion of drafts and proposals by 31 July 2016;*
- (v) *To instruct the Town Clerk to advise the Standards Committee of the above.*

*I am currently working on making sure the standing orders are up to date. Terms of reference have been revised and will be presented to the Annual meeting on 23 May together with the standing orders. These documents will be reviewed at least annually along with the terms of reference. The preparation of employment policies is underway and I hope they will be ready for discussion by the end of July.*

*Thank you for your help and please do not hesitate to contact me if there are any aspects of the above you wish to discuss."*

7. Accordingly, based on the information provided by the Town Clerk it appears that satisfactory progress is being made to progress the recommendation of the Standards Committee and Members are requested to note the contents of the response from the Town Clerk.

## **CODE OF CONDUCT FOR MEMBERS**

8. The Solicitor to the Council will provide an overview of the Code of Conduct and highlight key issues where failure to comply may lead to complaint. Members are requested to read the Code of Conduct in advance of the meeting a copy of which is at page 175-186 of the annexed PDF for ease of reference.