

# Public Document Pack

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**Our reference:**  
**Your reference:**  
**Date:** Friday, 19 January 2018



**Rushcliffe Community  
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West Bridgford  
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NG2 6BU

To all Members of the Standards Committee

Dear Councillor

A Meeting of the Standards Committee will be held on Monday, 29 January 2018 at 6.00 pm in the Council Chamber Area B - Rushcliffe Arena to consider the following items of business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Glen O'Connell'.

Glen O'Connell  
Monitoring Officer

## **AGENDA**

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of Previous Meeting (Pages 1 - 6)
4. Report Cases Update 2017/18 (Pages 7 - 14)  
The report of the Monitoring Officer is attached
5. Training for the Town and Parish Councils (Pages 15 - 18)  
The report of the Monitoring Officer is attached

### Membership

Chairman: Councillor R Adair  
Vice-Chairman: Councillor  
Councillors: K Beardsall, M Buckle, S Mallender, J Lungley, F Purdue-Horan,  
G Norbury, K White and A Wood

**In person**  
Monday to Friday  
8.30am - 5pm  
First Saturday of  
each month  
9am - 1pm

**By telephone**  
Monday to Friday  
8.30am - 5pm

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## Meeting Room Guidance

**Fire Alarm Evacuation:** in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

**Toilets:** are located to the rear of the building near the lift and stairs to the first floor.

**Mobile Phones:** For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

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**MINUTES  
OF THE MEETING OF THE  
STANDARDS COMMITTEE  
MONDAY 30 OCTOBER 2017**

Held at 6.00pm in  
Committee Room 1, Rushcliffe Arena, Rugby Road, West Bridgford

**PRESENT:**

Councillors R A Adair, K M Buckle, E J Lungley, S E Mallender, F A Purdue-Horan

Independent Members: G Norbury, K White

**OFFICERS PRESENT:**

Nigel Carter	Service Manager – Finance and Commercial and Deputy Monitoring Officer
Tracey Coop	Constitutional Services Officer
Glen O’Connell	Monitoring Officer

**Other Attendees:** J R Baggaley

**APOLOGIES FOR ABSENCE:**

Councillor K Beardsall and Independent Member W A Wood

**5. Declarations of Interest**

Councillor Purdue-Horan declared a non-pecuniary interest in agenda item 4, Cases update 2017-18.

**6. Notes of the Previous Meeting**

Mr John Baggaley requested that it be recorded that he attends the Standards Committee as Rushcliffe Borough Council’s Independent Person for Standards Matters and is not a member of the Standards Committee.

**7. Cases Update 2017-18**

Councillor Purdue Horan who had declared an interest in this item left the meeting at this point.

The Monitoring Officer provided a report to update the Committee on the number of complaints regarding alleged breaches of the Councillors Code of Conduct. The report highlighted that since the last Committee meeting on 20 July, 2017 there had been a further 12 cases received, with each of these cases being dealt with by the Monitoring Officer giving due regards to the published Councillor Complaints Procedure, and where appropriate, the Independent Person had been consulted. The Monitoring Officer noted that after these initial assessments had been carried out, three of the cases had resulted in a decision to progress the complaint through the complaints procedure.

It was noted that during the year the Monitoring Officer had been available to provide support to questions raised by individuals and had also attended the Town and Parish Council Forum on 16 June, 2017 where the Monitoring Officer had made the offer to arrange meetings with Town and Parish Councillors in order to provide advice and guidance on standards matters. It was also noted that following the last meeting of this Standards Committee the Monitoring Officer was developing proposals for a programme of training and development for Town and Parish Chairmen and Clerks.

**It was RESOLVED** that the report of the Monitoring Officer be noted.

## 8. **Disqualification Criteria for Councillors – Government Consultation**

Councillor Purdue-Horan re-joined the meeting at this point.

The Monitoring Officer submitted a report to advise the committee on the current government consultation on proposed legislative changes to extend the criteria for disqualification of councillors. It was noted that the current disqualification criteria were contained in section 80 of the Local Government Act 1972.

The Monitoring Officer reported that the government were proposing some additional disqualifications criteria in relation to sexual offences and anti-social behaviour. The Department for Communities and Local Government (DCLG) were seeking the support of local authorities and responses to the consultation questions, as set out below by 8 December, 2017.

Q1 Do you agree that an individual who is subject to the notifications requirements set out in the Sexual Offences Act 2003 (i.e. is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or the London Mayor?

Q3. Do you agree that an individual who has been issued with a Civil injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order 9 made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Q4 Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a, member of a Local authority, mayor of a

combined authority, member of the London Assembly or London Mayor?

Q5. Do you consider that the proposals set out in this consultation paper will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010?

Q6. Do you have any further views about the proposals set out in this consultation paper?

The Committee considered the questions above and the implications these proposals might have for the Councils' Public Sector Equality Duties. The Committee established that any changes that contributed to an environment where there was a greater confidence that the election of Councillors and their ongoing behaviours were subject to additional safeguards would only enhance public confidence in councillors and candidates of office, and any impact the additional criteria would have would be positive. It was noted however that a potential area of controversy would be where anti-social behaviour injunctions and orders were imposed in respect of actions occurring within a politically contentious context. The Committee concluded that the quality and integrity of Councillors was essential to the effective functioning of the Council and that the proposed disqualifications would enhance public confidence.

**It was RESOLVED that** the Monitoring Officer submits a written response, incorporating the agreed views of the Standards Committee, to the DCLG Consultation on the 4. Disqualification Criteria for Councillors by 12 December, 2017.

#### 9. **Training and Development Programme for Town and Parish Chairmen and Clerks**

The Monitoring Officer provided a report for the Committee to consider and comment on the initial proposals in developing a training programme for Town and Parish Councils in the Borough. The Monitoring Officer advised that he intended at the next Town and Parish Forum, on the 9 November 2017 to provide some group work exercises in order to identify the key priorities for training and development. An understanding training and support provided through national bodies including the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLLC), and whilst not wishing to duplicate this provision to identify how the Council's in-house resources and external resources could potentially assist with this. It was noted that the group work would be facilitated to make sure that the real issues were identified and concerns previously discussed in the Standards Committee were considered.

The Monitoring Officer indicated that some of the issues likely to be of concern to Chairmen and Clerks were not unique to Local Government, for example in the charring meetings and dealing with differing and difficult personalities were common to most employment sectors. The Monitoring Officer noted that the Borough Council supported Town and Parish Councils via a variety of methods and the proposed programme should help Town and Parish Councils to perform their functions more effectively whilst further enhancing the relationship with the Borough Council.

The Committee considered what actions were needed to ensure the Town and Parish Council Chairmen and Clerks received and the support they required and welcomed the Monitoring Officer's proposals.

The Committee discussed the scheduling of future meetings of the Committee, and it was agreed that the Standards meetings should be scheduled quarterly in member's calendars starting from January, 2018. The Committee were also in agreement that meetings should be held on Monday evenings and would commence at 6.00pm.

**It was RESOLVED that**

- a) the Monitoring Officer email the Town and Parish Chairmen and Clerks in advance of the Town and Parish Forum to gather information on common issues and concerns.
- b) the Monitoring Officer uses the Town and Parish Forum to develop a training programme to provide the Town and Parish Councils with the support they need.
- c) Constitutional Services confirm future dates of the meetings of the Standards Committee with the Chairmen and advise the membership accordingly.

The meeting closed at 6.40 pm.

**Action Sheet**  
**STANDARDS COMMITTEE - MONDAY 30 OCTOBER 2017**

Minute Number	Actions	Officer Responsible
4	To submit a response to the Consultation questions required by DCLG by 12 December 2017	Monitoring Officer
5	Contact the Town and Parish Councils in advance of the Town and Parish forum to request information on issues and concerns	Monitoring Officer
5	Provide the initial group work for Town and Parish Clerks attending the Town and Parish Forum on the 9 November 2017, and develop a training programme.	Monitoring Officer
5	To arrange quarterly meetings of the Standards Committee commencing in January 2017	Constitutional Services in consultation with the Chairmen

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 <p>Rushcliffe Borough Council</p>	<p><b>Standards Committee</b></p> <p><b>29 January 2018</b></p> <p><b>Cases Update 2017 -2018</b></p>	<h1>4</h1>
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## Report of the Monitoring Officer

### 1. Summary

- 1.1. This report provides information on the number of complaints received since the implementation of the new standards regime from July 2012. It also aims to help in identifying areas where training or education may assist Councillors' understanding of the regime's requirements.

### 2. Recommendation

It is RECOMMENDED that the report be noted.

### 3. Details

- 3.1. As previously reported to the Committee, in June 2012, Council agreed a Councillor Code of Conduct in line with provisions within the Localism Act 2011. It also agreed to retain a Standards Committee. Council requested that the Code and the Committee's role and terms of reference be reviewed after a year. At its meeting on 25 July 2013, the Standards Committee undertook this review and its report and recommendations were presented to Council in September 2013.
- 3.2. At its meeting in September 2013, Council upheld the Standards Committee's recommendations with no changes being made to the Committee's composition or terms of reference. In December 2013, Council agreed the appointment of John Baggaley as the Council's Independent Person for standards as required by the Localism Act. At the Standards Committee's request, Mr Baggaley is invited to attend its meetings in order that he is aware of its role and work.
- 3.3. In relation to complaints received since the implementation of the existing standards regime (from the 1 July 2012), there have been a total of 48 cases. Details of these cases have been periodically reported to the Committee, with the last report in October 2017.
- 3.4. Cases 01/13 to 1/17 were contained in the previous report to Committee considered in June 2017. Cases 2/17 to 12/17 were reported at the October 2017 meeting. The new cases received since the last report are set out in the table attached as **Appendix A**. Each of these cases has been dealt with by the Monitoring Officer giving due regard to the published Councillor Complaints Procedure. Where appropriate the Independent Person has been consulted.

- 3.5. The table at **Appendix A** indicates the date of complaint, if it related to a Borough, Parish or Town Councillor, if the complaint was made by another Borough, Parish or Town Councillor and what action was taken to address the complaint.
- 3.6. Since the last report to the Committee a further 3 cases have been received, with 2 of these cases relating to Bingham Town Council. The table highlights that one of the cases received was rejected and one has reached a local settlement after an initial assessment was carried out. At the time of writing the third complaint (1/18), is awaiting further details prior to an initial assessment.

**4. Training etc.**

- 4.1. During the year, the Monitoring Officer has been available to provide support to questions raised by individuals. As reported at the last meeting, the Monitoring Officer attended the Town and Parish Council forum on 16 June 2017. As part of his presentation, the Monitoring Officer offered to arrange meetings with Parish and Town Councillors, and following the last meeting of this committee is developing proposals for a programme of training and development for Town and Parish Chairmen and Clerks. He also attended the Town and Parish Forum on 9 November 2017 and facilitated workshops on both the training and development initiative as well as potential revisions to the Code of Conduct. A report on the former is elsewhere on this agenda and proposals in relation to the Code of Conduct will be reported to the next meeting of this committee.

**5. Implications**

**5.1. Finance**

There are no direct financial implications.

**5.2. Legal**

There are no specific legal implications

**5.3. Corporate Priorities**

Delivery of an effective Standards regime supports the Council's priority of *'Maintaining and enhancing our residents' quality of life –Our residents'*

**5.4. Other Implications**

None

<b>For more information contact:</b>	Nigel Carter Deputy Monitoring Officer ncarter@rushcliffe.gov.uk
<b>Background papers Available for Inspection:</b>	
<b>List of appendices (if any):</b>	<b>Appendix A</b> - Summary of Cases 2017/18



## Appendix A

### Summary of new cases from February 2017

Case Ref	Date received	RBC/Parish Council	Complainant	Independent Person consulted	Decision and date
1/17	23/1/17	Bingham Town Council	Town Councillor	Yes	Complaint rejected following initial appraisal  02/17
2/17	9/3/17	Newton Parish Council	Member of the public	No	Complaint raised issues about the Council corporately with no confirmation of complaints against specific Councillors  20/3/17
3/17	4/7/17	RBC/Newton Parish Council	Member of the public	No	Complaint rejected following initial appraisal
4/17	13/8/17	Cotgrave Town Council	Town Councillor	Yes	Complaint rejected following initial appraisal  4/9/17
5/17	13/8/17	Cotgrave Town Council	Town Councillor	Yes	Complaint withdrawn 28/8/17
6/17	13/8/17	Cotgrave Town Council	Town Councillor	Yes	Complaint rejected following initial appraisal  4/9/17
7/17	10/8/17	Bingham Town Council	Borough and Town Councillor	Yes	To be progressed through the procedure.

<b>Case Ref</b>	<b>Date received</b>	<b>RBC/Parish Council</b>	<b>Complainant</b>	<b>Independent Person consulted</b>	<b>Decision and date</b>
8/17	27/9/17	Bingham Town Council	Borough and Town Councillor	Yes	As above.
9/17	1/10/17	Bingham Town Council	Borough and Town Councillor	Yes	As above.
10/17	19/9/17	Cotgrave Town Council	Member of the public	Yes	Complaint rejected following initial appraisal
11/17	19/9/17	Cotgrave Town Council	Member of the public	Yes	Complaint rejected following initial appraisal
12/17	22/9/17	Stanford on Soar Parish Council	Member of the public	Yes	Complaint rejected following initial appraisal, but significant issues for the Parish Council to address.
13/17	13/10/17	Bingham Town Council	Member of the public	Yes	Complaint rejected following initial appraisal
14/17	13/10/17	Bingham Town Council	Member of the public	Yes	Local settlement reached
1/18	2/1/2018	Bingham Town Council	Member of the public	No	Requested further details of complaint and awaiting response

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By virtue of paragraph(s) 2, 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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 <p>Rushcliffe Borough Council</p>	<p><b>Standards Committee</b></p> <p><b>29 January 2018</b></p> <p><b>The Development of a Training and Development Programme for Town and Parish Chairmen and Clerks</b></p>	<p><b>5</b></p>
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## Report of the Monitoring Officer

### 1. Summary

- 1.1 To consider the feedback from workshops at the Town and Parish Forum on 9 November 2017, correlate it to proposals reported previously to this Committee and agree next steps in pursuing the training and Development Programme for Town and Parish Councils.

### 2. Recommendation

It is RECOMMENDED that the Committee:

- a) Consider the feedback from the workshops at the Town and Parish Forum on 9 November 2017; and
- b) Endorse the creation of a Training and Development Programme for Parish and Town Councils incorporating the original proposals and the feedback.

### 3. Reasons for Recommendation

- 3.1 At the 30 October 2017 meeting of this Committee, an approach for delivering training and development for Town and Parish Chairmen and Clerks was proposed. It was stressed that it was essential that the target market – here Town and Parish Council Chairmen and Clerks – positively related to the offer, and, accordingly, a slot on the Town and Parish Forum, on 9 November 2017, was used to gain their views, through group work involving Chairmen and Clerks separately, on what were their key issues and priorities for training and development. The group work was facilitated to make sure that the real issues were identified. Following the Forum, the workshop groups' work was collated and then circulated to attendees for confirmation of accuracy and any further comment. None was received and, so, the Committee can assume that the summaries reflect the views of the Forum. As mentioned in the last report to this Committee, there remains a "harder to reach" element of those not attending the Forum and, following this meeting, all Parish and Town Councils will be circulated for views on a draft programme. The workshops also covered potential changes to the Code of Conduct and, in relation to this, I will be reporting proposals to the next meeting of this Committee.

## **4. Supporting Evidence**

- 4.1. Appendix 1 to this report comprises my presentation to the forum and a covering e-mail to clerks.

Appendix 2 to this report is the collation of workshop responses on the 4 topics.

Set out below are the initial suggestions for topics for inclusion in the training and development programme, together with potential resources, as reported to the last meeting of this committee:

### **4.2. Local Government Basics**

- What is a town or parish council and what does it do
- How does it fit into the wider public sector context
- Legal framework
- Financial framework
- Elections and co-option
- Taking decisions properly
- The Code of Conduct

Resources: National Association of Local Councils (“NALC”), Society of Local Council Clerks (“SLCC”) materials, RBC officers

### **4.3. The role of the Chairman**

- Forward planning
- Pre-meeting preparation
- Managing the meeting, including gaining full participation
- Post-meeting actions
- Managing yourself and understanding your impact on others
- Relationships with officers
- The wider role

Resources: NALC, SLCC materials, RBC officers, general management training resources and external resource

### **4.4. The role of the Clerk (and Proper Officer/Finance Officer)**

- Roles and responsibilities to the Council and externally
- General work – sufficiency of knowledge and capacity – including acting as a manager of a small business
- Pre-meeting preparation and formalities - development and use of best practice flowcharts
- Helping manage the meeting
- Managing the relationships with the chairman and all councillors
- Using support from NALC, SLCC and the Borough Council effectively

Resources: NALC, SLCC materials, RBC officers, general management training resources and external resource.

- 4.5. The feedback in Appendix 2 suggests that the above proposals, previously considered by Committee, are sound, in principle, for both developing the programme and a FAQ resource, provided there is: (1) sensitivity to the key issues identified in the feedback, many of which raise issues of generic relationship and personality management rather than detailed local government matters which can already feature in the proposals; (2) coverage of use of social media and reputation management. Some of the issues identified as of concern to chairmen and clerks are not unique to local government, e.g., issues with chairing meetings and dealing with differing and difficult personalities and bullying are common to most employment sectors, and there is a wealth of general management material dealing with this.

## **5. Risk and Uncertainties**

Key sensitivities for the programme remain ensuring that it provides what Rushcliffe's Towns and Parishes want and need (and the workshops at the Forum have helped secure this), whilst co-ordinating with material and resources available from NALC and SLCC and not conflicting with them or replicating their work and any requirements of the NALC/Improvement and Development Board Local Council Award Scheme.

## **6. Implications**

### **6.1. Finance**

The initial development of the programme will not, in itself, involve additional expenditure, but will need to identify any additional resources it may require before any commitment is made to deliver it.

### **6.2. Legal**

The delivery of a training and development programme for Town and Parish Councils should help ensure they conduct themselves effectively and in accordance with legal requirements.

### **6.3. Corporate Priorities**

The proposed programme should help Town and Parish Councils to perform their functions more effectively and should generally improve liaison with the Borough Council.

<b>For more information contact:</b>	Glen O'Connell Monitoring Officer 0115 914 8332 <a href="mailto:GOConnell@rushcliffe.gov.uk">GOConnell@rushcliffe.gov.uk</a>
<b>Background papers Available for Inspection:</b>	None
<b>List of appendices (if any):</b>	Appendix 1a – Code of Conduct Presentation Appendix 1b – Code of Conduct Email Appendix 2 – Town and Parish Council Feedback