



Walsall Council

Standards Committee

Monday 22 February, 2021 at 6.00 p.m.

Digital Meeting via Microsoft Teams

[Link to YouTube](#)

MEMBERSHIP:

Councillor Rasab (Chair)
Councillor Underhill (Vice-Chair)
Councillor Andrew
Councillor Bashir
Councillor P. Bott
Councillor Burley
Councillor Samra
Councillor C. Statham
Councillor M. Statham
Councillor Young

Independent Persons:

Mr A. Green
Vacancy

Quorum:

Four Members

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Specified pecuniary interests

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

A G E N D A

PART I - PUBLIC SESSION

1. Apologies
2. Substitutions
3. Minutes of Meeting held on 26th October, 2020 - **enclosed**
4. Declarations of Interest.
5. **Local Government (Access to Information) Act, 1985 (as amended):**

To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.
6. LGA Model Code of Conduct – report of the Director of Governance – copy **enclosed**
7. Appointment of Independent Persons – report of Senior Democratic Services Officer – copy **enclosed**
8. Elected Member Learning and Development Programme - report of the Director of Governance – copy **enclosed**
9. Date of next meeting

To be confirmed at Annual Council

Schedule 12A to the Local Government Act, 1972 (as amended)

Access to information: Exempt information

Part 1

Descriptions of exempt information: England

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
 - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
 - (a) Constitutes a trades secret;
 - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
 - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

Standards Committee

Monday 26 October, 2020 at 6.00 p.m.

Virtual Meeting via Microsoft Teams

Held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulation 2020; and conducted according to the Council's Standing Orders for Remote Meetings and those set out in the Council's Constitution.

Present

Councillor Rasab (Chair)
Councillor Underhill (Vice Chair)
Councillor Andrew
Councillor Bashir
Councillor Burley
Councillor Samra
Councillor C. Statham
Councillor M. Statham

Independent Person Present

Mr A. Green

Officers Present

Mr. Anthony Cox	-	Director of Governance
Vicki Buckley	-	Head of Finance
Helen Dudson	-	Lead Assurance Officer (LGSCO Link Officer)
Vanessa Holding	-	Assurance Link Officer (Consultation & Intelligence)
Bev Mycock	-	Democratic Services Officer

At this point in the meeting, the Chair opened the meeting by welcoming everyone and explaining the rule of procedure and legal content in which the meeting was being held. He also directed members of the public viewing the meeting to the papers, which could be found on the Council's Committee Management Information System (CMIS) webpage.

Members and officers in attendance confirmed they could both see and hear the proceedings.

01/20 Apologies

Apologies had been received from Councillor Bott.

02/20 Substitutions

There were no substitutions

03/20 Minutes

The Committee considered the minutes as circulated and Councillor Burley **moved** and they were duly **seconded** by Councillor Samra.

The Chairman put the recommendation to the vote by way of a roll call of Committee Members. The Chairman abstained from voting as he had not been present at that meeting

Resolved

That the minutes of the meeting held on 23 September, 2019, copies having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record, subject to the following amendment:-

- Paragraph 27/19 on page 5 of the report, penultimate paragraph before the recommendation should have read 'Following the abolishment of the Standards Board for England, there have been very few reported cases.'

In relation to page 5 of the minutes, the Director of Governance advised that he would ascertain whether a formal response had been forwarded to Members following the last meeting in relation to training records, the inconsistencies and whether all Members had completed the 12 hours minimum training requirements. If a formal response had not be provided, he would include the information on an agenda item for the next scheduled meeting.

04/20 Declarations of Interest

There were no declarations of interest.

05/20 Local Government (Access to Information) Act, 1985 (as amended)

There were no items for consideration in private session.

06/20 Role of Standards Committee

The Director of Governance gave a verbal update on the role of the Standards Committee. He referred to the remit of the Standards Committee as contained within Section 3.2 of the Council's Constitution and he expanded upon a number of the remits as follows:-

- *To advise the Council on the adoption or revision of the Members Code of Conduct.* The Director of Governance advised the Committee that the Local Government Association (LGA) had produced a model Code of Conduct for the potential adaption by all Councils in order to provide greater consistency

among Councils. He referred to a link to the LGA Code of Conduct, previously provided to Committee Members. The Model Code would be discussed at a Council Forum run by the LGA on 22 October 2020 and subsequently submitted to the LGA Board on 3rd December, 2020 for final approval. The Director of Governance advised Committee that he proposed to bring a report to the next Committee for consideration as to whether or not Walsall would adopt the changes to its own Code of Conduct to reflect the national initiative by the LGA.

- *Monitor the operation of the Members Code of Conduct.*
The Director of Governance referred to the annual report in relation to the volume of cases referred to Walsall Council and the outcome of those cases. He proposed that Standards Committee continued to receive the item to ensure the Code of Conduct was working as effectively as possible. It would enable the Committee to reflect on potential complaint trends coming forward and whether Members required further advice to ensure the Code was observed.
- *Advising and training Councillors, voting co-opted members (and Church and parent governor representatives) on matters relating to the Members Code of Conduct.* An important function of the Committee was to ensure Members were receiving the right development and information to enable them to fulfil their roles as effectively as possible. The Director of Governance advised Committee that further information would be brought to the next meeting to consider the training currently offered.
- *Dealing with Members misconduct falling outside breaches of the Code of Conduct, for example, breaches of protocols.* The Committee was responsible for hearing cases in relation to alleged breaches of the Code of Conduct. In carrying out that role, the Hearing Committee would be required to consider the appropriate course of action should it be found that a Member had breached the Code of Conduct. The Director of Governance advised that to date, there had been no alleged breaches under the Code of Conduct, only local items.
- *Whistleblowing Policy.* The Director of Governance stated that he would provide Committee with the timetable for the review of Council policies at the next meeting.
- *Overview of the conduct element of reports from external auditors.*
Should an external audit raise a Member's conduct, the issue should come to Standards Committee for review.

The Director of Governance made reference to the Local Government & Social Care Ombudsman Annual report to be considered next on the agenda. He advised the Committee that he had the remit to carry out an assessment of any complaint received against an elected Member. The complainant would be advised of the outcome of their complaint and should they not agree with the

outcome made, the complainant had the option to refer their complaint to the Ombudsman.

There then followed a period of questioning by Committee Members to the Director of Governance, which included:-

- Was the Employee Code of Conduct at a sufficient level to enable the differentiation between all employees' levels of responsibility? The Director of Governance advised that the Employee Code of Conduct was applicable to all employees and provided the general standard all Walsall Council employees must comply with. The only difference would be in relation to how a breach of the Code may be dealt with in relation to Senior Officers as opposed to junior officers, of which some actions were prescribed by statute.
- Was the current Code of Conduct robust enough to cover the digital age standard? The Director of Governance stated that he was satisfied that the general provisions of the Code of Conduct were sufficient. He added the Council had been pro-active in terms of digital awareness training courses and that both he and a member of the Communications team had delivered training in relation to digital awareness and social media behaviour. The Committee was reminded that there was a social media guidance protocol contained within the Constitution and that it was important that the protocol be kept under review.
- What advice to give to Members in relation to 'acting in the capacity of'? The Director of Governance stated that Members must always make it clear whether they are acting in their capacity of a Councillor or not, particularly when using social media. It would be advisable that all Members attend social media training and take into consideration the social media guidance.
- Had the LGA's proposed Model Standards Code been adopted by any authority at that time and would it be brought back to a meeting before February, 2021? The Director of Governance stated that the Code would not be published by the LGA until 3rd December and that he would forward a copy of the Code to Committee Members for comment. A report would then be brought back to the next meeting. The timeline would enable an amended Code to be taken to Annual Council in the natural way.
- When had the Employees Code of Conduct and the Members Code of Conduct last been reviewed? The Director of Governance advised that the elected Members Code of Conduct had been reviewed a couple of years ago. In relation to the Employees Code of Conduct, he would advise Committee when the last review of the Employees Code of Conduct had taken place. He added that he would provide details in relation to the future revision dates at next meeting. All policies were reviewed when the policy or law demanded a change and therefore it was important to look at the Code of Conduct in line with LGA's work.

- What did 'acting in impartiality' allude to in the context of the Code of Conduct? The Director of Governance stated that it would be the expectation that any advice provided was not based on political leanings or favours. It was important that Members were confident that any information they received would be provided on an impartial basis and in the best interest of the Council. This was covered within the Employee Code of Conduct. Some Officers were excluded from the clause and a list of restricted posts was maintained by Head of HR. He added that he would bring a more detailed report to the next Committee.

A discussion ensued in relation to complaints received against Members and a query was raised as to when the last case against a Member had been taken to the Standards Committee. The Director of Governance advised that following the introduction of the new Standards regime, no cases had been heard by the Standards Committee. The local authority would endeavour to ensure that a resolution was reached to everyone's satisfaction at an early stage of proceedings. A Member emphasised the importance of elected Members upholding the highest standards and that they must be seen to be accountable for their own actions and that it was imperative that the general public should feel assured that the complaints process was carried out vigorously.

Resolved

That the update be noted.

07/20 Local Government & Social Care Ombudsman – Annual Review 2019/20

The Head of Finance introduced the report. She explained the purpose of the report was to provide Members of the Committee with details relating to the role of the Local Government & Social Care Ombudsman (LGSCO), and to provide information on the number and range of complaints referred to by the Ombudsman to the Council during the financial year 2019/20. It also included the submission of the Ombudsman's annual letter for 2019/20 at appendix 1, for Committee's consideration.

The Head of Finance reported that there had been 65 complaints received by the LGSCO relating to Walsall Council in 2019/20 (52 complaints received in 2018/19) of which the Ombudsman decided or determined 61 complaints related to Walsall Council. She added that 18 of the complaints had been subject to detailed investigation of which 6 had been dismissed and 12 had been upheld. The Assurance Officer referred Members to pages 4 to 8 of the report, which summarised the 12 cases that had been upheld. She further advised Members that all Ombudsman decisions were available onto view on the LGO website for 3 months unless circumstances were so unique that a complainant could be recognised.

The Head of Finance then drew Members attention to the table on page 15 of the report, which provided a comparison of the number of complaints and enquiries received by the LGO for all neighbouring authorities. She reported that Walsall

was on a par with neighbouring authorities when respective populations were taken into consideration.

Members considered the report and a comments and queries were raised, which included:-

- Could Members be assured that staff receive the Ombudsman findings and steps are taken to ensure the issues do not re-occur. The Head of Finance advised that Ombudsman investigations and findings are provided to the respective service areas and that relevant training is provided if required. The Assurance Officer added that where fault was found and actions issued, these were then shared back to the service areas. In relation to statutory complaints, there was a requirement to provide annual reports and those too would be shared with the respective Directorate. Further work around complaints is to be carried out through the Proud Programme.
- What does 'did not cause injustice' mean? The Assurance Officer advised that the terminology used had changed and had previously referred to maladministration.

In response to a request for a breakdown of local figures, the Assurance Officer advised that she would provide Committee Members with a briefing note in relation to the local figures on the statutory side. She added that the Ombudsman would deal with the majority of complaints without the need to refer them back to the local authority unless further investigation was required.

Resolved

That Committee noted the report.

08/20 Recent Case Review in Respect of a Standards Issue

The report of the Director of Governance was submitted

(see annexed)

The Director of Governance introduced the report. The report provided information regarding recent matters involving code of conduct matters to assist Councillors with learning around conduct matters.

A query was raised with regard the ability of local Councils to temporarily suspend Councillors. The Director of Governance advised that there were only limited ways in which an elected Member could be dealt with and that a suspension could not be imposed without a change to the primary legislation.

The Director of Governance referred to paragraph 1.5 of the report, which alluded to virtual committee meetings and he highlighted a number of issues that had occurred within other authorities around the country. The Director of Governance commended Walsall's elected Members on how they had mastered and embraced the new technology and managed virtual meetings which was a testament to them having attended training sessions. He emphasised the importance of maintaining standards and continuing to treat all meetings with the same respect.

A discussion ensued in relation to the importance of elected Members maintaining a good public perception, which was particularly prevalent in the current digital age with meetings more accessible to the public via live streaming.

In response to whether an additional Standards Committee would be required before the meeting scheduled for 22nd November, 2020, the Director of Governance advised that he would be happy to meet with the Chair to discuss a work schedule outside of the meeting. Should Members have any items that they wished to include within the work schedule that were within the remit of the Standards Committee, then the items to be forward to the Democratic Services Officer or to himself.

Resolved

That Committee noted the report.

There being no further business, the meeting ended at 7.20pm

Chair

Date

Standards Committee – 22nd February 2021

The LGA Model Code of Conduct

Summary of report:

This report considers the new LGA Code of Conduct.

Background papers:

Recommendation:

That a small working party of elected members be invited to work with the Monitoring Officer to consider whether or not the council should adopt the LGA model code of conduct in whole or in part.

1.0 Background

- 1.1 The local authority must adopt a Code of Conduct governing elected and co-opted members' conduct when acting in that capacity. (s28, Localism Act 2011). The Code of Conduct must when viewed as a whole be consistent with the Nolan Committee's seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty, leadership. The authority has a discretion as to what it includes within its Code of Conduct, provided that it is consistent with these seven principles. The authority's Code of Conduct must also contain appropriate requirements for the registration (and disclosure) of pecuniary interests and non-pecuniary interests (see below). There is no longer a centrally-determined Model Code. Instead, councils have to determine whether they want to amend or replace the existing Code of Conduct and how they fulfil the duty in [LA 2011](#) of promoting and maintaining high standards of conduct.
- 1.2 All local authorities (other than parish councils) must put in place 'arrangements' that set out in some detail the process for dealing with complaints of misconduct and the actions which may be taken against a member or co-opted member who is found to have failed to comply with the relevant Code of Conduct.
- 1.3 In publishing their Model Code the LGA issued the following statement setting out the purpose behind the proposed LGA code:

"The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want

individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government."

- 1.4 The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments
- 1.5 The LGA will undertake an annual review of this Code to ensure it continues to be fit- for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.
- 1.6 The Monitoring Officer has already circulated the LGA Code to all elected members for their consideration. The finalised published version of the Code is attached herewith.
- 1.7 It is suggested that a small cross working group of 3 Elected Members be established with the consent of the group leaders to work with the monitoring officer to consider the LGA Code and make recommendations to annual council in relation to adopting the Code partially or in its entirety.
- 1.8 If the Code is adopted by Council, training in relation to the Code would be offered to all Elected Members and the Council's Independent Persons.

2. Resource and legal considerations:

There are no resource or legal considerations to this report.

3.0 Performance and Risk Management issues:

- 3.1 Performance and risk management are a feature of all council functions.
- 3.2 In terms of performance it is important that both Elected Members have a clear framework of standards to follow in delivering services to the community, and their role. These frameworks provide accountability and transparency in respect of the way in which the council delivers services. Having a Code of Conduct for Elected Member behaviour will promote good standards of behaviour and accountability.

4.0 Reducing Inequalities:

- 4.1 In maintaining up to date policies and procedures the council will ensure that services are delivered fairly in an open and transparent manner. There are specific requirements in both codes that elected members and officers observe equalities. It is important that complaints are dealt with in a fair and transparent manner.
- 4.2 Paragraph 2 of the LGA Code refers to equalities and discrimination.

5.0 Consultation:

- 5.1 Consultation in relation to the LGA Code has already been circulated to all elected members for information and comment. Consultation in relation to the LGA Code of Conduct will continue prior to any consideration to adopt the Code.

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APPENDIX 1 – LGA CODE OF CONDUCT

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“Disclosable Pecuniary Interest” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Standards Committee – 22nd February, 2021

Appointment of Independent Persons

1. Summary of report

This report sets out the process undertaken to appoint Independent Persons to the Standards Committee and clarifies that a report has been submitted to Council, to formally appoint the successful candidates.

2. Recommendations

That Standards Committee:-

(1) Support the appointment of the following individuals as Independent Persons on the Standards Committee for a period of 4 years;

- Sureya Ajaz
- Deborah Mardner
- Carl Magness

(2) Note that a report has been submitted to Council to formally appoint those listed in (1) above; and

(3) Notes that Independent Persons (Standards) shall be paid an allowance of £750.00 per annum.

3. Report detail

Standards

3.1 The Localism Act 2011 was enacted on 15th November 2011 and amongst its provisions was the repeal of the existing standards regime as set out in the Local Government Act 2000. This included amongst other changes, the abolition of the Standards Board for England and the existing arrangements for local investigation and determination of complaints and the requirement for independent members on Standards Committees.

3.2 The Localism Act 2011 requires the authority to have in place arrangements under which allegations of a breach of the Code can be investigated and decisions made in respect of such allegations. The arrangements require the authority to appoint at least one independent person, whose views are to be sought and taken into account by the authority before it makes its decision on an allegation that it has decided to investigate. The views of the independent person may be sought by a member if that member's behaviour is the subject of an allegation.

4. Recruitment Process

- 4.1 The independent persons, subject to appointment by the Council, have been selected through a process of public advertisement, application and interview by the Monitoring Officer and Interim Director of Interim Director of Finance, Corporate Performance Management and Corporate Landlord.

5. Induction and Training

- 5.1 All new appointments will be offered a full and robust training programme to enable them to undertake their roles effectively. This will include in house training and mentoring by the Councils Monitoring Officer, external training such as the National Independent Person Conference taking place in March, 2021 and peer support via the establishment of an Independent Persons Network.

6.0 Legal Implications

- 6.1 The Council is required under the Localism Act 2011 to appoint an independent person in order that the Monitoring Officer may consult with them before it makes its decision on an allegation that it has decided to investigate.
- 6.2 All Independent Persons are required to sign a declaration to confirm that they have:
- (a) received a copy of Walsall Metropolitan Borough Council's Code of Conduct for Members, currently in force and have been encouraged to read the same; and
 - (b) that in performing any of their functions as an Independent Member of Walsall Metropolitan Borough Council's Standards Committee they will observe and uphold the Code of Conduct for Members, currently in force and any subsequent Code of Conduct; and I understand that I will not be permitted, by operation of law, to act in such capacity, unless and until I have given this written declaration to the Council's Monitoring Officer.
- 6.3 Independent Persons are also asked to complete a declaration of interest form.
- 6.4 The term of office is for a period of 4 years but may be extended by Council.

7. Financial implications

- 7.1 There will be a cost to the Council in reimbursing Independent Members reasonable out of pocket expenses such as travelling/subsistence/other related expenses. These are difficult to quantify in advance and will be dependent on the level of activity of the Standards Committee.

- 7.2 To ensure that the Council attracts high quality candidate whilst recognising the complexity of the role, Standards Committee agreed that an allowance for members of the Standards Committee should be paid. Following a review of a number of Councils, the Chair of Standards Committee agreed that an allowance of £750.00 plus reasonable expenses be paid.

8. Equality implications


- 8.1 Arrangements for dealing with complaints will ensure that complaints are investigated impartially and fairly, which is to be of benefit to both the complainant and elected member or co-opted member.

Background papers

None

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Signed: Anthony Cox

Director of Governance

Date: xxxxx

Standards Committee – 22nd February 2021

Elected Member Learning and Development Programme

Summary of report:

This is an interim report is to provide an update to Elected Members in respect of progress in the Elected Member Development Programme. This is a joint project between Legal and Democratic Services and HRD to enhance the offering to Elected Members in terms of learning and development.

Recommendation:

To note the content of the report and Appendices

1.0 Background

1.1 The Elected Member Development Programme was refreshed in 2017 and has been reviewed annually since. Normally a report is taken to Standards Committee in in or around July each year to provide an update to the committee as to how much training has been undertaken by elected members in the previous year. There is an expectation in the Elected Member Code of Conduct that Elected Members will undertake 12 hours training each year. Standards Committee requested an interim report to update the committee in relation to this issue.

1.2 The current Programme attached at Appendix 1 contains an introduction setting out why learning and development for Members is important; the role of Democratic Services and the corporate Learning and Development Team; how learning opportunities will be promoted; how to book courses; and how they will be evaluated.

1.3 The programme comprises three different levels, Induction, Core Skills, and additional learning opportunities for Personal Growth.

1.4 In addition the council captures learning that elected members undertake outside of the council, for example in the normal course of their employment where it is relevant to their role as a councillor.

1.5 It has to be remembered that over the past 12 months the country has faced the challenge of dealing with Covid 19 both at a national and local level. This may have had an impact on the delivery and take up of training. It is positive to note in spite of this 11 elected members have completed 12 hours training, and that 49 members in total have undertaken some form of learning and development. Please see appendix 2.

Induction

1.6 There will be a comprehensive induction programme for all Members, whether newly elected or returning. In addition to the New Member Training facilitated by the Chief Executive, Head of Legal and Democratic Services, and the Chief Finance Officer, there will be the opportunity to meet with other Members and Senior Officers to learn more about corporate and constitutional processes. Each member will receive an Induction Pack setting out the support and guidance available together with other useful information about the council. Members will also be allocated a buddy/mentor from within their own group. To complement the Member Induction there will be a number of e-learning (self-paced) packages made available so that members can undertake learning at a time and in a location to suit them.

Core Skills

1.7 An annual core programme will be developed each year in consultation with Group Leaders and Elected Members. It will include the requirements of any new legislation and emerging corporate themes; ethical and governance requirements; changing standards and the impact of any scrutiny recommendations in terms of changing corporate practices. It will also include emerging themes and developments from partners. Examples of such core skills topics include: Your Role as a Corporate Parent, Protecting Information, Prevent, Safeguarding Children and Adults Awareness, Chairing Meetings, Managing the Media/Public Speaking, Social Media - dos and don'ts and Equalities

1.8 It will also include training relating to specific roles e.g.: planning committee; licensing committee; employment appeals/interview panels. Guidance will be sought from Group Leaders as to whether or not there should be more mandatory attendance on certain courses over and above planning and employment law.

Learning for Personal Growth and Development

1.9 As Members will see from the Programme at Appendix 1 there is a wide variety of additional learning modules that are available to all Members. These modules are aimed at enhancing knowledge and understanding and providing useful information about a wide range of topics which can only help members in fulfilling their roles.

Delivery of the programme

1.10 The Programme will largely be delivered by in-house subject matter experts and via e-learning/self-paced learning with potential for follow-up action learning sets. The specialist skills training such as public speaking/managing the media will require engagement of external speakers. It may also be possible to sponsor specific members on external conferences/learning events subject to relevance and budget

availability. The council also look for opportunities to work collaboratively with its neighbouring authorities and via West Midlands Council.

2.0 Resource and legal considerations:

2.1 Enhancing the training offered to Elected Members will assist the council in maintaining high standards of conduct for Elected Members as required by the Localism Act 2011. In addition to existing resources the training budget available for elected member training will need to be reviewed.

3.0 Performance and Risk Management issues:

3.1 Performance and risk management is a feature of all council functions. It is important that this system is in place to maintain public confidence in standards applied to elected members in their public office. Standards Committee will monitor and evaluate Elected Member training on an annual basis.

4.0 Equality Implications:

4.1 In maintaining up to date policies and procedures and through the provision of appropriate training the council will ensure that services are delivered fairly in an open and transparent manner. There are specific requirements in both codes that elected members and officers observe equalities.

5.0 Consultation:

5.1 Further consultation will be carried out with the Group leaders, a working group of members and group learning champions.

Author:

Tony Cox Director of Governance

☐ 01922 654822 ☐ Anthony.cox@walsall.gov.uk

Appendix 1 – Current Member Training and Development Programme.

Appendix 2 –Member training in hours – anonymised

Elected Member Learning and Development Programme 2020/21

‘Making a positive Difference’



Walsall Council

Supporting our Workforce Strategy

2021

Learning and Development

‘Making a positive difference’

This Programme has been compiled by Democratic Services with support from the corporate Learning and Development Team within Human Resources. It includes development opportunities that aim to support our Elected Members to carry out their roles, making a positive difference to the lives of Walsall citizens.

Our commitment to Elected Member development

‘We recognise the important role our Elected Members play in establishing and delivering the ambitions of our corporate plan. We recognise their professionalism and commitment to delivering quality services in increasingly challenging financial circumstances. In order to support the Council’s core purpose of serving the people and communities of Walsall by representing and working with them to protect and improve the quality of life for all, particularly the most vulnerable, we need to ensure that our Elected Members like our workforce are effectively supported and appropriately skilled and trained to fulfil their increasingly challenging roles.

This learning and development Programme has been designed with this in mind. We know there is a direct link between an organisation’s investment in its people and how well the organisation performs. Our elected members will be the key to leading the Council’s overarching priorities including its transformation journey and to its overall success’.

*Creating an environment that provides
opportunities for all individuals
and communities to fulfil their potential*

Tony Cox, Director of Governance

Introduction

The development of this Programme has been overseen by the Director of Governance with support from officers in Democratic Services and the Learning and Development Team within HR. It is aimed at promoting learning and development opportunities for Walsall Council's Elected Members.

Here in Walsall we are committed to:

- Identifying the individual and collective learning needs of our Elected Members and prioritising them accordingly
- Ensuring that any learning programmes reflect Council and national objectives
- Promoting learning and development opportunities through traditional and electronic communication methods
- Disseminating learning and development to Members within each political group in a timely fashion
- Monitoring the implementation of the Annual Learning and Development Plan for Elected Members and reporting take up to Standards Board/individual Groups against the 12 hours per year requirement
- Evaluating learning and development programmes and reviewing the outcomes
- Practicing accessibility, promoting equality and valuing diversity

We believe Member development is essential if local government is to thrive and prosper. This programme is designed to build Elected Member capacity and is therefore based upon the principles of:

- Developing Electing Members as effective community leaders
- Adopting a strategic approach to Member development which has the backing of all parties
- Having a Development programme in place that clearly identifies the difference development can make
- Ensuring that learning and development is effective in building capacity
- Addressing wider development matters to promote work-life balance and citizenship

The role of Democratic Services

The Team will work with you to identify your learning needs. They will administer the Programme and be your key point of contact in respect of booking onto face to face learning opportunities and initial resolution of any difficulties you may have with accessing your e-learning account.

Members will be encouraged to share their knowledge and expertise with fellow Members where appropriate by:

- Supporting newly elected Members (mentoring)
- Sharing knowledge from attendance at external conferences and seminars
- Engaging in peer mentoring

Officer support

- Provide support through Democratic Services for all member learning and development, ensuring all Members are aware of learning and development opportunities in good time
- Provide 1-2-1 support to newly elected members as part of their planned induction programme
- Devise and deliver a programme of induction training for new and returning Members
- Devise a learning and development programme for individual members based on needs identified at a personal review meeting with a Peer Member or a Senior Officer. To access this service individual members should contact Democratic Services for an initial discussion.
- Provide administrative support for all learning and development events including communication with Members and the provision of evaluation and feedback on providers

Your key contacts are:

Tony Cox, Director of Governance, telephone 654822

Sarah Read, Legal Secretary, telephone 654824

Neil Picken, Senior Democratic Services Officer, telephone 654369

Craig Goodall, Senior Democratic Services Officer, telephone 654765

The role of the corporate Learning and Development Team

The team is led by Lisa Koc, Learning and Development Manager. Lisa and the team are committed to providing high quality learning and development solutions that are pragmatic and innovative and offer value for money. Our aim is to provide a responsive service that reflects the needs of the organisation as articulated in the Corporate Workforce Plan, our Transformation plans, the various Directorate workforce plans; supporting staff and our Elected Members to achieve our goals in challenging times. Lisa also manages the

Workforce Development Team supporting Adult Social Care; this means our customers are able to draw upon a wider skills and knowledge base than was previously the case. As a result new topics have been introduced into the corporate employee and Elected Members programmes which may benefit a wider audience, examples include: mental health awareness, healthy hearts and minds, managing personal resilience, dementia and deaf awareness plus much more. To contact Lisa or the wider Learning and Development Team, telephone 650350 or email:

learningandorganisationaldevelopment@walsall.gov.uk

What you will find in this brochure

The learning opportunities in this Programme have been developed or commissioned to meet the changing needs of the organisation and increasingly demanding roles of our elected members. They will be continually reviewed in line with annual Learning Needs Analysis focus group and evaluated to assess their relevance and value for money, and unless stated under 'target audience' are open to all elected members.

Some of the events are designed as development workshops aimed at equipping Members with the necessary knowledge and skills to fulfil their roles, while others might take the form of briefings, 1-2-1s or facilitated sessions whereby Members can share their knowledge and experience. Alongside this is the opportunity to access our catalogue of e-learning topics for personal growth. Our e-learning platform may be accessed outside of normal office hours thereby offering maximum flexibility to you the learner. For Members who would benefit from some 1-2-1 support in order to access our e-learning platform we can offer the opportunity to use a computer within HR on the 3rd floor where someone will be on hand to provide support.

Elected Member Induction

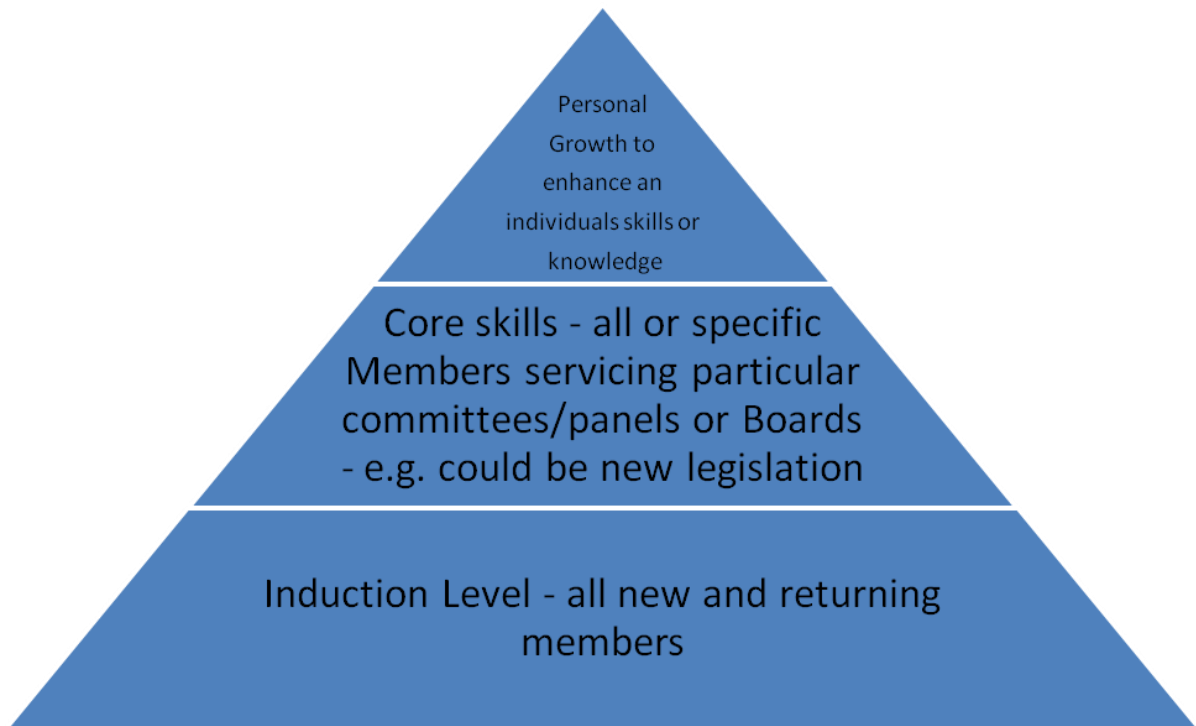
There is a comprehensive induction programme for all members whether newly elected or returning Members. In addition to the New Member Training facilitated by the Head of Legal and Democratic Services, there will also be the opportunity to meet with other Members and key senior officers and learn more about corporate and constitutional processes. Each Member will be provided with an Induction Pack setting out the support and guidance available together with other useful information about the Council. Members will also be allocated a buddy/mentor from within their own Group. To complement Member Induction, the e-learning package – 'Your role as Councillor' should also be completed. The Induction Process will also identify any gaps in skills or knowledge which need to be developed and this will form the basis of a development plan to accompany the recommended and mandatory learning set out in this brochure.

Core Annual Learning and Development Programme

An annual core programme will be developed in consultation with Elected Members. It will include the requirements of new legislation and emerging corporate themes, ethical and governance requirements and changing standards and the impact of any scrutiny recommendations in terms of changing corporate practices. It will also include emerging themes and developments from partners. Examples may include: your role as a corporate parent, disclosable pecuniary interests, chairing meetings, protecting information training, Prevent training, safeguarding children and adults awareness and training related to specific roles you may have with regards to servicing planning, licensing or employment appeals/interview panels. Some topics have been designated as mandatory learning.

Learning for Personal Growth and Development

There is a vast array of additional learning modules that are available to all Members. These modules are aimed at enhancing knowledge and providing useful information about a wide range of topics to help Members learn more about their role, the Council directorates, the borough of Walsall and developing core skills. In the light of the tragic events which saw the murder of MP Jo Cox we continue to include within the programme 'Personal Safety and Lone Working' alongside other health and safety related topics.



External Opportunities

Democratic Services often receive notification of events being held regionally or by other Councils that may be of interest to Members here at Walsall. These will be circulated to:

- All Members if appropriate
- Members who have identified the topic as an area for development
- Members who would directly benefit from attending due to their specific role

Those wishing to take advantage of these events should notify Democratic Services who will in turn evaluate the request in line with business need and available budget. Decisions will be shared in an open and transparent way.

Promoting the Dissemination of Learning

Promoting the dissemination of learning is something we strongly encourage. Attendance at external events is a valuable way of acquiring information about a wide range of issues including new and innovative practice, new legislation and other regional and national developments.

Members who attend external events should make any course material available to others by placing a copy in the Members/Group Rooms. Members may also be required to pass on

this learning in other ways such as producing a short written report or briefing to their peers.

How to book onto a face to face course

Democratic Services Officers will advise you of the dates of the face to face learning opportunities which will be scheduled at key points during the Municipal Year and not less than quarterly. You are asked to contact them in order to indicate your interest in attending. They will then send you the necessary joining instructions e.g the date, the venue, timings, any pre-course reading etc. In advance of the training you may also wish to consider the following questions:

- What do I want to be able to do or do better?
- How will I recognise success?
- How will I review and measure my improvement?
- What methods will I use to achieve my learning objectives?
- How will I practice and apply what I learn?

Learning and Development for all

Democratic services and the corporate learning and development team are committed to the active promotion and support of equality of opportunity in the way their respective services are managed and delivered. We aim to ensure that:

- The marketing and booking process for development activities ensures fair access to all
- All learners have equal access to the development activities offered
- Where Members have identified a support need in relation to their attendance at a learning event i.e., large print hand outs, interpreters – then all such reasonable adjustments will be provided
- Individuals wishing to undertake any accredited programmes are selected on the basis of business need, merit and ability

Cancellation policy

In order to run a cost effective service and maximise the opportunities for all to attend the training they have identified, we ask that you provide us with as much notice as possible of any cancellations.

On the rare occasion when we might have to cancel a course, delegates will be notified at the earliest opportunity. Wherever possible delegates will be offered replacement course dates at their convenience.

Evaluation

To be of real benefit, effective learning and development has to try to match the needs of Members, the objectives of the Council and its partners in achieving a shared vision for Walsall.

It is essential therefore that all provision is reviewed for relevance and effectiveness with all Members attending any event being required to complete an Evaluation Form post event. Monitoring and evaluation processes and outcomes will:

- Be open and constructive, enabling any necessary enhancements to be made to future delivery
- Be regularly monitored by the Democratic Services and Learning and Development Teams and Standards Board to ensure delivery of objectives and continuous improvement
- Be clearly communicated to Members through the various group Leaders
- Ensure Member achievements are recognised and acknowledged both individually and within political groups
- Encourage Members to be self-aware in recognising their strengths and weaknesses

Recording Learning

As per the constitution there is a requirement for all Members to undertake at least 12 hours training per annum. Your learning, whether face to face or via e-learning, will be captured on your individual learning profile held on the Councils HR database iTrent. If you attend any training outside of these more formal arrangements then we would also like to add these learning events to your learning profile.

Feedback and Complaints

We aim to provide an excellent service that is responsive to the needs of the organisation and individual learners. All our programmes are demand led and continually monitored for quality, suitability and value for money.

In order to help us deliver the service you want please let us have your feedback, good or bad, as often as possible. We review all course evaluation forms and follow up any issues raised.

If you are dissatisfied in any way please feel free to contact any member of the Democratic Services or Learning and Development Teams directly.

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We will treat your concerns seriously, deal with them promptly, and use your feedback to inform and improve our service.

Equally if you have received an excellent service/support/benefitted greatly from one of our learning opportunities we would also like to hear from you.

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Induction

Subject	Face to Face	e-learning	Status
New Councillor Training including rules for debate			Mandatory
Your role as Councillor			Mandatory
Introduction to Local Government			Mandatory
Our Council - induction			Mandatory

Core Skills

Subject	Face to Face	e-learning	Status
Declarations of Interest			Mandatory
Chairing Meetings			Highly recommended
GDPR			Mandatory
Prevent and Wrap			Highly recommended
Planning Committee			Mandatory for some
Licensing Committee			Mandatory for some
Audit Committee			Mandatory for some
Dismissing Officer			Mandatory for some
Interview Skills Training for Appointments Board			Mandatory for some
Employment Law			Mandatory for some
Safeguarding children and adults awareness			Mandatory
The Council's finances/budget setting/medium term financial planning			Highly recommended
Briefing to include protocol and use of Council Chamber			Highly recommended
Social Media – do's and don't's			Highly recommended
Unconscious Bias			Highly recommended
Public Speaking/getting the best from the Media			Highly recommended
Effective Case Work			Optional
Strategic Thinking			Optional
The role of the corporate parent			Mandatory
Introduction to Equality and Diversity Course/The Legislation/ Equally Yours			Mandatory
Management of change – tools/techniques and impact			Optional
Brexit – what's it mean for local authorities			

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Modern Slavery/Human Trafficking			Highly recommended
Total Respect Training			Highly recommended
Child Sexual Exploitation			Highly recommended
Total Respect Training			Highly recommended
Office 365			Highly recommended

Personal Growth

Subject	Face to Face	e-learning	Status
Meeting skills			Optional
Presentation Skills			Optional
Spelling, Grammar and Punctuation			Optional
Introduction to coaching			Optional
Mental Health First Aid			Optional
Display Screen Equipment (DSE)			Optional
Fire Safety Awareness			Optional
Personal Safety and lone working			Highly recommended
Computers Don't Bite			Optional
Email for Beginners			Optional
Excel			Optional
Introduction to e-learning			Optional
Outlook Basics			Optional
Assertive communication			Optional
Confidence and Assertiveness			Optional
Effective Time Management			Optional
Facilitation Skills			Optional
Managing your priorities			Optional
Stress awareness			Optional
Resilience and Me and Resilience through Change			Optional
Learning to Learn			Optional

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Self Development			Optional
Debt Management and Collection			Optional
Falls Prevention			Optional
Introduction to Agile Working – generic			Optional
Introduction to sustainability and carbon management			Optional
Passport to procurement			Optional
Making Every Contact Count			Optional
Dementia Awareness			Optional

