

Minutes of the Standards Committee held in Conference Room 2, Walsall Council House

Monday 27 January 2025 at 6.00pm

Committee Members present:

Councillor R. Martin (Chair)
Councillor R. Burley (Vice Chair)
Councillor H. Bashir
Councillor M. Follows
Councillor I. Hussain
Councillor R. Larden
Councillor S. Samra
Councillor K. Sears
Councillor K. Ferguson (Substitution)

Independent Persons:

D. Mardner
A. Green

Officers Present:

T. Cox – Director of Governance
H. Dudson – Assurance Manager
N. Picken – Principal Democratic Services Officer
L. Cook – Democratic Services Officer
I. Halford – Assistant Democratic Services Officer

48. Apologies

Apologies were received from Councillors Andrew, Mehmi, and Independent Member C. Magness.

49. Substitutions

Councillor Ferguson substituted for Councillor Andrew.

50. Declarations of Interest

There were no declarations of interest.

51. Local Government (Access to Information) Act 1985 (as amended)

There were no items to be considered in private session.

52. Minutes

A copy of the Minutes of the meeting held on 30 September, 2024 was submitted.

[annexed]

Regarding Minute 46, the Director of Governance explained that he was in the process of writing to Group Leaders regarding debate and the right to freedom of expression under article 10 of the Human Rights Act. He would also cover the Conduct of Councillors in meetings in a summary note to Group Leaders.

Resolved

That the minutes of the meeting held 30 September, 2024, copies having been circulated in advance, be approved as amended as a true and accurate record. Subject to the following amendment:

- **Minute No. 46: That the final paragraph be amended to replace the words 'Mr Green advised the Committee' with the words 'Mr Green commented that'.**

53. Member DBS Check Update

The Democratic Services Officer presented an update report on the status of criminal record check uptake by Members.

[annexed]

An update regarding the published report was provided. Members were advised that there were 55 Members with a valid or enhanced criminal record check and 5 Members without a valid check. A further 9 Members with a valid check had been requested to complete a new review due to a change in role or Committee membership and 2 Members were awaiting results. 13 Members had completed an Annual Declaration.

The Democratic Services Officer explained that of the Members without a valid check, 1 Member required an enhanced adults DBS check; 1 Member required an enhanced children's DBS check; and 1 Member required both an enhanced adults and children's DBS check.

A query was raised regarding the low number of completed annual declarations. The Director of Governance responded that Members were primarily elected in thirds and that the numbers of annual declarations would be less than the full amount. He added that Members would be contacted again prior to the next meeting to complete an annual declaration and clarified that Members were required to confirm that there were no changes to their criminal record since their most recent DBS check.

The Director of Governance confirmed that information regarding the importance of a DBS check was included within the induction pack for newly elected Members.

Resolved

That:

- 1. The information available on DBS checks for Members contained within the report be noted; and**
- 2. The Committee receive a further update on the uptake of voluntary DBS checks by elected Members at their meeting in April 2025.**

54. Standards Committee Working Group Update

The Director of Governance presented the report of the Democratic Services Officer.

[annexed]

The Director of Governance stated that the Working Group had held its first meeting to review disclosable and non-disclosable pecuniary interests. The Working Group had agreed its terms of reference, and the primary objectives were to update current guidance and improve understanding when disclosing interests.

The Director of Governance stated that compared to other authorities, Walsall Council's current process for declaring interests was more encompassing than just the required disclosable pecuniary interests as defined under regulations. He added that Members were asked additional questions on the declaration of interest form such as membership of charities or if they sat as school governors. He informed Members that a report of the Working Group would be submitted to a future meeting of the Standards Committee.

Resolved

That the revised Standards Committee Working Group Initiation Document be approved.

55. Whistleblowing Policy Update

The Director of Governance presented the report of the Assurance Manager.

[annexed].

He stated that the refreshed Whistleblowing Policy was more streamlined, easier to follow and aligned with best practise and therefore, concerns could be dealt with efficiently and effectively. He advised that an annual report regarding

the Whistleblowing Policy would be received by Standards Committee at its first meeting of each new municipal year.

The Director of Governance stated that the Council had joined Protect, a charity which worked with Government regarding whistleblowing, to ensure the Council continued to follow best practise. He explained that if the policy were to be approved, it would be made available both internally and external and supported by a communications campaign to promote awareness.

Members of the Committee asked questions regarding the process for reporting whistleblowing concerns. The Assurance Manager advised that concerns could be raised with managers, team leaders, or submitted to an internal audit service email inbox. The Director of Governance referred to the Whistleblowing Policy which stated concerns would be acknowledged within five working days of receipt. However, there were no specific timescales for investigating individual cases.

A question was asked regarding whistleblowing reports raised directly with Protect. The Assurance Manager advised that Protect did not have a duty to notify the Council if they had been contacted with a concern but would work with whistleblowers to raise their concerns with the Council and provide them with advice. Whistleblowers could also contact the police.

Questions were raised by members of the Committee regarding the investigation of whistleblowing concerns. The Assurance Manager explained that reports made to Internal Audit, would be investigated by an officer independent of the service area. The Director of Governance added that employees were encouraged to raise concerns with their line managers initially, as action may be taken to address concerns managers were not initially aware of, however, if whistleblowers felt uncomfortable doing this, they could use the points of contact as set out in the report.

Members of the Committee asked questions regarding the monitoring of whistleblowing reports by Senior Management. The Director of Governance explained that any concerns would be anonymised and shared with the Statutory Officer Group at quarterly meetings. Where necessary, feedback would be provided through the relevant management team for further action. He recognised the importance of anonymity and asserted that there were appropriate safeguards in place to manage this but noted there may be circumstances where anonymity was not possible. The Assurance Manager added that a whistleblowers identity would not be revealed without talking to them beforehand.

Regarding the use of the shared Internal Audit email as a point of contact, the Assurance Manager advised that this would ensure reports were picked up as soon as possible if individual officers were unavailable. She added that a limited number of people had access to the inbox. If officers within Internal Audit required further advice or information, they would contact the necessary officers such as the Monitoring Officer or Assurance Manager and not the service area

for which the concern was raised. The Assurance Manager confirmed that the updated Whistleblowing Policy would apply to agency staff.

Resolved

That the refreshed Whistleblowing Policy and arrangements for monitoring activity moving forward be approved.

56. Government Consultation in relation to strengthening the standards and conduct framework for Local Authorities in England

The Director of Governance presented a report.

[annexed].

He highlighted that the Government Consultation in relation to strengthening the standards and conduct framework for Local Authorities in England commenced on 18 December 2024 and was due to conclude on 26 March 2025. He advised that he had written to all Members and Independent Members on 7 January 2025 to encourage participation in the consultation and would send a further reminder.

The Director of Governance highlighted that the Consultation included the potential introduction of the power of suspension where Members were found guilty of a serious breach of the code of conduct. The Government were also looking at what the legal uprisings were in terms of challenging any sanction and whether to move from a local councillor code of conduct to a national code of conduct. He added that the Government were looking to require Councils to have separate Standards and Audit Committees, which was already the case in Walsall.

Resolved

That the report be noted.

57. Date of next meeting

The next meeting of the Committee was scheduled for 22 April, 2025.

There being no further business, the meeting terminated at 6.53 p.m.

Signed:

Date: