



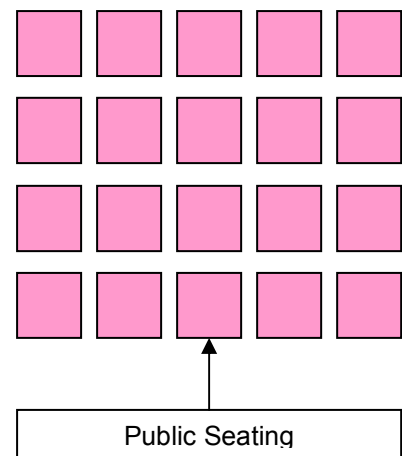
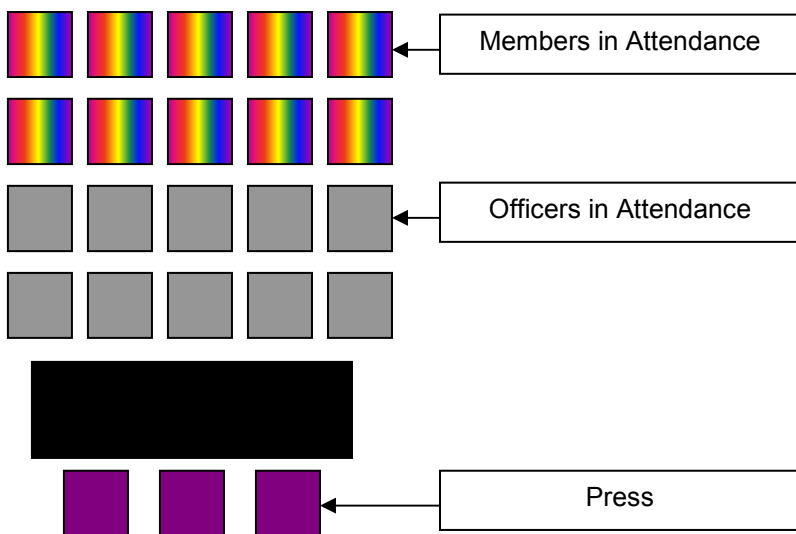
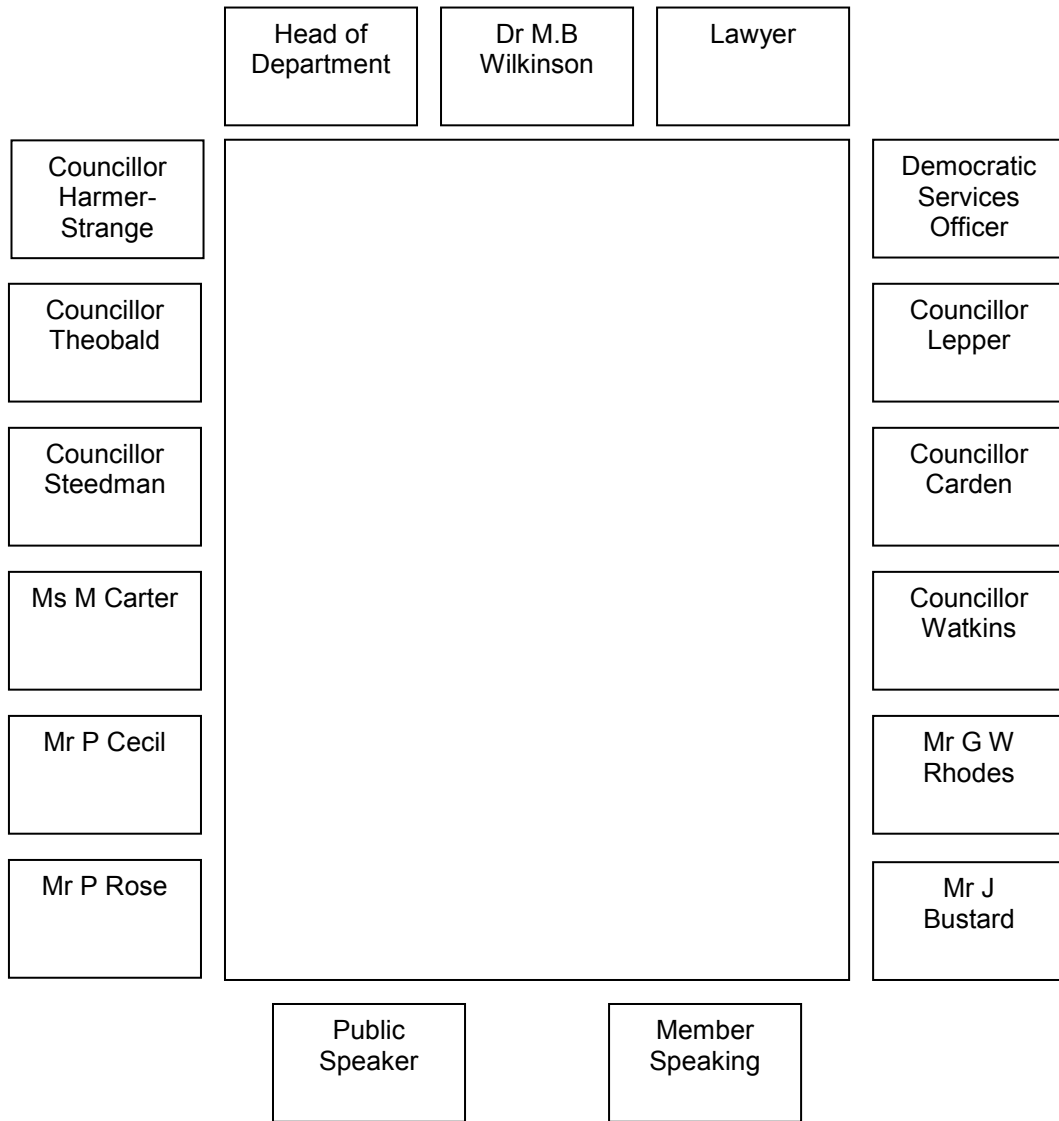
Brighton & Hove
City Council

Standards Committee

Title:	Standards Committee
Date:	29 March 2011
Time:	5.00pm
Venue	Committee Room 1, Hove Town Hall
Members:	Councillors: Carden, Deane, Harmer-Strange, Lepper, C Theobald and Watkins Independent Members: Dr M Wilkinson (Chairman) Rottingdean Parish Council Representatives: John Bustard, Mr Paul Cecil, Mr G W Rhodes and Mr Peter Rose
Contact:	Jane Clarke Senior Democratic Services Officer 01273 291064 jane.clarke@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

26. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

27. MINUTES OF THE PREVIOUS MEETING

1 - 8

Minutes of the meeting held on 18 January 2011 (copy attached).

28. CHAIRMAN'S COMMUNICATIONS

29. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 22 March 2011).

No public questions received by date of publication.

30. LOCALISM BILL UPDATE

9 - 12

Report of the Monitoring Officer (copy attached).

Contact Officer: Liz Woodley Tel: 29-1509
Ward Affected: All Wards

31. MEMBER INDUCTION PROGRAMME

13 - 26

Report of the Monitoring Officer (copy attached).

Contact Officer: Liz Woodley Tel: 29-1509
Ward Affected: All Wards

32. COMPLAINTS UPDATE

27 - 34

Report of the Standards and Complaints Manager (copy attached).

Contact Officer: Brian Foley

Tel: 29-1229

Ward Affected: All Wards

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Jane Clarke, (01273 291064, email jane.clarke@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Monday, 21 March 2011

BRIGHTON & HOVE CITY COUNCIL

STANDARDS COMMITTEE

5.00pm 18 JANUARY 2011

COMMITTEE ROOM 1, HOVE TOWN HALL

MINUTES

Present: Councillors: Carden, Harmer-Strange, Lepper (Opposition Spokesperson) and Watkins

Independent Members: Dr M Wilkinson (Chairman), Mr Paul Cecil, Mr Peter Rose

Rottingdean Parish Council Representatives: Mr John Bustard, Mr Geoff Rhodes

Apologies: Councillor Lizzie Deane (St. Peter's & North Laine) and Councillor Carol Theobald

PART ONE

18. PROCEDURAL BUSINESS

18a Declarations of Interest

18.1 There were none.

18b Exclusion of the Press and Public

18.2 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Standards Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

18.3 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any items.

19. MINUTES OF THE PREVIOUS MEETING

19.1 **RESOLVED** – That the minutes of the Standards Committee Meeting held on 14 September 2010 be agreed and signed as a correct record.

Note: A spelling error in the minutes contained within the agenda papers at paragraph 16.3, which should have read “consistent” was noted, however this error had already been corrected on the published minutes and was correct on the minutes signed by the Chairman.

20. CHAIRMAN'S COMMUNICATIONS

20.1 The Chairman welcomed two new Independent Members to the Committee, Mr Paul Cecil, and Mr Peter Rose. He extended a warm welcome to both Members and felt sure that they would make a positive contribution to the proceedings of the Committee.

21. PUBLIC QUESTIONS

21.1 There were none.

22. ANNUAL REPORT OF THE STANDARDS COMMITTEE

22.1 The Committee considered a report from the Monitoring Officer regarding the Annual Report of the Standard Committee.

22.2 The Senior Solicitor, Ms Woodley, introduced the report, which outlined the work of the Committee over the last year. She noted that the undertaking to comply with the Code of Conduct had been duly signed by all Members of the Committee, and that the Membership of the Committee, which had remained fairly consistent over the life of the Committee, had promoted and maintained high standards across the Council for the period.

The functions of the Committee and its terms of reference were broad, and this was demonstrated in the varied work programme. The statistics for the number of Panel (or sub-committee) meetings held over the year were noted, and it was noted that Mr Ghebre-Ghiorghis had become the Monitoring Officer for the Council in August 2010. It was noted that Standards for England were in the process of winding down, following the publication of the Localism Bill, and periodic returns had been suspended. An update on the current status of the Localism Bill, and its implications for the Council would be dealt with in a following report.

22.3 Councillor Watkins asked where standards complaints would be escalated to if Standards for England was being decommissioned. Mr Ghebre-Ghiorghis reminded Members that a following report would deal with the implications of the Localism Bill as far as they were known.

22.4 RESOLVED –

1. That the Committee has reviewed the period January 2010 to December 2010 and has agreed the action it wishes to be taken.
2. That the Chairman be authorised to present the report to Council.

23. LOCALISM BILL

- 23.1 The Committee considered a report from the Monitoring Officer regarding the Localism Bill.
- 23.2 Ms Woodley introduced the report and explained that it was a very brief outline and consideration of what was currently known. She highlighted to Members that there was still great scope of the Bill to change before it became law. The main feature for the Standards Committee was that Local Authorities would no longer be required to have a Code of Conduct or a Standards Committee. Authorities would be able to choose to adopt local codes, and arrangements would need to be made to consider and investigate allegations of breaches under adopted codes. The penalties available to the Committee would be very limited and they would no longer have the power to suspend Members.
- 23.3 Mr Rose asked if the Full Council would have the power to suspend a Member. Mr Ghebre-Ghiorghis advised that it would not, but explained that committee appointments were made based on proportionality to the number of seats each group held on the Council. Where this was not legally necessary, such as appointments for the Standards Committee and for Licensing Panels, the Council could take into account the conduct of a Member when appointing to these committees and sub-committees.
- Censure would be the main sanction available to the Council where breaches of the adopted code were proved. All other allegations of misconduct would be dealt with under criminal law, which would be strengthened to cover Councillors' misconduct.
- It was currently felt that some form of Standards Committee and code of conduct should be retained that could assist the Council in developing guidance and policies around standards in public life and to support the functions of the Monitoring Officer, which would remain unchanged. The Standards Committee would need to advise the Council on the options available for adoption and recommendations would need to be brought forward by the Committee over the coming year.
- 23.4 Mr Rhodes asked if the Parish Council would need to adopt the same code as the City Council Mr Ghebre-Ghiorghis replied that it would be for the Parish Council to decide if they adopted a code at all, whether they adopted the same one as the Council, or if they tailored the Model Code of Conduct to their authority.
- 23.5 Councillor Lepper felt that the high number of Independent Members on the Committee was a great strength and she believed that her Group would support the retention of a Standards Committee with Independent Members.
- 23.6 Councillor Harmer-Strange agreed, and said that all Members would likely feel the need for some form of code that should be adhered to.
- 23.7 Councillor Watkins felt it was also important for members of the public to be able to see that Councillors could be held to account if they were complained about.

- 23.8 The Chairman stated that the Committee was in agreement that there was an area of misconduct which fell short of criminal proceedings, which was none-the-less important to regulate and monitor. This was essential to the good workings of the authority. He felt the question of how public complaints were dealt with when they fell short of criminal behaviour was an important one.
- 23.9 Mr Cecil stated that good business relied on the good conduct of Councillors. The localisation of decisions advocated by the current government would make these issues more serious as local representatives had more power to decide what happened in their local areas. Councillors needed a guide for the behaviour expected of them and he did not feel that the ultimate sanction of Councillors not getting re-elected if their behaviour fell short would work unless some kind of flagging system for those Councillors who had been censured over the term was instigated at election time. He felt it was also important for the public to understand how Councillors should behave.
- 23.10 Councillor Harmer-Strange felt that it was wrong for the public to have to wait four years to resolve the issue of a badly behaving Councillor.
- 23.11 Councillor Watkins asked if Full Council had the power to take Councillors off committees.
- 23.12 Mr Ghebre-Ghiorghis replied that some committees were not subject to proportionality rules and therefore the good behaviour of a Councillor could be taken into account. He expected the finalised Act would have some amendments to give local authorities more power to deal with badly behaving Members however. Mr Ghebre-Ghiorghis asked that the Committee consider setting up a working group to discuss the options for the future regarding this issue, which would report its findings back at the end of the year to Full Council.
- 23.13 The Chairman thanked Ms Woodley for her work on condensing a very large amount of information regarding the Bill into a clear and readable report.
- 23.14 **RESOLVED** – That the Committee notes the report.

24. REVIEW OF ELECTION GUIDANCE

- 24.1 The Committee considered a report from the Monitoring Officer regarding a Review of Election Guidance.
- 24.2 Ms Woodley introduced the report and stated that the guidance issued in 2007 was appended to the report, with some updates such as job title changes, included. She asked the Committee for their thoughts on the areas that needed addressing within the guidance.
- 24.3 Councillor Lepper referred to the guidance on the use of Council facilities and felt that it needed to be highlighted to Members that stationery in particular could not be used for campaign purposes.
- 24.4 Councillor Watkins noted that Council provided computers, telephones and emails should not be used for campaign purposes, but asked what a Councillor should do if

they were contacted independently by a constituent through their Council telephone or email, who wanted to discuss elements of the campaign.

- 24.5 Mr Ghebre-Ghiorghis replied that this restriction was subject to practicalities. He agreed it was perfectly normal and proper for a Ward Member to receive calls and emails generated by constituents. The equipment should not be used for electioneering however.
- 24.6 Councillor Lepper asked for clarification that if a Councillor was sending out election material, that Councillor should not use their Council email address on this material. Mr Ghebre-Ghiorghis agreed this was correct. He added that if the constituent already knew the Councillors' email address and used this to contact them, this would be fine.
- 24.7 Councillor Watkins asked if Councillors paid a certain amount to the Council for some personal use of the equipment. Mr Ghebre-Ghiorghis agreed this was the case, but this charge did not cover use for party political purposes. Any form of Council stationery or equipment, including Council letterheads, should not be used for party political purposes.
- 24.8 Councillor Watkins felt that this would cause some difficulty for Councillors in their day-to-day ward work. Mr Ghebre-Ghiorghis replied that any legitimate ward work would not be considered electioneering during the time of Purdah.
- 24.9 Councillor Harmer-Strange asked how Councillors should deal with constituents asking questions of the campaign through the Councillors' email address with the Council. Mr Ghebre-Ghiorghis replied that any factual advice was fine to give. For example if a Councillor was asked if they would be standing in the next election, it would be appropriate to respond factually yes or no. It would not be appropriate to elaborate on why a constituent should vote for that Councillor or party however.
- 24.10 Mr Rose noted that Councillors should not use Council resources that would give them an advantage over other candidates not currently a part of the Council. He asked if the groups would highlight the need for compliance during the Purdah period to their own Members, and what other advice was available to Members.
- 24.11 Mr Ghebre-Ghiorghis replied that it was his responsibility as Monitoring Officer to provide advice to Councillors in this regard. If he was approached with individual questions he would give ad-hoc advice. If he was aware of a series of questions on the same issue, he would then issue guidance to all Councillors on this. Most of the guidance available had already been circulated to Members.
- 24.12 Mr Cecil felt that the situation for using emails during the Purdah period would be confusing for Councillors. He felt that a simple set of examples about what was appropriate use and what was not would be useful to issue, and would help to avoid confusion.
- 24.13 Councillor Harmer-Strange asked if the Monitoring Officer or Senior Solicitor would be able to attend each group to make them aware of their responsibilities around election time. Councillor Lepper did not feel this was necessary as the groups were mostly aware of the requirements during the Purdah period. She was surprised by the

restrictions around email usage however, and felt this needed to be highlighted. Mr Ghebre-Ghiorghis felt that the recommendation for examples regarding email usage was very useful.

- 24.14 Councillor Watkins asked if the links to outside sites would stay in place on the Councillors web pages during Purdah, whether he had to tell constituents asking political questions to contact him using another method if they had submitted the initial query through his Council email, whether he was permitted to talk about political issues during his ward surgeries, which the Council paid for, and whether it was the case that Council room facilities were available to all candidates free of charge during the election period.
- 24.15 Mr Ghebre-Ghiorghis responded that the Councillors web pages were removed during Purdah anyway, and therefore the links would not be available. He felt that sometimes the distinction between Council business and party political business was not mutually exclusive, and Councillors would need to use common sense when dealing with constituents whilst using Council facilities. If the conversation became protracted or wholly political then the conversation should take place using other media or forums not paid for by the Council. It was the case that all Council room facilities were available to candidates free of charge during this time.
- 24.16 Councillor Harmer-Strange was concerned that schools would not be aware that their facilities could be hired out free of charge during this time.
- 24.17 Councillor Carden noted that he used his own equipment when doing council and group work as the screen was much larger and easier for him to view. Councillor Watkins felt this was an important point and that Members ability to use council equipment should be taken into account more often when supplied with equipment.
- 24.18 **RESOLVED** – That the Committee has considered and commented on the draft guidance on publicity and the use of facilities etc for Members for the 2011 local elections.

25. COMPLAINTS UPDATE

- 25.1 The Committee considered a report from the Monitoring Officer regarding the Complaints Update.
- 25.2 The Standards & Complaints Manager, Mr Foley, introduced the report and highlighted the statistical information relating to complaints handling within the Council and the four newest complaints regarding Councillors that had been submitted and were being dealt with, or had been dealt with.
- 25.3 Councillor Watkins referred to complaint four and noted the recommendation from the panel that consideration should be given to how Councillors mark emails that are intended to remain confidential. He suggested that this could be put forward to the Member ICT Working Group for development and consideration. He added that this would become more and more important in the future as paper production was reduced to save costs.

- 25.4 Councillor Lepper noted the situation regarding corporate complaints and asked for further information. Mr Foley replied that Environmental Services received by far the largest amount of complaints, due to the size and nature of work of the service. There had been a massive improvement for this service year on year however, and the complaints had reduced proportionately.
- 25.5 Councillor Watkins asked who could initiate a review of an Appeal Panel decision. Mr Foley replied that only the complainant could initiate a review, the person complained about could only appeal a decision following an investigation.
- 25.6 **RESOLVED** – That the Committee notes the report.

The meeting concluded at 6.20pm

Signed

Chairman

Dated this

day of

Subject: Localism Bill Update**Date of Meeting: 29 March 2011****Report of: Monitoring Officer****Contact Officer: Name:** Liz Woodley **Tel:** 29-1509**E-mail:** liz.woodley@brighton-hove.gov.uk**Key Decision: No****Wards Affected: All****FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report advises Members of the House of Commons Committee stage of the Localism Bill in so far as it relates to Standards, and recommends the setting up of a Working Group to consider issues arising from the Bill

2. RECOMMENDATIONS:

That the Committee:

- (1) notes the report, and
- (2) appoints a Working Group comprising at least one independent member and a representative of each political group.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 At the previous meeting in January, the Committee received a brief report outlining the provisions of the Localism Bill in so far as they related to standards. The Bill is progressing through its Committee stage in the House of Commons, and this report seeks to update Members on its progress.
- 3.2 None of the clauses of the Bill relating to Standards issues was amended at the Committee Stage. Assuming that the Bill is ultimately enacted as originally drafted, there will no longer be a requirement for all local authorities to have a Standards Committee or a Code of Conduct. It will however be possible to have either or both on a voluntary basis. Members of the council's Governance and Standards Committee have indicated that they are in favour of both a voluntary committee and a Code of Conduct. It is therefore proposed that a Working Group, comprising at least one independent Member and a representative of each political group be established to further consider this. It is further proposed that the Group reports its progress to the Committee at its June meeting.

3.3 It will be for the Group to determine its own agenda, but it could consider Terms of Reference, composition and quorum of a voluntary Standards Committee and the content of a Code of Conduct.

4. CONSULTATION:

4.1 The independent Chairman of the Committee and Monitoring Officer have been consulted and support the establishment of a Working Group.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no direct financial implications arising from this report.

Finance Officer Consulted: Anne Silley

Date: 8 March 2011

Legal Implications:

5.2 There are none.

Lawyer Consulted: Liz Woodley

Date: 8 March 2011

Equalities Implications:

5.3 There are no equalities implications.

Sustainability Implications:

5.4 There are no sustainability implications.

Crime & Disorder Implications:

5.5 There are no crime and disorder implications.

Risk & Opportunity Management Implications:

5.6 There are none.

Corporate / Citywide Implications:

5.7 There are none.

SUPPORTING DOCUMENTATION

Appendices:

1. None.

Documents in Members' Rooms

1. None.

Background Documents

1. None.

Subject: Member Induction Programme
Date of Meeting: 29 March 2011
Report of: Monitoring Officer
Contact Officer: Name: Liz Woodley Tel: 29-1509
E-mail: liz.woodley@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE.**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report introduces the draft 2011 Member Induction Programme and seeks Members' comments on what should be included in that programme from a standards perspective.

2. RECOMMENDATIONS:

- 2.1 That the Committee reviews the draft programme and advises of any standards issues that it considers should be included.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 There are local elections on 5 May 2011. As some existing Members are not seeking re-election, the composition of the Council will inevitably change. It is the council's practice to offer a comprehensive induction programme to all new members. The draft programme is attached as Appendix 1.
- 3.2 The 1 hour slot at 11 am on Tuesday 10 May entitled, "Setting Standards – how to behave as a Member" is clearly standards orientated. All members are requested to attend, not just the new ones. Attached as Appendix 2 is the programme for the equivalent session in 2007.
- 3.3 Members are asked to consider the programme from a standards perspective and to suggest areas for inclusion. The Induction Programme offers an opportunity to reinforce the message that standards are embedded across all aspects of the Council's work.

4. CONSULTATION:

- 4.1 The independent Chairman of the Committee and the Monitoring Officer have been consulted.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no direct financial implications arising from this report.

Finance Officer Consulted: Anne Silley

Date: 17 March 2011

Legal Implications:

5.2 There are none.

Lawyer Consulted: Liz Woodley

Date: 8 March 2011

Equalities Implications:

5.3 There are no equalities implications.

Sustainability Implications:

5.4 There are no sustainability implications.

Crime & Disorder Implications:

5.5 There are no crime and disorder implications.

Risk & Opportunity Management Implications:

5.6 There are none.

Corporate / Citywide Implications:

5.7 There are none.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Induction programme.
2. Setting Standards - How to behave as a Councillor 11 May 2007.

Documents in Members' Rooms:

1. None.

Background Documents:

1. None.

Section Nine: 2011 Member Induction Programme

Overview

Brighton & Hove City Council recognises that newly elected Members require a comprehensive induction followed by ongoing learning and development in order that they may carry out their duties effectively. The induction process will help you settle into your new role with confidence.

In brief, all new Members will:

- receive this handbook
- be invited to Induction sessions covering 'need to know now' information/contacts
- be allocated an officer '**buddy**' who will answer day-to-day queries
- receive briefings regarding committees from the Chairs of those committees
- be invited to participate in personal development planning in order to assess individual learning needs
- have the opportunity to attend regional induction events
- be made aware of learning resources available from the Members' Library and the council's Learning Resource Centre
- Receive the **Improvement & Development Agency Councillor's Guide** (a national source of information and good practice case studies written specifically for newly elected Members)
- Receive the **South East Employers Induction and Survival Guide** (a

regional source of information about local government structure, national topical issues and new/imminent legislation impacting on local government.

The induction process was designed with input from Members and officers. It also takes account of work done by the Welsh Local Government Association in mapping out the different responsibilities and hence different learning needs of Members at four different stages in their careers.

The induction is only the first in a series of four Member development modules available at Brighton & Hove. Local government is a complex organisation and all Members, regardless of their level of experience and/or responsibility, need to continuously adapt and improve their knowledge and skills.

Newly-elected Members have a responsibility for their own development. That responsibility will not be discharged at the end of their first six months or year in office - it is an ongoing part of professional life.

Induction elements

Member handbook

This handbook is available on CD and on the Wave. As sections require updating, electronic updates will be sent to Members circulated by the Democratic Services team.

Induction course

Outline details of each session are set out over the following pages. Please

refer to the 2011/12 Member Development Programme for details of sessions beyond June 2011 and for an explanation of the modular approach described above.

Officer buddy system

The buddy system is designed to help new Members develop confidence. Your buddy will be an informal guide. You can turn to them to ask questions such as *“Who do I contact about refuse issues, How do I locate a Cabinet report from last year, Where do I find information on the council intranet?”*

Officer buddies can offer you information about how the council operates. They cannot and should not guide you on the political dimension to your role – please speak to Member colleagues for that type of guidance.

Your Democratic Services buddy will be introduced to you at the **Democratic Services Fair** on Wednesday 11 May 2011. If you are unable to attend, the Head of Democratic Services will contact you later that week. The buddy system is offered to you informally and you can make as much or a little use of it as you wish.

Cabinet Member Meetings and Committee briefings

Immediately prior to the first Cabinet Member and Committee meeting of the municipal year, the Cabinet Member / Chair of each committee will provide a brief pre-meeting induction which will focus on the Cabinet's / committee's terms of

and effectiveness regarding the day-to-day operational aspect of their role. Officers from the Democratic Services team will be allocated to each new Member as someone to turn to for help, advice and support during your first few weeks at the council.

reference, purpose, officer contacts, meeting formalities and key issues.

Professional development planning

The induction programme will give all new Members guidance on priority learning areas but each Member will benefit from analysing his/her own learning needs by considering his/her own strengths and development areas.

The council encourages every Member to participate in professional development planning and to review those plans every six months. Please refer to Section 10.

Strategic Directorate briefings, tours and drop in clinics

In addition to the directorate input shown on the induction programme and the 2011 Member development programme, different council teams may organise further ad hoc development events for Members. These may be events targeted exclusively at councillors or events where staff and councillors can learn together. Joint learning is something that the council is keen to promote wherever appropriate.

Member learning resources

You will be directed both to the Members' library and the council's Learning Resource Centre. You are

Section Nine: 2011 Member Induction Programme

encouraged to recommend new purchases/acquisitions for the library, to contribute feedback on the existing resources and to add your own resources whenever possible. Any Member who attends an external conference, for example, is asked to leave a copy of the relevant papers with the Democratic Services team so that this can be placed in the library to facilitate shared learning across all Members.

Regional induction events

Details of events organised by **South East Employers**, the **Improvement and Development Agency** and the **Local Government Information Unit** will be circulated to you as they are published. Regional events can offer a good opportunity to network with councillors, improve understanding of the regional agenda and ensure you are aware of different approaches to shared issues.

Externally authored induction guides

Hard copies of the Improvement and Development Agency's Guide, and the South East Employers' Guide, will be kept in the King's House Members' rooms, the Members' library and the Learning Resource Centre.

Evaluating the 2011/12 Member induction programme

The induction process will be reviewed regularly and you will be contacted and asked if you have any emerging and/or unmet development needs. Evaluation will involve end-of-event questionnaires, discussions with officer buddies and with officers and Members with specific responsibilities for Member development. You will also be asked to complete a more in-depth evaluation questionnaire at the end of the induction and to reflect on the overall process as part of your

personal development planning process.

Member Development 2011 Member Induction Programme



All sessions detailed below will be interactive and participative, with plenty of opportunity for Q&A, discussion of scenarios and, where relevant, practical demonstrations of how to use information/equipment.

Presenters will highlight further development and practical support that will be provided to newly elected Members throughout the year.

Highlighted sessions marked with *** are those that all Members are asked to attend.

Monday 9 May (all sessions in Room 122, King's House)

9.30am – 10.30am: Chief Executive's Welcome

10.45am – 11.45am: Meet the Strategic Directors and Lead Commissioners

11.45am – 13.00pm: Briefing on the White Paper

Tuesday 10 May

10am – 11.00: Democratic Services Fair – Training Room 1, King's House

11.00am – 12.00pm: Setting Standards – how to behave as a Member***

13.00 noon – 14.30pm: Leading on equality & diversity ***

Wednesday 11 May

9.30am – 10.30am: The decision-making process

10.45am – 11.45am: Workshop on Interpreting Executive/Non Executive reports

12.00 noon – 13.30pm: Handling information - Committee Room 2, HTH

Thursday 12 May

9.30am – 10.30am: Member Development Working Group's Welcome

10.45am – 11.45am: The Constitution

Member Development: 2011 Member Induction

12.00 noon – 13.00pm: Introduction to Heads of Service

13.00pm – 14.00pm: Lunch with key partners

Friday 13 May

All Day event: ICT WORKSHOPS-drop in sessions

Basic word, email, internet

Monday 16 May

10am – 11.00pm: Intelligent Commissioning Workshop

11.00pm –12.30pm: Performance and Risk Management Framework (Paula Black and Jackie Algar)

13.30pm – 14.30pm: Overview & Scrutiny***

Tuesday 17 May (all sessions in Room 126, King's House)

10.45 noon – 12 pm: The changing face of planning: information that all Members need to know

12.00-13.00 – Audit Training

Wednesday 18 May 2011

Planning Committee 2pm

Thursday 19 May (all sessions Room 122, King's House)

Full Council Meeting 4.30 pm

Friday 20 May

Member Development: 2011 Member Induction

13.00-14.00 Localism Bill

14.00pm-16.00: Briefing on LSP/PSB

Monday 23 May 2011

10am – 12pm noon: Major Projects - Committee Room 2, Hove Town Hall

1.30pm – 3.30pm: Bus Tour of the city

Tuesday 24 May 2011

9.30am – 11.30am: Community Strategy & Local Strategic Partnership

11.45am-13.15am- Corporate Parenting

Wednesday 25 May 2011

- Public Speaking 2 Hours
- Media Training 2 Hours

Thursday 26 May 2011

Friday 27 May 2011

- Mandatory Planning Training – All Day Event

Monday 30 May 2011

- Bank Holiday

Tuesday 31 May

- *Blogging Training 2 Hours*
- *Speed Reading Training 2 Hours*

Thursday 1st June

Member Development: 2011 Member Induction

- **Time Management 2 Hours**
- **Lone Working Training 2 hours**

Details of all other sessions will be provided to newly-elected Members at a later date.

Mandatory E-Learning

GCsx accreditation to exchange information with other organisations, insurance covers relating to Members

(Personal Accident, use of, storage and transport of ICT equipment, Libel & Slander etc. – Steve Frost has all of this information)

Setting Standards:

How to behave as a Councillor

Friday, 11th May 2007

Session Programme

Panel: Alex Bailey, Abraham Ghebre-Ghiorghis, Dianne Bates

- Welcome and introductions Alex (5 mins)

- Role of the Monitoring Officer Alex (2-5 mins)

- How to work with the main provisions of the Members' Code of Conduct
Dianne (15 mins) Powerpoint presentation

- Group Work
 - small group discussion of some scenarios to demonstrate situations in which Councillors would need to understand how the Code of Conduct impacts on them (30 mins)

- Feedback from small group work and discussion of answers (10 mins)

- The main provisions of the Code of Conduct for Member/Officer relations explained (including Access to information – The need to know)
Abraham (15 mins)

- Questions and Answers

Subject: Complaints Update**Date of Meeting: 29 March 2011****Report of: Monitoring Officer****Contact Officer:** Name: Brian Foley **Tel:** 29-3109

E-mail: brian.foley@brighton-hove.gov.uk

Wards Affected: All**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Complaints regarding Member conduct are administered under the arrangements as defined by The Standards Committee (England) Regulations 2008 which came into effect on 08 May 2008. These regulations are derived from the Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007.
- 1.2 This paper gives information about active Standards complaints and recently completed cases.
- 1.3 Corporate complaints are dealt with under the Corporate Complaints Procedure at Stage 1, Stage 2 and via the Local Government Ombudsman. The powers of the Ombudsman are set out in the Local Government Act 1974.
- 1.4 This report contains a brief summary of corporate complaint activity.

2. RECOMMENDATIONS:

- 2.1 The Standards Committee is asked to note the report.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 The Local Government Act 2000 requires the names of complainants and of Members about whom allegations have been made to be kept confidential.
- 3.2 With regard to timescales for complaints Standards for England recommend:
 - Assessments should on average be completed within 20 working days.
 - Review panels should be held within 65 working days.
 - Investigations should be completed within 130 working days from the date of assessment.
- 3.3 Table 1 below shows the number of working days taken to assess each complaint dealt with under the Local Assessment procedure. Since the

introduction in May 2008 the Standards Committee have assessed 42 complaints at an average of 17 days per case.

Table 1

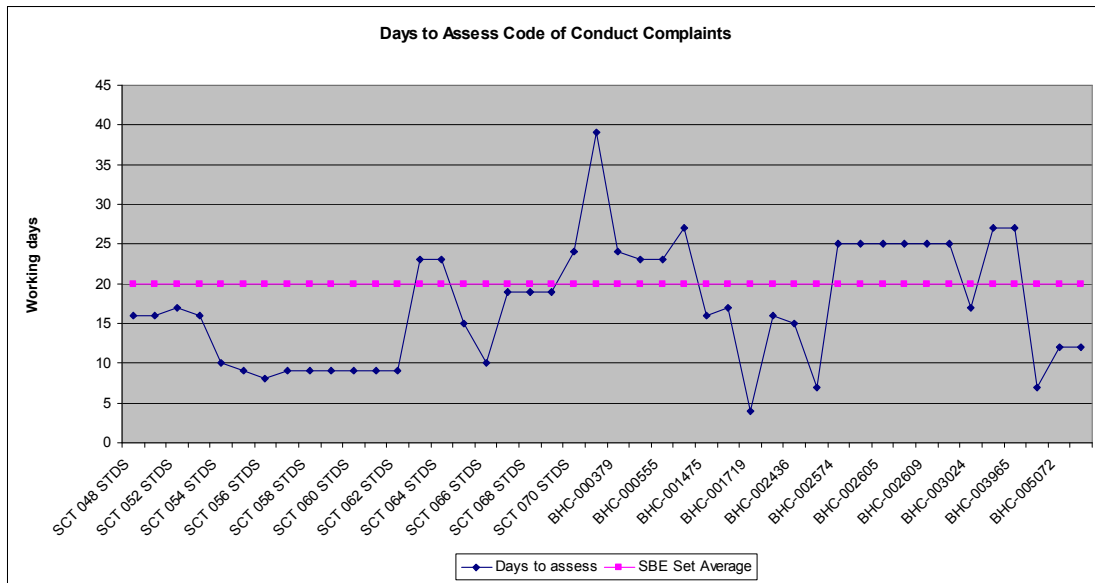
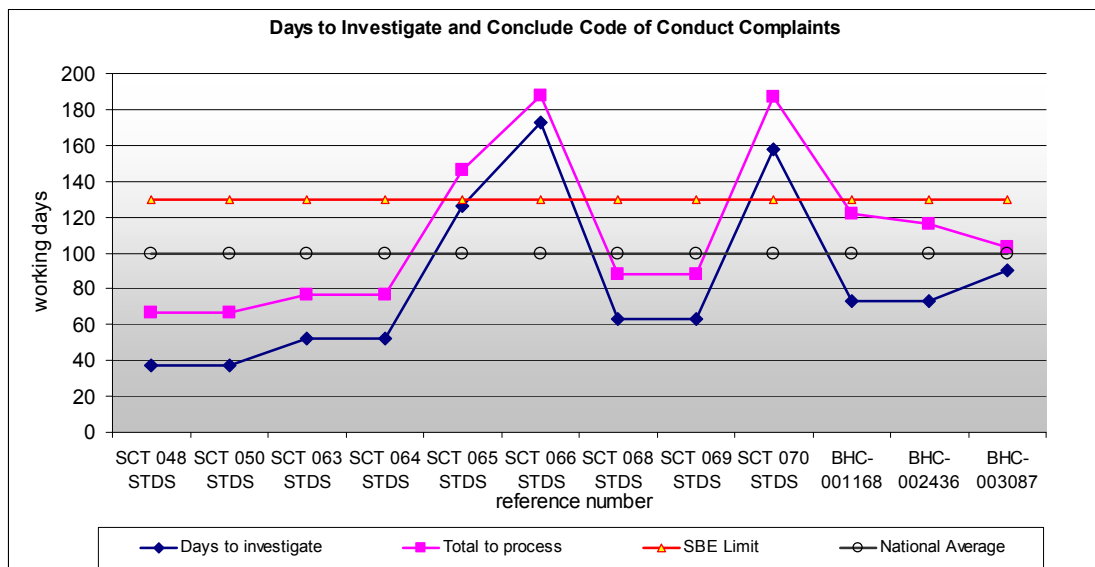


Table 2



3.4 The Standards Committee have referred 12 cases for investigation. Table 2 shows the number of days to carryout the investigation and the working days to complete the complaint process; that is from the date the complaint was received to the date of determination.

3.5 The average time taken to complete complaints referred for investigation has been 110 working days. This average has been affected by a case which was determined after 356 working days.

3.6 **Summary of active complaints about member conduct and cases where decisions have not previously been reported.**

3.6.1 **Complaints where Standards Committee Assessment Panel decided to refer the complaint to the Monitoring Officer for Investigation**

Complaint 1

Case Number: **BHC- 003087**

Complainant: Member of the public

Date of complaint: 09 May 2010

Date of Assessment Panel: 15 June 2010

Total number of working days to assess: 27

Date of Consideration Panel: 09

Allegation: It was alleged that a Member had each breached the following section of the Code of Conduct:

Paragraph 4(a): You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature

Decision of Assessment Panel:

Referred to the Monitoring Officer for investigation.

Outcome:

No Breach of the Code of Conduct

Summary of the Reasons for the Decision:

The substance of the complaint was that the councillor had repeated to a third party details of a telephone conversation regarding a confidential allegation. It was alleged that by doing so a likely investigation would be prejudiced. The Panel were satisfied that the information given to the councillor was already being widely circulated and was in the public domain. The subject of the allegation was already aware of the content of the allegation and the member knew this to be the case. There was therefore no reason for the councillor to have believed, nor any grounds on which she ought reasonably be aware that the information was of a confidential nature.

3.7 **Complaints where the decision of the Standards Committee Assessment Panel was to take 'other action'**

Complaints 2 and 3

Case Number: **BHC- 005072 and BHC-005073**

Complainant: Member of the public

Date of complaint: 25 January 2011

Date of Assessment Panel: 09 February 2011

Total number of working days to assess: 11

Allegation: It was alleged that a Member had each breached the following section of the Code of Conduct:

Paragraph 6(b)(ii) of the Code of Conduct.

You must, when using or authorising the use by others of the resources of your authority ensure that such resources are not used improperly for political purposes (including party political purposes).

Decision of Assessment Panel:

Referred to the Monitoring Officer for alternative action.

Outcome:

The Panel agreed that the use of the council email address on a party leaflet could constitute a breach of the code of conduct. The email address is considered to be a facility provided to members by the Council so they can conduct their ward business. They are not however permitted to use that email address for party business.

The improper use of email addresses is a matter recently discussed at Standards Committee and it is noted that it is an issue which affects many members. The Panel have therefore asked the Monitoring Officer to issue guidance on the proper use of email addresses to all members. The Monitoring Officer has agreed to do so.

3.8 Complaints where the decision of the Standards Committee Assessment Panel was to take no further action

Complaint 2 and 3 (part 2)

Case Number: **BHC- 005072, BHC-005073**

Complainant: Member of the public

Date of complaint: 25 January 2011

Date of Assessment Panel: 09 February 2011

Total number of working days to assess: 11

Allegation: It was alleged that a Member had each breached the following section of the Code of Conduct:

Paragraph 6(a) of the Code of Conduct.

You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or a disadvantage

Decision of Assessment Panel:

No further action.

Summary of Reasons for the Decision

The Panel were of the view that use of a party leaflet to bring to the electorate's attention to a matter of local interest could not be a breach of the code. The Panel similarly reasoned that the councillors were entitled to present their own views in the leaflet and to encourage others to make their views known to the Council.

The Panel considered the possible motives the councillors may have had for their particular view. It was decided there was no indication that the councillors were seeking to secure an advantage for themselves or any other persons.

No review requested

3.9 Complaints where a decision of the Standards Committee Assessment Panel is pending

There are six new cases pending, each has been raised by members of the public. The complaints relate to paragraphs 3(1) and 5 of the code of conduct. The outcome of these complaints will be reported in the next complaints update.

3.10 Recommendations arising from complaints considered

3.10.1 The Panel have recommended that all members receive guidance on the use of council email addresses on party political documents.

3.11 Summary of complaints received under the corporate complaints procedures, first half year 2010/11

3.11.1 Members of the public have referred 44 complaints to the Local Government Ombudsman investigations team in the first nine months of 2010/11 compared to 67 in total in the previous year. The Ombudsman has concluded their work on 38 cases.

3.11.2 Fourteen cases (38.4%) have resulted in a local settlement compared to 25% in 2009/10.

3.11.3 The Council has paid £4878.20 in costs as a result of complaints dealt with by the Ombudsman compared to £1721.00 in 2009/10.

3.11.4 There have been 14 findings of No Maladministration (38.4%) compared to 48% in 2009/10.

3.11.5 The remaining cases have either been outside the Ombudsman's jurisdiction or have been closed at the Ombudsman's discretion

Corporate Stage One and Two Complaints

3.11.6 The following table shows the numbers of complaints for each directorate during 2009/10 and compares this to the first nine months of 2010/11.

3.11.7 There has been an increase in complaints at Stage One and Two about Housing. There is however an increase in the amount of work being carried out on council houses and it is not unreasonable to therefore see a proportionate increase in complaint levels. Complaints about Environment remain lower than in the previous year. The figure in brackets against ASC&H represents the number of Adult Social Care complaints.

	Stage One		Stage Two	
	2009/10	2010/11 Q1,2&3	2009/10	2010/11 Q1,2&3
ASC&H	521	470 (+70)	44	53
CYPT	110	88	13	12
Culture	38	17	1	1
Environment	894	510	74	50
F&R	278	221	20	12
S&G	13	12	0	0
Totals	1854	1318 (+70)	152	128

4. CONSULTATION:

4.1 There has been no consultation.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The costs of complaints are met within the allocated budget.

Finance Officer Consulted: Anne Silley Date: 02 March 2011

Legal Implications:

5.2 There are no legal implications

Lawyer Consulted: Liz Woodley Date: 02 March 2011

Equalities Implications:

5.3 There are no Equalities implications.

Sustainability Implications:

5.4 There are no Sustainability implications.

Crime & Disorder Implications:

5.5 There are no Crime and Disorder implications.

Risk and Opportunity Management Implications:

5.6 There are no Risk and Opportunity Management implications.

Corporate / Citywide Implications:

5.7 There are no Corporate or Citywide implications.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents In Members' Rooms:

1. None

Background Documents:

1. None

