

# Notice of Standards Committee

Date: Tuesday, 9 July 2019 at 6.00 pm

Venue: HMS Phoebe, Town Hall, Bournemouth BH2 6DY



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## Membership:

Cllr M Andrews  
Cllr S Baron  
Cllr C R Bungey

Cllr A Filer  
Cllr A Jones  
Cllr C Rigby

Cllr A M Stribley

## Independent persons:

Mr P Cashmore

Mr I Sibley

Mr J Storey

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All Members of the Standards Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to attend.

If you would like any further information on the items to be considered at the meeting please contact: or email

Press enquiries should be directed to the Press Office: Tel: 01202 454668 or email [press.office@bcpcouncil.gov.uk](mailto:press.office@bcpcouncil.gov.uk)

This notice and all the papers mentioned within it are available at [democracy.bcpCouncil.gov.uk](http://democracy.bcpCouncil.gov.uk)

GRAHAM FARRANT  
CHIEF EXECUTIVE

1 July 2019



Available online and  
on the Mod.gov app



# AGENDA

Items to be considered while the meeting is open to the public

**1. Election of Chairman**

To elect a Chairman for the Committee until the next annual meeting of the Committee

**2. Election of Vice-Chairman**

To elect a Vice-Chairman for the Committee until the next annual meeting of the Committee

**3. Apologies**

To receive any apologies for absence from Members.

**4. Declarations of Interests**

Councillors are required to comply with the requirements of the Localism Act 2011 regarding disclosable pecuniary interests. Declarations received will be reported at the meeting.

**5. Review of Complaint**

5 - 8

The Local Government Ombudsman considered a Complaint dealt with by the former Bournemouth Borough Council and concluded that the Council should review the complaint and the process by which the initial consideration was undertaken.

As the former Council no longer exists, it is for BCP Council to undertake this review and it is recommended that this review is undertaken by one of the Independent Persons in consultation with the Chairman of the Committee and that the Independent Person provides a report to the Committee following this review.

**6. Procedure for Initial Complaint Assessment**

9 - 14

The Standards Committee has statutory responsibility for promoting and maintaining high standards of conduct of councillors. This includes the handling and processing of complaints made against councillors for a breach of the code of conduct.

This report seeks to establish arrangements for undertaking the initial assessment of such complaints.

**7. Councillor Development Framework**

15 - 24

The Standards Committee is responsible for ensuring that appropriate advice and training is provided to Councillors in respect of ethical governance and the Code of Conduct.

This report seeks to the support of the Committee for a councillor development framework for delivering continuous development opportunities for all councillors.

## **8. Declaration of Interests - Flowchart**

25 - 28

The Standards Committee is responsible for ethical governance and promoting high standards of conduct of councillors.

This report seeks to approval of a guidance flowchart to assist councillors determine whether they have a declarable interest and whether participation at a meeting would be appropriate.

## **9. Work Programme and Schedule of Meetings**

29 - 32

The Standards Committee is tasked with reviewing key constitutional documents.

This report sets out the schedule of meetings for 2019/20 and identifies the activities that require reviewing with a proposed work programme.

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

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## STANDARDS COMMITTEE

Report subject	<b>Review of Complaint</b>
Meeting date	9 July 2019
Status	Public Report
Executive summary	<p>The Local Government Ombudsman considered a Complaint dealt with by the former Bournemouth Borough Council and concluded that the Council should review the complaint and the process by which the initial consideration was undertaken.</p> <p>As the former Council no longer exists, it is for BCP Council to undertake this review and it is recommended that this review is undertaken by one of the Independent Persons in consultation with the Chairman of the Committee and that the Independent Person provides a report to the Committee following this review.</p>
Recommendations	<p><b>It is RECOMMENDED that a review be carried out in respect of the Complaint made by Mr O'Luby, and that this review consider the way in which the Complaint was considered and make recommendations to the Committee as to any action required.</b></p>
Reason for recommendations	To ensure an independent review of the Complaint as requested by the LGO is undertaken.

Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe (Corporate Director Resources)
Contributors	Tanya Coulter, Director, Law & Governance
Wards	Authority-wide
Classification	For Decision

## **Background**

1. A complaint was made by Mr O'Luby in respect of comments made by Cllr Mike Greene at a Council meeting at which Mr O'Luby asked a public question. This complaint was dealt with pursuant to the complaints process of the former Bournemouth Borough Council.
2. Following a conclusion that no further action was necessary in respect of the complaint; the complainant referred the matter to the Local Government Ombudsman (LGO). The LGO reached a view that the Chair of the Committee had not consulted fully with the other members of the Committee and asked the Council to undertake the process again.
3. This was done, and the Chair undertook the consideration of the complaint. Following the determination, the complainant referred the matter to the LGO who considered the matter again.
4. Following this consideration, the LGO was initially of the view that the process had been undertaken in accordance with the adopted process and concluded the matter. Following representations made by the complainant, the LGO agreed to consider the matter again and took into account information provided by the Complainant that one of the members of the Bournemouth Borough Council's Standards Committee was of the view that he had not been properly and fully consulted. In light of this the LGO has asked that the Council undertake a review of the process taking into account the views of all those involved.
5. In order that this can be done in a fully independent way, it is proposed that one of the Independent Persons undertakes this review of the complaint and the way in which the matter was considered and in particular whether the members of the former Bournemouth Borough Council's Standards Committee were consulted by the Chair of the Committee prior to the initial consideration stage being concluded by the Chair, in accordance with the adopted arrangements of Bournemouth Borough Council.

## **Summary of financial implications**

6. There are no financial implications arising from this report if the Independent Person is able to undertake the review.

## **Summary of legal implications**

7. The Local Government Ombudsman may make findings of maladministration should they conclude that a Council has not acted in accordance with its agreed and adopted

processes. Alternatively, it may seek a review or reconsideration of matters, to remedy any procedural errors it considers may have been made, and in this case it has the Ombudsman has requested that the Council undertake a review.

#### **Summary of human resources implications**

8. There are no requirements for additional resources arising from this report.

#### **Summary of environmental impact**

9. There are no specific environmental implications arising from this report.

#### **Summary of public health implications**

10. There are no public health implications arising from this report.

#### **Summary of equality implications**

11. It will be important for the review to be undertaken in a way which does not prevent any party previously engaged in the process from having the opportunity to provide information and assistance.

#### **Summary of risk assessment**

12. The Council should ensure that the review is undertaken and reported to the Committee and the LGO to provide assurance that the ethical governance framework is constantly monitored and reviewed, and any changes or clarifications that are required to ensure good governance and decision making are made.

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## STANDARDS COMMITTEE

Report subject	<b>Procedure for Initial Complaint Assessment</b>
Meeting date	9 July 2019
Status	Public Report
Executive summary	<p>The Standards Committee has statutory responsibility for promoting and maintaining high standards of conduct of councillors. This includes the handling and processing of complaints made against councillors for a breach of the code of conduct.</p> <p>This report seeks to establish arrangements for undertaking the initial assessment of such complaints.</p>
<b>Recommendations</b>	<p><b>It is RECOMMENDED that:</b></p> <p><b>the proposed arrangements for initial assessment of allegations of breach of the Code of Conduct for Councillors, as set out in Appendix 1 to this report, be adopted.</b></p>
Reason for recommendations	To establish a robust and consistent procedure for the initial assessment of all complaints made against councillors of an alleged breach of the relevant code of conduct.

Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe (Corporate Director Resources)
Contributors	Richard Jones, Head of Democratic Services
Wards	Authority-wide
Classification	For Decision

## **Background**

1. The Standards Committee has statutory responsibility for promoting and maintaining high standards of conduct of councillors including councillors of local parish and town councils.
2. The Council's Constitution adopted by the Shadow Authority established the principal arrangements for promoting good standards of behaviour of councillors (Article 10), including responsibility for monitoring and overseeing the effectiveness of the arrangements for dealing with complaints and the review of the Code of Conduct.
3. The statutory role of the Council's Monitoring Officer further contributes to the promotion of high standards of conduct.

## **Roles and Responsibilities of the Standards Committee**

4. The Constitution further defines that the Standards Committee will have responsibility for:-
  - (a) Monitoring the Code of Conduct and arrangements for dealing with complaints against Councillors and making recommendations to Full Council on any changes to the Code
  - (b) Promoting and maintaining the Council's responsibilities for ethical governance and high standards of conduct
  - (c) Ensuring that appropriate advice and training is provided to Councillors in respect of ethical governance and the Code of Conduct
  - (d) Supporting the Monitoring Officer in discharging their duties in regard to the conduct and behaviour of Councillors
  - (e) Promoting the observance of the ethical governance agenda within Parish and Town Councils in its area
  - (f) Considering the outcome of investigations undertaken pursuant to the arrangements for dealing with allegations of a breach of the Code of Conduct
  - (g) Making arrangements for suitable liaison as appropriate with the statutory Independent Persons in the course of dealing with an allegation of breach of the Code of Conduct

- (h) Considering an Annual Report on Gifts and Hospitality Registers relating to Councillors.

### **Code of Conduct**

5. Part 6 of the Council's Constitution includes the Councillors' Code of Conduct, the Disclosable Pecuniary Interest requirements, the Councillor/Officer Protocol and the arrangements for dealing with allegations of breach of the code of conduct for councillors. These will each require a formal review by the Committee and are included in the work programme as a separate item on the agenda.
6. The arrangements for dealing with allegations of breach of the code of conduct for councillors outlines the high-level process to be followed upon receipt of a complaint.
7. The process provides for an initial filtering process for the Chairman of the Standards Committee in consultation with councillors of the Standards Committee and Monitoring Officer to decide whether:-
  - There is no breach of the Code and no further action should be taken; or
  - There is a potential breach of the Code and informal resolution is appropriate, to include for example mediation, training, apology, advice; or
  - There is a potential breach of the Code and the Monitoring Officer should undertake or commission an investigation into the complaint with a view to a report then being considered by the Standards Committee.
8. Although this process has been adopted, it is considered important to establish a clear and more detailed procedure which is clear and transparent for all parties. These matters include defining:-
  - Who will be authorised to participate in this process.
  - How the consultation shall take place.
  - Establishing the criteria to be used in determining that no further action should be taken.
  - Defining what should be included as being a suitable informal resolution.
9. Appendix 1 to this report sets out the proposed procedure addressing each of these points.
10. This procedure only deals with the initial assessment stage of a complaint. A complaint which is deemed to be serious enough to proceed to a formal hearing will be referred to the full Standards Committee for consideration.

### **Resource Implications**

11. There are no additional manpower implications arising from this report.

### **Funding**

12. The delivery of the process proposed in this report will be met from existing resources and do not require any additional funding.

### **Summary of financial implications**

13. There are no financial implications arising from this report, however, conducting the consultation electronically will reduce the cost of convening formal assessment meetings and the associated travel and expense claims.

### **Summary of legal implications**

14. The Council is required to put in place procedures for investigating and responding to complaints made against councillors of both BCP Council and the Town and Parish Councils within the area.

### **Summary of human resources implications**

15. There are no anticipated requirements for additional manpower resources.

### **Summary of environmental impact**

16. There are no significant and quantifiable environmental implications arising from this report, however, conducting the initial assessment electronically will reduce the vehicle mileage of potential attendees and the consequential environmental impact.

### **Summary of public health implications**

17. There are no public health implications arising from this report.

### **Summary of equality implications**

18. There are no equality implications arising from this report. Appropriate support would be provided to any complainant requiring assistance.

### **Summary of risk assessment**

19. There are no significant risks identified with this report. The consultation process will be carefully monitored to ensure that those engaged can participate fully whilst reducing the cost of convening formal assessment meetings which incur greater costs and expenses.

### **Background papers**

Published works

### **Appendices**

Appendix 1 – Proposed Arrangements for Initial Assessment of Allegations of Breach of the Code of Conduct for Councillors

## **BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**

### **ARRANGEMENTS FOR INITIAL ASSESSMENT OF ALLEGATIONS OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS**

#### **1. DEFINITIONS**

- 1.1. Any reference in the procedures to the Council's Monitoring Officer shall be deemed to include any designated Deputy Monitoring Officers and those designated officers shall be permitted to act on behalf of the Monitoring Officer on all matters.
- 1.2. Reference to consultation with councillors of the Standards Committee, shall include the Independent Persons appointed the Council.
- 1.3. Where the Chairman of the Standards Committee possesses a conflict of interest with regards to any complaint, the responsibilities of the Chairman shall transfer to the Vice-Chairman.

#### **2. METHOD OF CONSULTATION**

- 2.1. Consultation with Councillors and Independent Persons of the Standards Committee shall be undertaken electronically via email. A minimum period of five working days shall be given for councillors and the independent persons to respond.

#### **3. CRITERIA TO BE USED IN DETERMINING THAT NO FURTHER ACTION SHOULD BE TAKEN**

- 3.1. A complaint may be dismissed as requiring no further action at the initial assessment stage where:-

The Chairman, in consultation with councillors of the Standards Committee, the Independent Persons and the Monitoring Officer considers that:-

- (i) the person complained about is no longer a member of the relevant local authority; or
- (ii) the matter being complained about happened more than 12 months before the complaint was received; or
- (iii) the matter or issue being complained about came to the complainant's notice more than 6 months before the complaint was received; or
- (iv) insufficient information has been submitted at the outset to demonstrate that there has been a prima facie breach of the Code;  
or

- (v) the complaint is based essentially on hearsay evidence and is not supported at the outset by detailed and verifiable supporting evidence; or
- (vi) the complaint does not relate to behaviour in the member's official capacity as a councillor; or
- (vii) the matter complained about is so trivial that it would not be in the public interest or proportionate to pursue it further; or
- (viii) the complaint appears to be vexatious, politically motivated, tit-for-tat or made by a persistent complainant; or
- (ix) the conduct complained about has already been the subject of investigation or enquiry by another public body; or
- (x) the same, or substantially the same, issue has been the subject of a previous Code of Conduct allegation, and there is nothing further to be gained; or
- (xi) the complaint was made anonymously; or
- (xii) the complainant has requested that their identity as complainant be withheld from the member, and it is considered that the matter cannot reasonably be taken further in these circumstances; or
- (xiii) the councillor has already apologised for the action that was the subject of the complaint, and this is considered sufficient to dispose of the complaint; or
- (xiv) the complaint is essentially against the action of the Council as a whole and cannot properly be directed against an individual councillor(s).

#### **4. APPROPRIATE INFORMAL RESOLUTION**

- 4.1. Where it is considered that a potential breach of the Code of Conduct has occurred it may still be deemed appropriate and pragmatic to impose an informal resolution.
- 4.2. Informal resolutions may include assistance with mediation between the parties concerned, the provision and attendance at appropriate training courses, a suitable apology to affected parties, or advice to the councillor concerned.
- 4.3. The use of informal resolution should only be used, however, where the councillor being complained about accepts that a potential breach has occurred, and is willing and commits to the proposed resolution, and the complainant accepts the resolution as a suitable recourse, and would have the desired outcome to change or cease the offending behaviour.



## STANDARDS COMMITTEE

Report subject	<b>Councillor Development Framework</b>
Meeting date	9 July 2019
Status	Public Report
Executive summary	<p>The Standards Committee is responsible for ensuring that appropriate advice and training is provided to Councillors in respect of ethical governance and the Code of Conduct.</p> <p>This report seeks to the support of the Committee for a councillor development framework for delivering continuous development opportunities for all councillors.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <ul style="list-style-type: none"> <li><b>(a) the Councillor Development Framework, as set out in Appendix '1' to this report, be noted;</b></li> <li><b>(b) periodic updates on the delivery of the training programme for councillors be reported to the committee for monitoring purposes and to ensure that the programme supports the ethical governance and code and conduct objectives.</b></li> </ul>
Reason for recommendations	To promote and maintain high standards of conduct by all decision makers and to provide guidance on the potential requirement to withdraw from a meeting where a declarable interest, bias or predetermination exists.

Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe (Corporate Director Resources)
Contributors	Richard Jones, Head of Democratic Services
Wards	Authority-wide
Classification	For Decision

## Background

1. The Standards Committee has responsibility for ensuring that appropriate advice and training is provided to all councillors in respect of ethical governance and the Code of Conduct.
2. Local Authorities in general have a further obligation to ensure that they support councillors to provide and improve corporate governance, local democracy and local services.
3. Councillors have a pivotal role in taking forward the modernisation agenda and the success of this will depend on councillors having the capacity to provide the best possible service to their residents, regardless of whether they are newly elected or experienced.

## Councillor Development Framework

4. Appended to this report is a draft Councillor Development Framework which is intended to form the basis of a structured but yet dynamic training programme. The framework is operational in nature and does not require Council approval but is being brought before the Standards Committee to ensure it is fit for purpose and to secure councillor support.
5. The implementation of the framework will help councillors develop a range of skills to assist them in their work within the community and within the council. In particular, it will support all councillors develop core competencies, in Local Leadership, Partnership working, Communication skills, Political understanding, Scrutiny and Challenge and Regulating and Monitoring.
6. The Framework seeks to further develop and continue with the induction programme offered to all councillors since the elections in May 2019.
7. In order to develop a training programme which not only addresses the collective needs of all councillors, the framework will seek to capture and identify individual councillor priorities. This has commenced already through the self-assessment of ICT Skills which is being used to develop appropriate training programmes.
8. Whilst the Standards Committee responsibilities in relation to ensuring training is provided is limited to ethical governance and the Code of Conduct, ensuring all councillors have the opportunity to develop their skills and competencies in all areas of the council's business, could be considered to indirectly support good ethical governance and reduce the likelihood of breaching the code of conduct.



9. The Standards Committee may therefore wish to consider receiving periodic updates on the delivery of specific training for councillors, attendance records and the realised benefits.

### **Resource Implications**

10. There are no additional manpower implications arising from this report. The co-ordination and delivery of councillor training will be managed through existing manpower resources.

### **Funding**

11. The delivery of quality training is critical but must be balanced against the cost of delivery. Where appropriate training will be delivered or supported using internal resources, but where necessary external providers will be utilised. The existing budgets will be carefully monitored.

### **Summary of financial implications**

12. There are no financial implications arising from this report.

### **Summary of legal implications**

13. Training and development is important for all councillors both those who are new and to the more established. Induction for new councillors is crucial to enable them to be effective in their roles and learn about the specific requirements of local governance and to protect the Council from legal challenge, particularly in relation to regulatory decision making.
14. The proposed Councillor Development Framework is an operational document and does not require Council approval.

### **Summary of human resources implications**

15. There are no requirements for additional manpower resources arising from this report.

### **Summary of environmental impact**

16. There are no specific environmental implications arising from this report, however, where appropriate information shall be shared and made available to Councillors electronically.

### **Summary of public health implications**

17. There are no public health implications arising from this report.

### **Summary of equality implications**

18. It is recognised that some Councillors will have specific circumstances restricting or limiting opportunities to attend training sessions. Individual requirements identified will be accommodated where possible.

### **Summary of risk assessment**

19. The Council has budget provision for the delivery of training to councillors. Failure of councillors with specific roles and duties could give rise to legal challenge. As a consequence there are certain training sessions that are compulsory.

## **Background papers**

Published works

## **Appendices**

Appendix 1 – Councillor Development Framework

# **Bournemouth, Christchurch and Poole Council**

## **Councillor Development Framework**

### **Introduction**

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The modernisation agenda for local government, financial pressures on budgets, greater expectations of the public and the introduction of new ways of working, have placed additional pressures on Councillors who are now required to play increasingly diverse and complex roles. This Framework has been produced to provide a planned approach to Councillor development in recognition of the increased levels of skills and knowledge required and the expectations of the future councillor.

Every councillor, whether they are newly elected or have many years of experience, has a duty to themselves, their fellow councillors and their electorate to ensure they have the skills and knowledge to carry out their wide range of roles as effectively as possible.

Whilst this framework is designed to support and structure the councils work in this area it should also be noted that each and every councillor must take personal responsibility for their own development. A structured programme of learning and skills development is only as good as the users of the development opportunities that the council provides.

This framework recommends that the Standards Committee oversees the work towards addressing areas for improvement in Councillor Development and to encourage all elected representatives to use this framework as a foundation for the development of their own skills.

### **Aim of the framework**

#### **Why do councillors need training and development?**

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All councillors need high quality training and development to be able to carry out their roles effectively.

The Council's commitment to transform working practices and services means that councillors will need to have the appropriate skills to take decisions and monitor the Council's work effectively. Councillors need to know at least a little about a wide range of subject areas, as well as how the Council works and how decisions are taken.

In addition, councillors need to respond to external issues such as changing socio and demographic needs, different ways in which public sector organisations work (such as partnerships) and changes in the law relating to local government. Councillors also need to be able to deal effectively with casework arising from the work they carry out as community leaders within their wards. This casework arrives from a growing number of electronic channels with a greater expectation that issues will be addressed quickly.

Training and development is important for all councillors both those who are new and to the more established. Induction for new members is crucial to enable them to be effective in their roles and learn about the specific requirements of local governance. Whilst

existing councillors have more experience, continuing training helps to ensure skills are updated.

This framework will help councillors develop a range of skills and core competencies to assist them in their work within the community and within the council. These skills and competencies include Local Leadership, Partnership working, Communication skills, Political understanding, Scrutiny and Challenge and Regulating and Monitoring.

### **1. Local leadership**

This refers to the need for councillors to engage with members of their community in order to learn about issues of local concern and help to facilitate a vision for the locality. It involves encouraging trust and respect between individuals and groups by mediating fairly and constructively between different organisations and sections of the community

### **2. Partnership working**

This aspect of the councillor role focuses on the need to build good relationships with others (i.e. colleagues, officers, community groups and other organisations) by identifying and working collaboratively to achieve shared goals. It recognises the need for councillors to recognise and value different contributions, delegate or provide support as required, and to take a long-term view in developing partnerships.

### **3. Communication skills**

This skill area recognises the need for councillors to demonstrate excellent communication skills across many different settings, including the ability to listen sensitively and use appropriate language with different groups. Councillors must also communicate regularly and effectively with all parts of their community using different forms of media.

### **4. Political understanding**

This skill set recognises the need for councillors to develop a range of political skills in order to communicate their values, promote a political vision, and encourage democratic processes and public engagement. It recognises that councillors need to work across group boundaries at times, yet still be able to maintain their own political integrity.

### **5. Scrutiny and challenge**

Scrutiny and challenge is an important day-to-day aspect of the councillor role. Councillors need to act as a critical friend by identifying opportunities for scrutiny inside and outside the council, and by providing constructive challenge and feedback to others. To be effective in this role, councillors need to analyse information quickly and present arguments that are concise, meaningful and easily understood.

### **6. Regulating and monitoring**

This skill set relates to the more judicial aspects of the role that require councillors to understand their legal responsibilities and follow protocol when evaluating arguments and making decisions. Not only do councillors need to balance public needs and

local policy, they must also monitor progress and seek feedback on their own learning needs.

Other specialist training will be required to support councillors perform their roles to maximum effect and as their constituents are increasingly growing to expect. This will include the use of new technology to access information and communicate; innovative ways to manage case work; and specific subject based training to raise both awareness and knowledge considered essential for councillors.

## **Training delivery**

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A comprehensive induction programme was offered to all new councillors following their election to office in May. Councillors were supplied with an induction pack summarising the functions of the council and the role of Councillors, etc. Initially sessions were held to introduce and meet with the Chief Executive, Directors and other senior officers. A number of further induction sessions cover the council's constitution, code of conduct, regulatory and scrutiny training.

Internal and external training is conducted depending on the topic, in-house expertise, interest from councillors and availability of quality trainers. Where external trainers are used, they are chosen for their knowledge of the subject, as well as experience in training delivery.

Councillors are busy people and have many demands on their time. The Council shall therefore endeavour to provide training materials in a variety of forms. A library of resources shall be made available to Councillors on the Intranet.

When Members are unable to attend a particular course, they will be sent links to the course materials and the contact details of the trainer (if delivered internally). This will allow councillors to review the course material and contact the officer for more information if they need to.

Alternative methods of delivery will be explored to suit the learning objectives, such as drop-in sessions, video conferencing, role play, etc.

## **Conferences**

The conference budget is managed by Democratic Services. As conferences can be expensive, consideration will be given to each event before circulating joining instructions. When a councillor wishes to attend a conference, they should seek support from their Group Leader and the relevant Corporate or Service Director or Chief Executive before requesting Democratic Services to book the conference (subject to budget provision being available).

Councillors may request to attend a particular conference, particularly if the topic of the conference is broadly relevant to their role as a councillor, or has a particular relevance to committees they sit on or responsibilities they hold within the Council (i.e., portfolio holder, chairman, etc.).

## Evaluation

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Training should be evaluated in a number of ways. Individual programmes will be evaluated through questionnaires for all participants immediately after an event. An annual survey will be developed to gather feedback from councillors, who will also be asked to suggest subjects they would like to see within the programme. An overview of training and support activity available to councillors shall be reported to the Standards Committee.

## Resources and support

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This Framework will be delivered by the Democratic Services Team with input from other officers where appropriate. It will be reviewed annually. A dedicated budget is available for councillor training, development and conferences. Sessions will be co-ordinated and scheduled to maximise the use of the available budgets.

## Outline of Proposed Councillor Development Programme

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The following outline of proposed training and development topics will form the basis of the topics to be included in the Councillor Development Programme.

The programme includes the induction schedule for newly elected Councillors, the six core skill areas identified above, and specialist training

### **A. New Member Induction**

- Welcome pack at Election
- Introduction to being a councillor
- The role of the Councillor
- Management structure (who's who)
- Contacting the council
- Key Services
- The Constitution
- Public speaking and debating
- Introduction to policy framework (locally and nationally)
- Basic finance and budget framework (including financial regulations)
- ICT training for new councillors

### **B. Core Skill Areas**

#### **1. Local leadership**

- Chairing and managing effective meetings
- Community Leadership
- Develop an effective relationship with the local media
- Housing and neighbourhood working
- Local government finance
- Planning – how the system works
- The effective ward councillor
- Holding effective ward surgeries

## **2. Partnership working**

Commissioning, contract and relationship management  
Negotiating and influencing skills  
Representing the Council at key partnership meetings and on outside bodies

## **3. Communication skills**

Communications (that's listening as well!)  
Complaint handling  
Dealing with difficult customers  
Media skills  
Public speaking and presentation skills  
Social Media (blogs, twitter, facebook, youtube, etc.)  
Speed Reading

## **4. Political understanding**

Code of Conduct  
Financial Regulations  
Local Government Financial Planning and Budgeting  
Officer/Councillor relationships  
Understanding committee procedures and the constitution

## **5. Scrutiny and challenge**

Holding the council to account  
Questioning skills  
The critical friend – support and challenge

## **6. Regulating and monitoring**

*Specialist training sessions will be provided for regulatory Committee Members*  
Audit  
Gambling Act 2005  
Licensing Act 2003  
Performance Management  
Planning (Development Control)  
Risk management

## **C. Specialist training**

### **1. Governance and policy**

Access to information  
Corporate Parenting  
Corporate Plan Overview  
Data protection  
Equality and diversity  
Freedom of information  
Personal safety (making lone visits safely)

**2. Business essentials**

ICT literacy  
Improvement and innovation  
Managing casework in the new environment  
Mobile working  
New ways of working  
Using the Internet

**3. Subject based learning**

Adult and Children's Services  
Crime and disorder  
Economic Growth  
Emergency Planning and Civic Contingencies Act  
Health and wellbeing  
Management of heritage and landscape assets  
Highways and Transport  
Housing  
Public Health  
Rivers and coastal issues  
Supporting older people  
The Commercial public sector  
Youth Services





## STANDARDS COMMITTEE

Report subject	<b>Declaration of Interests - Flowchart</b>
Meeting date	9 July 2019
Status	Public Report
Executive summary	<p>The Standards Committee is responsible for ethical governance and promoting high standards of conduct of councillors.</p> <p>This report seeks to approval of a guidance flowchart to assist councillors determine whether they have a declarable interest and whether participation at a meeting would be appropriate.</p>
<b>Recommendations</b>	<p><b>It is RECOMMENDED that:</b></p> <p><b>the declaration of interest at a meeting flowchart, as set out in Appendix 1 to this report, be approved and included on all meeting agenda front sheets to serve as a reminder and guidance to councillors of the need to declare, and, where appropriate, refrain from participating in an item of business before the council.</b></p>
Reason for recommendations	To promote and maintain high standards of conduct by all decision makers and to provide guidance on the potential requirement to withdraw from a meeting where a declarable interest, bias or predetermination exists.

Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe (Corporate Director Resources)
Contributors	Richard Jones, Head of Democratic Services
Wards	Authority-wide
Classification	For Decision

## Background

1. The Standards Committee has statutory responsibility for promoting and maintaining high standards of conduct of councillors, including the provision of advice and guidance to all councillors on their declaration of interests.
2. The responsibility of councillors to declared interests, bias or predetermination falls wholly upon the individual councillor. Guidance may be provided by the Council's Monitoring Officer in relation to specific enquiries in advance of meetings.
3. However, occasionally councillors will become aware at a meeting that they may have an interest in a matter, either from information within the report or from information provided at the meeting, and as a consequence seeks the guidance of the Democratic Services Officer.
4. Whilst the Democratic Services Officer will always seek to provide immediate advice, it can be difficult to do so without necessarily appreciating all the facts and thus appearing to shift responsibility from the individual councillor to the officer concerned. There are risks associated with this provision of advice in such circumstances to the officer and councillor concerned.

## Guidance Flowchart

5. The Committee is asked to consider the flowchart which is attached to this report at Appendix 1. The flowchart is designed to provide guidance to a councillor to determine whether they have an interest in an item and if so, what course of action they should take.
6. If supported, the flowchart could be appended to all agenda front-sheets for ease of reference at any meeting.

## Resource Implications

7. There are no additional manpower implications arising from this report.

## Funding

8. The cost of the additional page will be met from existing resources.

## Summary of financial implications

9. There are no financial implications arising from this report.

## Summary of legal implications

10. Councillors have a legal responsibility to make declarations of interest at meetings of the council. Failure to declare an interest could expose both the Councillor and the Council to legal challenge and potentially damage the reputation of the Council.

### **Summary of human resources implications**

11. There are no requirements for additional manpower resources arising from this report.

### **Summary of environmental impact**

12. There are no significant and quantifiable environmental implications arising from this report. Although this may result in additional use of paper on some agenda, this will be offset by the reduction in overall paper copies being reduced as councillors move towards paperless meetings.

### **Summary of public health implications**

13. There are no public health implications arising from this report.

### **Summary of equality implications**

14. There are no equality implications arising from this report.

### **Summary of risk assessment**

15. The implementation of the proposed workflow will act as a reminder and provide clarity and guidance to individual councillors considering whether they have an interest to declare. The use of the flowchart will provide reassurance that participation is appropriate and reduce the likelihood of legal challenge.

### **Background papers**

Published works

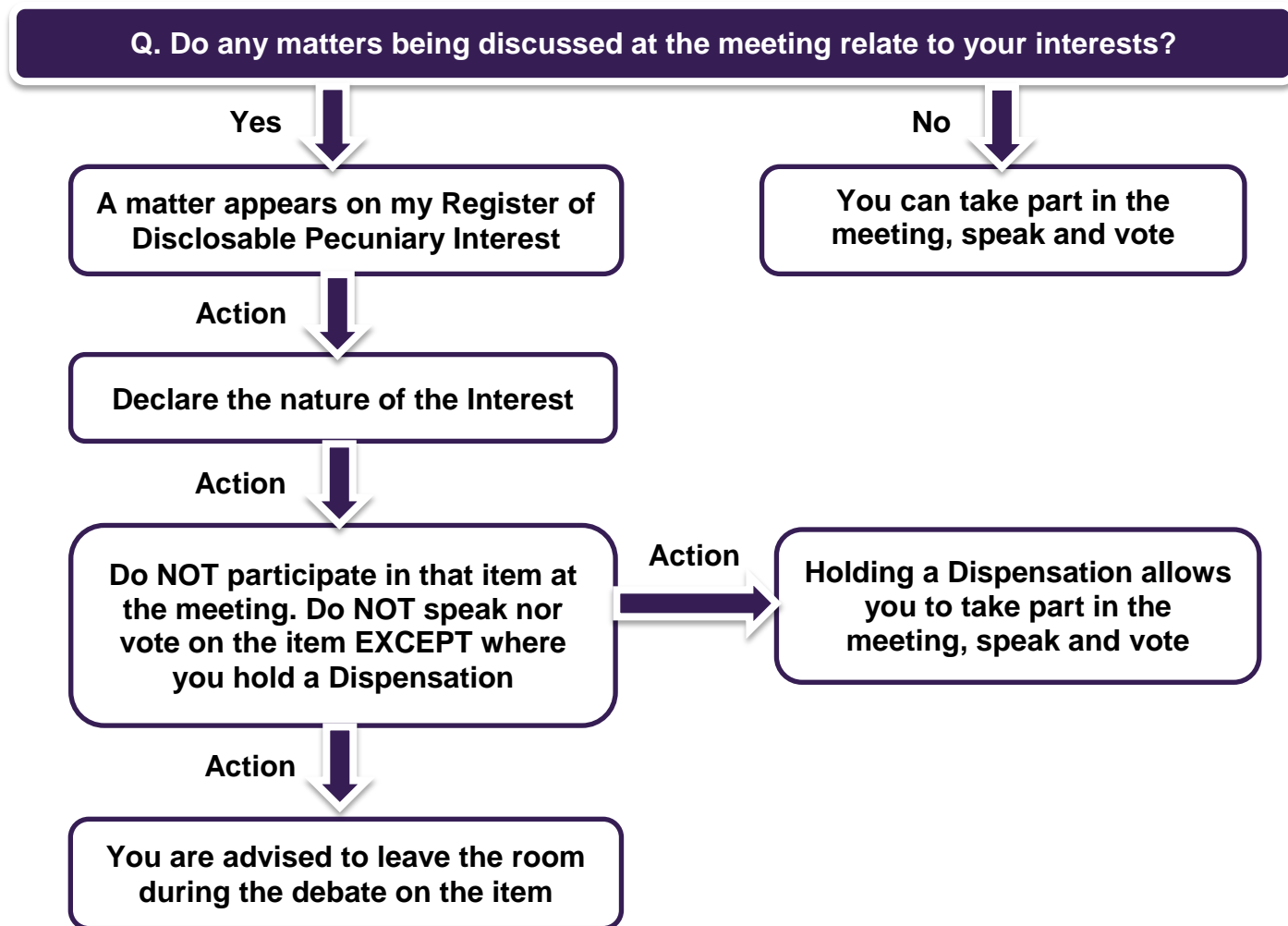
### **Appendices**

Appendix 1 – Proposed Declaration Interest Flowchart

## DECLARATION OF INTEREST AT A MEETING

As a Councillor, ask yourself do I have an interest to declare at the meeting I am attending? Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests.



**Q. What are the principles of bias and pre-determination and how do they affect my participation in the meeting?**

Bias and Predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item. A challenge may be mounted in the courts.

### Bias Test

**In all the circumstances would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased.**

### Predetermination Test

**At the time of making the decision, the decision maker had a closed mind.**

If a Councillor appears to be biased or have predetermined their decision, they **MUST NOT** participate in the meeting.



## STANDARDS COMMITTEE

Report subject	<b>Work Programme and Schedule of Meetings</b>
Meeting date	9 July 2019
Status	Public Report
Executive summary	<p>The Standards Committee is tasked with reviewing key constitutional documents.</p> <p>This report sets out the schedule of meetings for 2019/20 and identifies the activities that require reviewing with a proposed work programme.</p>
<b>Recommendations</b>	<p><b>It is RECOMMENDED that:</b></p> <p><b>the schedule of meetings for 2019/20 be noted, and the work programme for the Standards Committee be adopted.</b></p>
Reason for recommendations	To establish a clear work programme for the Committee to monitor and review key policy documents.

Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe (Corporate Director Resources)
Contributors	Richard Jones, Head of Democratic Services
Wards	Authority-wide
Classification	For Decision

## Background

1. The Standards Committee has responsibility for the following activities which should form the basis of the committee's work programme:
  - (a) Monitoring the Code of Conduct and arrangements for dealing with complaints against Councillors and making recommendations to Full Council on any changes to the Code
  - (b) Promoting and maintaining the Council's responsibilities for ethical governance and high standards of conduct
  - (c) Ensuring that appropriate advice and training is provided to Councillors in respect of ethical governance and the Code of Conduct
  - (d) Supporting the Monitoring Officer in discharging their duties in regard to the conduct and behaviour of Councillors
  - (e) Promoting the observance of the ethical governance agenda within Parish and Town Councils in its area
  - (f) Considering the outcome of investigations undertaken pursuant to the arrangements for dealing with allegations of a breach of the Code of Conduct
  - (g) Making arrangements for suitable liaison as appropriate with the statutory Independent Persons in the course of dealing with an allegation of breach of the Code of Conduct
  - (h) Considering an Annual Report on Gifts and Hospitality Registers relating Councillors
2. The Standards Committee must therefore schedule into its work programme:-
  - the review and monitoring of the Code of Conduct for Councillors (including the associated requirements for the Disclosable Pecuniary Interests, the Protocol for Councillor / Officer Relations and the Arrangements for Dealing with Allegations of Breach of the Code of Conduct for Councillors);
  - ensuring appropriate advice and training is provided to councillors (including parish and town councils) in respect of ethical governance and the Code of Conduct;
  - the review and monitoring of the Councillor Development Framework and programme;
  - the receipt of the Annual Report on Gifts and Hospitality relating to Councillors.

3. The Standards Committee is not responsible for the review of the Constitution other than those matters referred to above.

### **Schedule of Meetings 2019/20**

4. The following dates were approved by the Shadow Council and agreed that meetings would be held on a rotational basis between, Bournemouth, Christchurch and Poole.
- Tuesday, 9 June 2019 (6.00 pm) – HMS Phoebe, Bournemouth
  - Tuesday, 8 October 2019 (6.00 pm) – Council Chamber, Christchurch
  - Tuesday, 14 January 2020 (6.00 pm) – Committee Suite, Poole
  - Tuesday, 28 April 2020 (6.00 pm) – HMS Phoebe, Bournemouth

### **Proposed Work Programme**

5. The Audit and Governance Committee will be reviewing the Constitution over the coming months and it would be appropriate to align the timeline to match that of the required changes to the Code of Conduct and associated documents. Other work activities require a period of time for data to be collated.
6. The following work programme is therefore proposed.

<b>Date of Meeting</b>	<b>Issues to be considered</b>
8 October 2019	The review and monitoring of the Code of Conduct for Councillors (including the associated requirements for the Disclosable Pecuniary Interests, the Protocol for Councillor / Officer Relations and the Arrangements for Dealing with Allegations of Breach of the Code of Conduct for Councillors)  Update on any advice and training provided to councillors (including parish and town councillors) in respect of ethical governance and the Code of Conduct
14 January 2020	The review and monitoring of the Councillor Development Framework and programme
28 April 2020	The receipt of the Annual Report on Gifts and Hospitality relating to Councillors  Update on any advice and training provided to councillors (including parish and town councillors) in respect of ethical governance and the Code of Conduct

### **Resource Implications**

7. There are no additional resource implications arising from this report.

### **Funding**

8. There are no additional funding requirements arising from this report.

### **Summary of financial implications**

9. There are no financial implications arising from this report.

**Summary of legal implications**

10. The Constitution sets out the roles and responsibilities of the Committee. Agreeing a work programme for the committee will help promote and maintain high standards of ethical behaviour and reduce the risk of legal challenge.

**Summary of human resources implications**

11. There are no requirements for additional manpower resources arising from this report.

**Summary of environmental impact**

12. There are no environmental implications arising from this report.

**Summary of public health implications**

13. There are no public health implications arising from this report.

**Summary of equality implications**

14. There are no equality implications arising from this report.

**Summary of risk assessment**

15. The implementation of the proposed work programme will ensure that the codes and associated policies are current and protect the Council's reputation and reduce the likelihood of legal challenge.

**Background papers**

Published works

**Appendices**

There are no appendices to this report.