



Agenda for a meeting of the Standards Committee to be held on Thursday, 2 March 2017 at 4.00 pm in Committee Room 3 - City Hall, Bradford

Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
D Smith Townend	Jamil Ferriby Lal M Slater	J Sunderland

Non-Voting Co-opted Members

Independent Person: Mr M Shakeel

Parish & Town Council Members: Parish Councillor J Pitts and Town Councillor M Westerman

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

From:

Parveen Akhtar

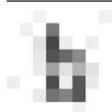
City Solicitor

Agenda Contact: Tracey Sugden

Phone: 01274 434287

E-Mail: tracey.sugden@bradford.gov.uk

To:



A. PROCEDURAL ITEMS

1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

2. MINUTES

Recommended –

That the minutes of the meeting held on 22 September 2016 be signed as a correct record (previously circulated).

(Tracey Sugden – 01274 434287)

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)



Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Tracey Sugden - 01274 434287)

B. BUSINESS ITEMS

4. THE ROLE OF THE STANDARDS COMMITTEE IN RESPECT OF DISPENSATIONS TO VOTING MEMBERS 1 - 6

The City Solicitor will present a report (**Document “A”**) which explains that, in her role as Monitoring Officer, she wishes to make necessary amendments to the Constitution in order to make clear and explicit the role of the Committee in respect of granting dispensations to voting Members of Council, the Executive, Committee and Sub-Committees.

Recommended –

That it be recommended to the Governance and Audit Committee that:-

- (i) Article 11 of the Constitution be amended to include a new paragraph 11.4.8 to read “considering and deciding upon requests for dispensations from elected Members and Voting Co-opted Members.**
- (ii) Consequential renumbering of Article 11 be undertaken.**
- (iii) Part Two of the Members’ Code of Conduct include a new paragraph 24 entitled “Grant of Dispensations” setting out the provisions in paragraph 2.2 of this report and setting out the necessary process for requesting a dispensation.**
- (iv) Article 14 of the Constitution be amended to include consideration of dispensations within the functions of the Monitoring Officer in circumstances where it is not possible for the Standards Committee to consider a request.**

(Parveen Akhtar – 01274 432496)

5. MEMBER DEVELOPMENT PROGRESS REPORT 7 - 16



The City Solicitor will present a report (**Document “B”**) which provides the Committee with information to highlight the member development issues that the Council is addressing and a review on progress to date.

The report also advises on next steps on taking forward the member development agenda and invites Members to suggest other issues to pursue.

The Committee is requested to note the training proposed and comment on further training which if provided could contribute to the maintenance of high standards of conduct.

(Parveen Akhtar/Chris Farquhar – 01274 434304)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED,
WHEREVER POSSIBLE, ON RECYCLED PAPER



Report of the City Solicitor to the meeting of the Standards Committee to be held on 2 March 2017

A

Subject:

The Role of the Standards Committee in respect of Dispensations to Voting Members

Summary statement:

The Monitoring Officer wishes to make necessary amendments to the Constitution in order to make clear and explicit the role of the Committee in respect of granting dispensations to voting Members of Council, the Executive, Committees and Sub-Committees

Parveen Akhtar
City Solicitor

Portfolio:

Leader of Council and Corporate

Report Contact: Parveen Akhtar
Phone: (01274) 432496
E-mail: parveen.akhtar@bradford.gov.uk

Overview & Scrutiny Area:

Corporate



1. SUMMARY

- 1.1. At the meeting of the Committee held on 22 September 2016, the City Solicitor raised the issue of dispensations and advised that the Constitution did not currently make it clear under what circumstances a dispensation may be granted nor the mechanism for dealing with a request for a dispensation.

2. BACKGROUND

- 2.1 Under the Localism Act 2011, where a Member has a “Disclosable Pecuniary Interest” in a matter to be considered or being considered at the meeting that Member must withdraw from the meeting, and not speak or vote on the matter unless a dispensation has been granted. Failure to observe this prohibition is potentially a criminal offence.
- 2.2 Under the Localism Act 2011, the Council, on written request, is permitted to grant dispensations where:-
- So many members of the decision-making body have disclosable pecuniary interests in a matter that it would "impede the transaction of the business";
 - Without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
 - The authority considers that granting the dispensation is in the interests of persons living in the authority's area;
 - Without a dispensation, each member of the Executive would be unable to participate on a particular matter; or
 - The authority considers that it is otherwise appropriate to grant a dispensation
- 2.3 A dispensation can be granted in respect of a particular meeting or for a period not exceeding four years.

3. OTHER CONSIDERATIONS

- 3.1 The roles and functions of the Committee are set out in Article 11 of the Constitution, however, consideration of a request for a dispensation is not included. Reference to a dispensation appears only in paragraph 18 of the Members’ Code of Conduct which is set out in Part 4A of the Constitution (“unless the Member has requested and been granted a dispensation by the Standards Committee”).
- 3.2 Members are asked to consider the addition of a new paragraph 11.4.8 to Article 1, to read:-

11.4.8 Considering and deciding upon requests for dispensations from elected Members and Voting Co-opted Members.



And that the current paragraph 11.4.8 be renumbered to be 11.4.9 (making recommendations on any matter arising from any report).

- 3.3 It is also suggested that Part Two of the Members Code of Conduct have a new paragraph 24 headed "Grant of Dispensations" which sets out the provisions in paragraph 2.2 of this report and advises Members that they must direct requests for a dispensation to the City Solicitor in the first instance.
- 3.4 Requests for dispensations will be considered by the Standards Committee. If necessary, a meeting will be called with less notice than the five days required by the Constitution, as permitted under paragraphs 9.3 and 9.4 of the Access to Information Procedure Rules in Part 3B of the Constitution.
- 3.5 If, however, a request is received which, in the time available, it would not be possible to convene a meeting of the Standards Committee, the Monitoring Officer should be authorised to consider it and take a decision in accordance with the provisions of Article 14 of the Constitution (delegation of functions) after consultation with the Chair of Standards Committee.
- 3.6 The prohibition against speaking and voting does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation.
- 3.7 A dispensation may not apply where a member is prohibited from participating on grounds other than the DPI provisions of the Localism Act or in some circumstances where the member is biased or has predetermined the matter.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 There are no financial issues arising from this report.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 Implementation of the proposed recommendations will clarify the governance arrangements of the Council. There are no significant risks arising from their implementation.

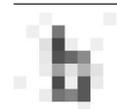
6. LEGAL APPRAISAL

- 6.1 The Constitution requires amendment to reflect the provisions of the Localism Act regarding dispensations.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

- 7.1.1 Not Applicable



7.2 SUSTAINABILITY IMPLICATIONS

7.2.1 Not Applicable

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

7.3.1 Not Applicable

7.4 COMMUNITY SAFETY IMPLICATIONS

7.4.1 Not Applicable

7.5 HUMAN RIGHTS ACT

7.5.1 The Constitution should be amended to permit members to speak and vote where any of the circumstances in paragraph 2.2 above are deemed to apply.

7.6 TRADE UNION

7.6.1 Not Applicable

7.7 WARD IMPLICATIONS

7.7.1 Not Applicable

8. NOT FOR PUBLICATION DOCUMENTS

8.1 None

9. OPTIONS

9.1 Any proposed changes to the Constitution must be recommended to the Governance and Audit Committee for further recommendation to full Council.

9.2 The Committee could agree the proposed recommendations, not agree the proposed recommendations or propose alternative recommendations.

9.3 Adoption of the proposed recommendations would clarify the Constitution and aid Members in their role on the Council.

9.4 Not adopting the proposed recommendations would leave the Constitution silent on the matter and would not signpost Members to the necessary procedures should they require a dispensation.

10. RECOMMENDATIONS

10.1 That it be recommended to the Governance and Audit Committee that:-



10.1.1 Article 11 of the Constitution be amended to include a new paragraph 11.4.8 to read “considering and deciding upon requests for dispensations from elected Members and Voting Co-opted Members”.

10.1.2 Consequential renumbering of Article 11 be undertaken.

10.1.3 Part Two of the Members’ Code of Conduct include a new paragraph 24 entitled “Grant of Dispensations” setting out the provisions in paragraph 2.2 of this report and setting out the necessary process for requesting a dispensation.

10.1.4 Article 14 of the Constitution be amended to include consideration of requests for dispensations within the functions of the Monitoring Officer in circumstances where it is not possible for the Standards Committee to consider a request.

11. APPENDICES

11.1 None

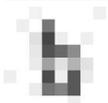
12. BACKGROUND DOCUMENTS

12.1 Constitution of the Council 2016-17

12.2 Localism Act 2011

15.02.17

G:\Legal Services\HOS Support\City Solicitor\COMMITTEES\Standards Committee\2017\Report to Standards Committee 02 03 17 re Dispensations.docx



This page is intentionally left blank

Report of the City Solicitor to the meeting of Standards Committee to be held on 2nd March 2017

B

Subject:

Member Development Progress Report

Summary statement:

The Report aims to provide Members with information to highlight:

- The Member Development issues the Council are addressing and a review on progress to date.
- The next steps on taking forward the Member Development Agenda and inviting Members to suggest other issues they would like pursued.

Report Contact:

Parveen Akhtar, City Solicitor/
Chris Farquhar, Member Development
Manager

Phone: (01274) 434304

E-mail: Christopher.farquhar@bradford.gov.uk

Portfolio:

Leader of the Council and Corporate

Overview & Scrutiny Area:

Corporate



1. SUMMARY

The Committee's roles and functions include:

Advising, training or arranging to train members of Council, voting co-opted members of Committees and Panels and church and parent governor representatives on matters relating to the Members' Code of Conduct.

The Members Code of Conduct includes Standards of Conduct set out below.

You must have regard to, and act in accordance with, the following standards of conduct:

1. **Selflessness**

You should serve only in the public interest, and should never improperly confer an advantage or disadvantage on any person, organisation or group, or any other third party.

2. **Honesty and Integrity**

You should not place yourself in situations where your honesty and integrity may reasonably be questioned, you should not behave improperly and should avoid the appearance of such behaviour.

3. **Objectivity**

You must make decisions based on the information before you, having had regard to any professional advice provided to you and in accordance with your view of the public interest. You should make decisions on merit, this includes when making appointments, awarding contracts, or recommending individuals for awards or other recognition.

4. **Accountability**

You are accountable to the public for your decisions and actions and the manner in which you carry out your duties. You must co-operate fully and honestly with any scrutiny appropriate to your office. You should not undertake any action which would bring the Council, your position, or the position of Members generally, into disrepute.

5. **Openness**

You must be as open as possible about your actions and those of the authority, and should be prepared to give reasons for those actions.



6. Leadership

You must promote and maintain high standards of conduct by supporting these principles by leadership and by example, and should act in a way that secures or preserves the confidence of others. You must have due regard to the impartiality and integrity of the authority's statutory officers and its other employees.

This report details the training to be offered to Members to equip them to discharge their duties more effectively whilst upholding the above standards.

2. BACKGROUND

The annual member development programme is rolled out through 3 flexible cycles. Currently these are February-April, May-September and October through to January.

The majority of the programmes are delivered on a cross-party basis with the option for parties to request their own bespoke versions (e.g. media skills).

The commissioning of programmes is largely Member-led with the Party Whips playing a key role in approving each programme and highlighting their Group's requirements. The Standards Committee also commission training based on needs identified to ensure the maintenance of high standards of conduct. Other key contributors to the programme include the Governance and Audit Committee and the Overview and Scrutiny Committees

Programmes are also suggested by various departments and then shaped by the Member Development Manager in liaison with Members. Increasingly programmes and resources are also being shared by colleagues across the Council e.g. Safeguarding and Speech Skills improved shared understanding of issues between elected Members and Officers. Involving a wide range of our partners in the programme, from Safeguarding partners to the Alzheimer's Society has helped to keep the programme outward looking and fresh.

In addition, partners such as the police and Trading Standards have been contributors to RealSafeguardingstories.com (as to which see below).

Members have also been contributors to a number of political awareness courses in 2016 and 2017, including the future leaders programme.

3. REVIEWING THE MEMBER DEVELOPMENT PROGRAMME 2016/7 AND NEXT STEPS

3.1 Safeguarding 2016/17 Programme

Adults and Children's safeguarding has been a major strand of the Member learning programme in 2016/17.



98% of Members have completed either the virtual college Child Sexual Exploitation e-learning programme –Safeguarding Children from Sexual Exploitation - or received a development session from the CSE Hub team.

In October 2016, as part of safeguarding week, there was a shared Members/Partners session 'What do you know and what do you need to know in Safeguarding'. This gave delegates the opportunity to meet and discuss with colleagues the key safeguarding issues affecting the District. Three new films from RealSafeguardingstories.com on domestic abuse, children's safeguarding and vulnerable adults were used. Feedback included a greater understanding of the dilemmas faced by partner agencies, a greater understanding of the opportunities to intervene earlier and a stronger understanding of the actual safeguarding issues highlighted in the films.

RealSafeguardingstories.com was launched in 2016. This is a learning tool dedicated to raising awareness of safeguarding issues. The film monologues explore Domestic abuse, Children's safeguarding and Adult Safeguarding. These compelling stories can be used for Member and Staff development and also to support our many different communities. For example, Members via a Train the Trainer session, focused on how they could facilitate sessions in their own wards using 'Jake' – a night time economy story. This film is also being used in Taxi drivers' training. This website has already generated income through the stories being played live in other Councils enabling us to further invest in the Site.

The website has to date received over 4000 hits worldwide and generated £2.5K for the Council.

3.1.2 Next steps for Safeguarding

- 3 new films on Sexting, Scams (mass marketing and door step) and pregnancy and domestic abuse have been written and will go live on RealSafeguardingstories.com in March. Further training materials and support from colleagues will be available to Members who wish to use these resources in their communities. These films have been developed in partnership with the police, Trading Standards and Domestic Abuse training colleagues.
- On March 1st we have scheduled a session on the Signs of Safety This session will explain the background to the Signs of Safety approach and why it has been adopted, our aspirations for a District wide approach to signs of safety, the role of elected Members and examples of how it has worked to date.
- On June 8th we have scheduled a training programme on CSE and boys. The overall aim is to address the key issues around male CSE and tackling the myths. There will be a parent perspective included in the programme.



- A series of 2 hour modules are being developed on the key areas of domestic abuse. These include Domestic Abuse – through the eyes of a Child – recognising the effects of domestic abuse on children, suggesting ways of working and responding to school notifications and Coercive Control – recognising the component parts of coercive control, how to evidence them and share information. Members are welcome to book attendance on these courses and further information will follow.

3.2 IT programmes and development 2016/17

- In 2016/17 the process of moving Members to the Workspace IT platform started. This provides a higher standard platform – more reliable and easier to support/trouble shoot. Further training will be provided to Members in getting the most out of Workspace.
- In April 2017 we will undertake an IT Skills audit to establish Member's skills and knowledge levels. Following on from this a training programme will be developed to assist Members get the most from the IT available. This will take the form of either coaching or small group courses e.g. file management, basic Microsoft word etc.
- A refresher session on Protecting Information will be scheduled. This session will include how to work with encryption tools for securely passing confidential data.
- In June 2017 there will be a course for Members on Data Protection and Freedom of Information. 'The objective is to provide an understanding of the key elements of the Data Protection Act (e.g. definitions, principles, rights). This will be provided within a context that is primarily concerned with processing personal data for Members' purposes (including email and telemarketing), forms of data sharing and the right of access. An understanding of the Freedom of Information Act/ Environmental Information Regulations will also be provided to take Members through the process from request to response'.
- In early July we will organise a website exhibition for Members demonstrating the latest websites that Members – from within the Council and partners – will find useful especially in terms of supporting ward work.

3.3 Evolve

In 2017 the newly acquired Evolve Learning management system will provide Members with the opportunity to access their training records, and book places on line – on Elected Members programmes or recommended Workforce courses. The system will make it easier for Members to access e-learning programmes e.g. dementia awareness. It will also provide a dedicated space for the latest resources on key topics such as flooding, information on West Yorkshire Combined Authority, dementia and safeguarding. Further information will be provided very soon



3.4 Personal Safety/Safely Together resources

In 2017 we will schedule another personal safety course for Councillors. This course challenges Members to consider how they manage their lone worker practices including surgeries, visiting constituents, safety at home etc.

Arising out of the discussion on the 2015 and 2016 courses Members were very keen for an APP/Website to be developed on personal safety. This has led to a project, which coincided with the Council acquiring a tracking software solution 'Bold', and an APP being developed for Members. This will be able to track movement, create an alarm alerting the emergency control room and a number of other features such as sharing diary appointments and alerts from Emergency Planning. Initially a small group of Members will test the tracking and alarm functions. As part of this project we are developing a complementary website highlighting key personal safety learning points such as safe layout of surgery venues. This website will be linked to the APP.

3.5 District Plan Workshops

In 2016 Council Plan outcome sessions were organised on Better Health Better Lives, A Great Start and Good Schools for all our Children and Better Skills, More Good Jobs and a Growing Economy. Members had the opportunity to meet a wide cross section of colleagues directly involved in a wide range of projects, to provide critical and constructive challenge to officers and obtain a greater understanding of the Council Plan.

3.6 Innovative Councillors

The Innovation Hub has established 'Inspirators' across the Council who are individuals available to work with teams and services on creating innovative solutions to challenges facing the Council. The Inspirators are officers who have shown commitment to improving innovation in the Council. They have developed skills in facilitating innovative approaches. The Hub currently meets monthly to work through an innovation process to identify problems, generate ideas and produce solutions. The Hub welcomes new members, is open to Councillors **and** is interested in creating links with Councillors and the communities they serve.

In September we will be hosting an innovation workshop for Members. This will provide creative opportunities to test innovation methods on challenges faced by Members in their wards. Outcomes will be an improved understanding of what innovation is and provide practical skills to support innovation approaches within communities. The workshop will be informal, friendly and work with the live challenges that Members submit.



3.7 Overview and Scrutiny

In June each year, as part of the induction programme, officers from Overview and Scrutiny deliver an introduction to scrutiny session. As there are no Council elections in 2017, a more in depth programme is being developed that will focus on scrutiny skills, accountability and community leadership.

This session will focus on accountability in an increasingly fast changing and complex policy and service delivery environment. It will be an opportunity for Scrutiny Members to consider how issues such as service integration and sub-regional decision making may impact on their role, not only as a key part of the governance structure of the Council, but in their wider community leadership role.

3.8 Conduct, Regulatory and Governance Training

Code of Conduct refresher training will take place in April, May and June 2017, as will refresher training for Members dealing with Planning/Licensing matters (who are obliged to act quasi-judicially). Sessions are also proposed on the organisation and functions of the West Yorkshire Combined Authority.

In addition to an "Introduction to Planning" module for any Councillors new to Planning Committee roles we will organise an update for Members on the latest Community Infrastructure Levy developments. This will include helping Members understand which areas qualify for Community Infrastructure Levy and how money can be distributed.

A session will also be organised for Members on the award of Hackney Carriage and Private Hire Licences, and the process involved when licences are withdrawn or suspended. The session will highlight the duty of care owed to members of the public. Members will have an opportunity to submit questions in the lead up to the session.

4. FINANCIAL & RESOURCE APPRAISAL

No financial issues arise from this report.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

Training will enhance both risk management and the Council's governance arrangements.

6. LEGAL APPRAISAL

No legal issues arise from this report.



7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

Training will enhance the Council's approach to equality and diversity.

7.2 SUSTAINABILITY IMPLICATIONS

The Member Development Programme aims to support the sustainability objectives of the Council.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

7.4 COMMUNITY SAFETY IMPLICATIONS

None

7.5 HUMAN RIGHTS ACT

Training will enhance the Council's regard for human rights.

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

Training is available to all Members and has strong links to Members' ward activities.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

Not applicable

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

Not applicable



10. RECOMMENDATIONS

The Committee are requested to note the training proposed and comment on further training which if provided could contribute to the maintenance of high standards of conduct.

11. APPENDICES

None

12. BACKGROUND DOCUMENTS

None

G:\Legal Services\HOS Support\City Solicitor\COMMITTEES\Standards Committee\2017\Standards Committee Report on Standards Training 2 March 2017.docx



This page is intentionally left blank