

EAST HAMPSHIRE DISTRICT COUNCIL
PENNS PLACE
PETERSFIELD
HAMPSHIRE
GU31 4EX



Telephone: 01730 266551
Website: www.easthants.gov.uk

STANDARDS COMMITTEE AGENDA

Date: Tuesday 22 June 2021

Time: 5.00 pm

Venue: Council Chamber, Penns Place, Petersfield, GU31 4EX

Public Attendance

Please note that the Council Chamber has very limited capacity to safely accommodate members of the public in a Covid secure manner. Please contact the named officer below if you wish to attend in person, otherwise we would encourage attendance virtually via the webcast on the Council's website.

Membership: Councillor M Johnson (Chairman)

Councillors G Boxall (Vice-Chairman), P Davies, D Evans, M Gass and B Mouland

The business to be transacted is set out below:

Gill Kneller
Chief Executive

Date of Publication: 14 June 2021

Contact Officer: Lisa Papps 01730 234073
Email: lisa.papps@easthants.gov.uk

	Page
1 Apologies for Absence	
To receive and record apologies for absence.	
2 Chairman's Announcements	
3 Minutes	
To approve the minutes of the meeting held on 2 March 2021.	
4 Declarations of Interest	
To receive and record any declarations of interest from members present in respect of any of the various matters on the agenda for this meeting.	
5 Governance Improvement Action Plan Update Report	1 - 22
6 Confirmation of Membership of Constitution Liaison Panel	
At the Standards Committee on 2 March 2021, the Committee resolved to set up a Constitutional Liaison Panel (CLP) to consider amendments to the Constitution and report back to the Committee. This item is to confirm names of members to be appointed to the CLP.	
7 Code of Conduct Complaints - Paragraph 2.6 of the Members Code of Conduct Complaints Process (Part 4, Section B of Council's Constitution)	23 - 28
The committee will consider a report on Councillor Code of Conduct complaints received or ongoing since 1 January 2021.	
The appendix to the report is exempt, therefore the committee will be invited to consider passing a resolution to enter exempt session (agenda item 8) if it wishes to discuss the details contained within it.	
8 Exclusion of the Press and Public	
RECOMMENDED that the press and public be excluded as:	
a) It is likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that if a member of the public were present during the item there would be disclosure to them of exempt information as specified in Part 1 of Schedule 12A (as amended) to the Local Government Act 1972; and	
b) In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	

GENERAL INFORMATION

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Internet

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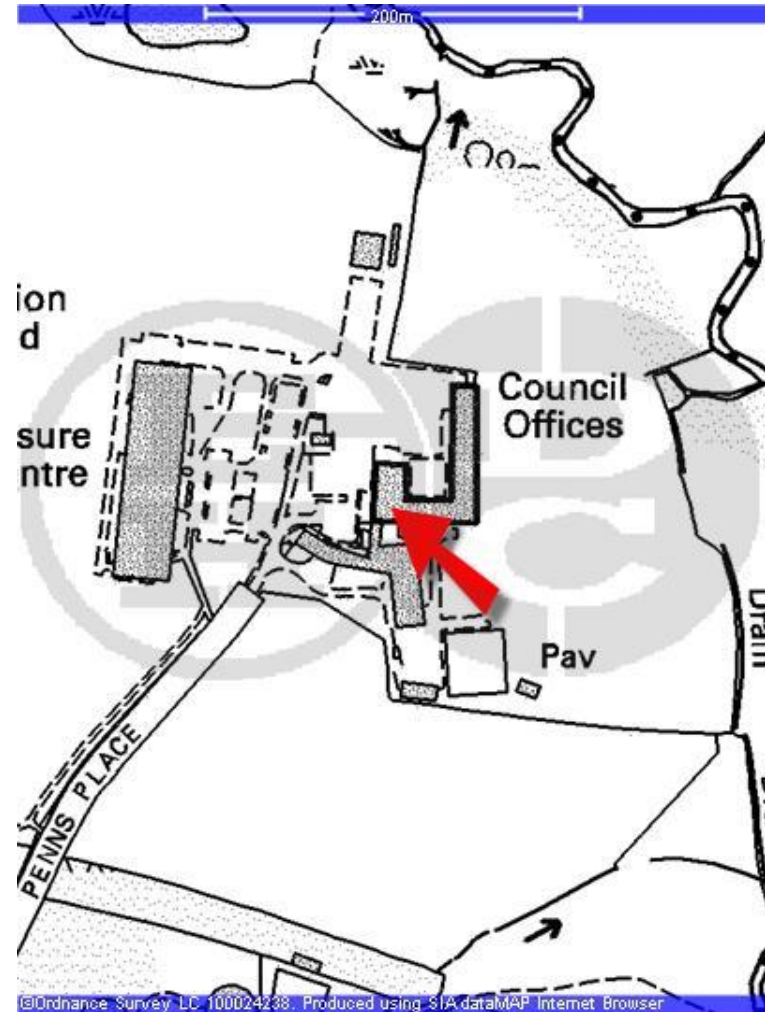
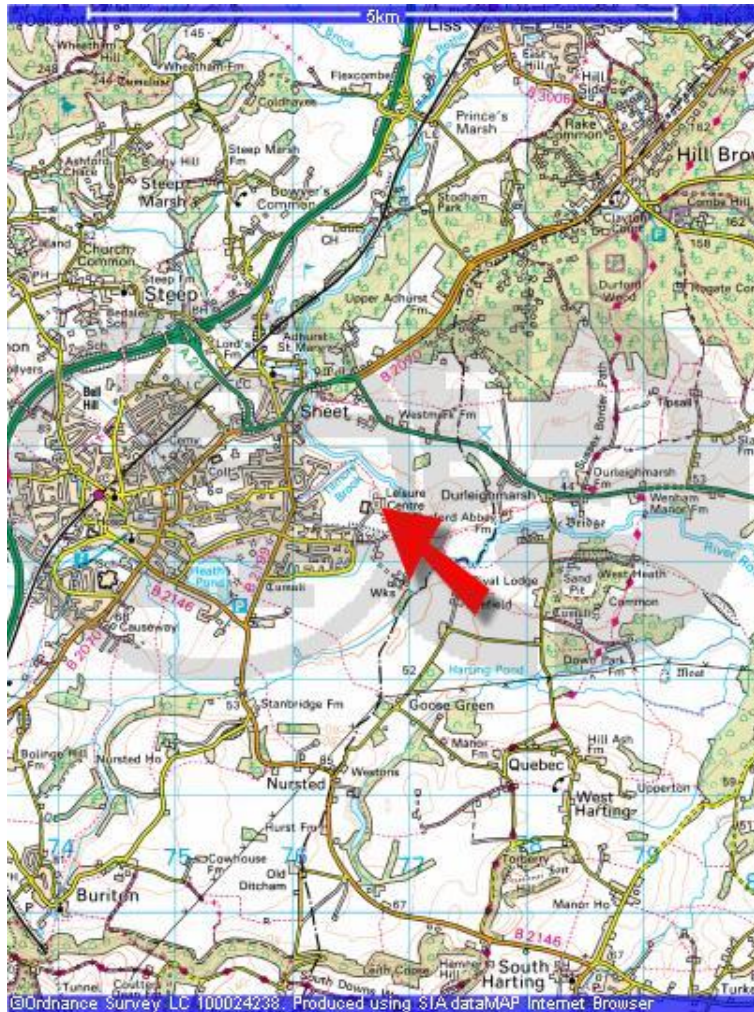
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NON-EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL

STANDARDS COMMITTEE

22nd JUNE 2021

GOVERNANCE IMPROVEMENT ACTION PLAN

FOR NOTING

Portfolio Holder: Cllr Richard Millard, Leader

Key Decision: No

Report Number: *EHDC/006/2021*

1. Purpose

- 1.1. This paper is submitted to Standards Committee for information, to provide an update on the Governance Improvement Action Plan (GIAP) that was reviewed by the committee on 2nd March 2021.

2. Recommendation

- 2.1. Members are requested to note:

The progress updates detailed in the Governance Improvement Action Plan at Appendix A.

3. Executive Summary

- 3.1. In early 2020 the Council commissioned an independent governance review to be carried out by David Bowles. The findings of the independent governance review were published in December 2020 and were reviewed at the 8th December meeting of Standards Committee. At this meeting the Committee invited the Chief Executive to prepare a detailed action plan to address the recommendations of the review.

- 3.2. As a result, the governance improvement action plan was prepared by officers and reviewed at the Standards Committee meeting on the 2nd March 2021. The completion of the (GIAP) is being monitored and overseen by the Corporate Governance Board, which is chaired by the Monitoring Officer.
- 3.3. This report is brought to Standards Committee to provide information on the progress made so far against the action plan.
- 3.4. Further reports will be made to Standards Committee in September 2021 & December 2021 on the progress made against David Bowles' recommendations, as promised at the 2nd March 2021 meeting.

4. Additional Budgetary Implications

- 4.1. None.

5. Background and relationship to Corporate Strategy and/or Business Plans

- 5.1. Not applicable. This is a progress update only

6. Options considered

- 6.1. Not applicable. This is a progress update only

7. Resource Implications

7.1. Financial Implications

Not applicable. This is a progress update only

7.2. Human Resources Implications

Not applicable. This is a progress update only

7.3. Information Governance Implications

Not applicable. This is a progress update only

Section 151 Officer comments

Date: 14th June 2021

There are no financial implications arising from this report.

7.4. Other resource implications

Not applicable. This is a progress update only

7.5 Legal Implications

Not applicable. This is a progress update only

8. Risks

8.1. Not applicable. This is a progress update only

Monitoring Officer comments

Date: 14th June 2021

Regular reporting on the progress of the Governance Improvement Action Plan is an important process committed to in Jan 2021. This represents an ongoing commitment by the council to best practice in good governance.

9. Consultation

9.1. Not applicable. The process on consulting on the contents and progress of the GIAP are set out in detail above. This is a progress update only

10. Communication

10.1. Not applicable. This is a progress update only

11. Appendices

11.1. Appendix A: GIAP

Agreed and signed off by:

Director: Peter Lewis (signed 14 June 2021)

Section 151 Officer: Matthew Tiller (signed 14 June 2021)

Deputy Monitoring Officer: Mark Watkins (signed 14 June 2021)

Contact Officer

Name: Daniel Toohey

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Governance improvement action plan

Following the governance review carried out by David Bowles during 2020, the Council has prepared a governance improvement action plan to address his recommendations. This was reviewed by Standards Committee in March 2021 (papers can be found at <https://easthants.moderngov.co.uk/ieListDocuments.aspx?CId=390&MIId=2663>).

The following table sets out the 17 recommendations from David Bowles' review, along with the actions the Council has committed to taking to fulfil these recommendations, and an update on the progress made since the review was finalised in December 2020.

Recommendation from David Bowles' report	Response / actions to be taken	Responsible person	Target date for completion	Update on progress
Recommendation 1: Values statement <i>The Leader and Chief Executive should consult upon and publish a brief statement of the values of the organisation perhaps focusing on behaviours and transparency and measure their actions and those of others against those values. Those values should promote individual personal responsibility for challenging improper and unacceptable behaviours.</i>	<p>The current Corporate Strategy (approved by full Council in September 2020 to cover the period up until 2024) includes the following values:</p> <ul style="list-style-type: none"> • Responsibility for our actions • Fairness and integrity in all we do • Responding to the needs of our community based on evidence • Respect and support for each other and our residents • Considering the future wellbeing of our area over short term expediency <p>A staff working group has been set up in December 2020 to review these values and consider how values can be embedded into the organisational culture, including through performance management and the work of the Culture Change Champions.</p>	Chief Executive	July 2021	The staff working group set up to discuss values, culture and behaviours has met several times to provide input to a values statement. This has then been taken forward with input from the Chief Executive and Leader with a view to taking to Joint HR Committee for approval shortly.
	<p>The Organisational Development team is also taking the opportunity to review the staff competency framework and ensure that it aligns with the values above and drives the right behaviours for the future.</p>	Head of Organisational Development	July 2021	The values work as detailed above has progressed but must be finalised before this action can be completed. The HR team are ready to review the competency frameworks as soon as the values are agreed.
Recommendation 2: Political conventions <i>To underpin an ethical culture the</i>	<p>David Bowles notes in his report that 'the value of effective Group Leaders' meetings in particular should not be underestimated. They can help reduce tension and</p>	Group Leaders	July 2021 and Ongoing	Regular Group Leader meetings have been held and will continue to occur on an ongoing basis.

<p><i>Council should consider whether to review and then formalise these types of arrangements and document them as 'political conventions' and enshrine them in the Constitution. Group Leaders need to work together to consider how their actions can help promote or hinder an ethical culture and should consider external support to help embed a healthy political culture.</i></p>	<p>can be a way of briefing and obtaining wider input from members on confidential or sensitive matters.'</p> <p>With this in mind, the Group Leaders will be encouraged to meet regularly, and will be supported by Democratic Services and the Monitoring Officer if they wish to enshrine political conventions within the Constitution.</p>			<p>The Monitoring Officer has drafted an informal joint-working protocol document for Group Leaders with a practical approach to enhance engagement between groups at group leader level. This is expected to be taken to for discussion by group leaders at the next group leader meeting.</p>
	<p>A joint working protocol will be prepared that will define regular informal Group Leader meetings, in order to enhance cross-party working and encourage communication on matters such as Council meetings and governance issues.</p>	Monitoring Officer	December 2021	<p>See update above.</p> <p>This target date has been extended to allow the Group Leader joint-working protocol, once agreed to be linked to the Constitution</p>
<p>Recommendation 3: Strengthening the officer culture</p> <p><i>While recognising the democratic legitimacy of elected members the Chief Executive needs to work with staff and members to re-establish appropriate roles and change an officer culture which had become overly compliant, to one which supports an ethical culture and where officers and members can talk frankly to each other.</i></p>	<p>In addition to the actions specified for Recommendation 1 which will also address this Recommendation, the following actions will be taken:</p>			
	<p>The adoption of a new Constitution, which takes effect on 4th January 2021, will be accompanied by workshops and training sessions for officers to help embed the Member/Officer Relations Protocol.</p>	Monitoring Officer	March 2021,	<p>The new Councillor Development Programme features a series of mandatory and optional modules designed to ensure that councillors have the skills and knowledge to be able to fulfil their roles effectively. This includes guidance on transparency, access to information and delegated decision making as set out in the Constitution. The training programme has been approved by the Councillor Development Panel and is now being implemented.</p> <p>Training for officers on decision making, the new Cabinet and Committee terms of reference and the</p>

				<p>Scheme of Delegations has been prepared and has been rolled out to the Corporate Management Team, Legal And Democratic Services, and with other key officer groups to be identified and cascaded via Heads of Service shortly.</p>
	<p>In order to reinforce the different roles of officers and councillors, a new process has been put in place to ensure Executive Board have oversight of the reports being written and (when the report has been requested by a member of Cabinet) approve the spending of officer time on writing that report. This is becoming embedded via targeted training sessions for officers and by increased visibility of the Forward Plan. This process will be reviewed on an ongoing basis to ensure that it is fulfilling its purpose.</p>	<p>Section 151 Officer / Monitoring Officer</p>	<p>Ongoing</p>	<p>Two Heads of Service have been tasked with reviewing the new process and have reported back to Executive Board on their findings. A separate action plan has been prepared and this is being taken forward internally. The process and progress made will be reviewed again in September 2021.</p>
	<p>A full training programme will be developed for both Members and officers, consisting of a series of modules that require completion. This will be a continual rolling programme of development with mandatory elements which need to be completed and evidenced through learning logs (officers) and Democratic Services monitoring (Members).</p> <p>The Member development programme will include mandatory, recommended and optional elements to ensure that all Members have an awareness and understanding of Council functions and associated governance.</p>	<p>Head of Organisational Development</p>	<p>March 2021</p>	<p>The new Councillor Development Programme features a series of mandatory and optional modules designed to ensure that councillors have the skills and knowledge to be able to fulfil their roles effectively. The training programme has been approved by the Councillor Development Panel and is now being implemented.</p> <p>The 'Be The Best You Can Be' training and development programme for officers has now been launched and new resources are being added as they are identified. The 'learning log' approach allows officers to complete the activities</p>

				<p>that are relevant and appropriate for their role.</p> <p>In addition, the development and launch of a new staff intranet in spring 2021 has provided an opportunity to completely review and refresh the guidance and resources available for officers on corporate governance matters such as internal audit, report writing and risk management.</p> <p>The performance management process is currently being reviewed by the HR team to ensure that learning and development of officers continues to be prioritised.</p>
	<p>A programme of CEO-led Council-wide events will be agreed to focus on leadership and culture within the organisation. The rolling programme of leadership events will commence from Q1 2021-22.</p>	<p>Chief Executive / Head of Organisational Development</p>	<p>December 2021</p>	<p>Discussions are ongoing about timing of leadership conference given that there is still some work that needs to be done to fully understand the culture of the organisation as part of the Shaping our Future programme. The target date has therefore been revised to December 2021.</p>

<p>Recommendation 4: Re-establish proper decision taking</p> <p><i>The review of the Constitution will provide an opportunity to formally document proper decision taking whether that be by officers, Portfolio Holders, Cabinet or the Council itself. That should be supported by intensive work not just with members but also with officers who may have lost sight of proper process. This should be externally facilitated.</i></p>	<p>The updated Constitution, which was approved at full Council in November 2020, is a more modern, streamlined document that should be far easier to understand and put into practice. The revised Constitution is due to take effect from 4th January 2021 and its introduction will be supported by workshops and training sessions, as we recognise this as an ideal opportunity to strengthen both officers' and councillors' understanding.</p>	<p>Monitoring Officer</p>	<p>March 2021</p>	<p>The new Councillor Development Programme features a series of mandatory and optional modules designed to ensure that councillors have the skills and knowledge to be able to fulfil their roles effectively. This includes guidance on transparency, access to information and delegated decision making as set out in the Constitution. The training programme has been approved by the Councillor Development Panel and is now being implemented.</p> <p>Training for officers on decision making, the new Cabinet and Committee terms of reference and the Scheme of Delegations has been prepared and has been rolled out to the Corporate Management Team, Legal And Democratic Services, and with other key officer groups to be identified and cascaded via Heads of Service shortly.</p>
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	<p>New resources have been designed and implemented during summer 2020 to improve officers' understanding of the decision making process, including a flowchart, detailed procedure notes and refreshed report template – in particular, taking the opportunity to clarify and formalise aspects of the process to ensure that Executive Board have earlier oversight of the reports that are being written and decisions that are being recommended. All officers taking reports through the decision-making process must now also consult with the Finance and Legal teams prior to the final review by the Section 151 Officer and Monitoring Officer before the report proceeds to Cabinet or full Council. Targeted training sessions were held in November 2020 to develop officers' understanding of report writing in the context of the clarified procedures. A survey circulated after the training sessions showed that, so far, 100% of respondents felt that their understanding of the decision making process had been improved by attending the session. This process and resources will be reviewed on an ongoing basis to ensure that they are fulfilling their purpose. Refresher training sessions on the process will be held in Q1 2021-22 with consideration of additional 'bitesize' training to improve officer understanding.</p>	<p>Section 151 Officer / Monitoring Officer</p>	<p>Ongoing</p>	<p>Two Heads of Service have been tasked with reviewing the new process and have reported back to Executive Board on their findings. A separate action plan has been prepared and this is being taken forward internally. The process and progress made will be reviewed again in September 2021.</p> <p>In addition, the development and launch of a new staff intranet in spring 2021 has provided an opportunity to completely review and refresh the guidance and resources available for officers on corporate governance matters such as internal audit, report writing and risk management. This will be reviewed on an ongoing basis.</p>
	<p>Training for Members will be developed to cover the roles and responsibilities of officers and councillors, the role of scrutiny and best practice for decision making. This will be mandatory for all councillors, both new and long-standing.</p>	<p>Monitoring Officer</p>	<p>August 2021</p>	<p>The new Councillor Development Programme features a series of mandatory and optional modules designed to ensure that councillors have the skills and knowledge to be able to fulfil their</p>

				roles effectively. The training programme has been approved by the Councillor Development Panel and is now being implemented.
<p>Recommendation 5: Transparency in decision taking</p> <p>a) Forward Plan <i>The Council has a Forward Plan: the original statutory basis for the publication of a Forward Plan was transparency. Forward Plans may not be the most exciting of publications but in addition to enhancing transparency, used properly they can aid early discussion between members and officers of significant issues. Before an item gets onto the Forward Plan the proper processes for taking the decision should be agreed. A more robust Forward Plan will allow Scrutiny to better understand issues which will be coming forward, assist in prioritising work and smooth the political management of the Council. It should be updated regularly, preferably via discussion with Cabinet and published prominently on the Council's website. It should be a living working document. The title of the</i></p>	<p>During summer 2020 we have introduced a new internal Forward Plan to allow senior officers to track which reports have been commissioned and when they are scheduled to go to EB, Cabinet Briefing, Cabinet, and full Council. This has been shared with Heads of Service to encourage transparency and enable more efficient planning of decision making, and is discussed at Executive Board meetings every week to ensure they have oversight of the decisions that are making their way through the process. The new procedure for taking a report through the decision making process specifies that information such as who the decision maker is, whether the item is a Key Decision and who the Portfolio Holder is must now be agreed at the time that an item is added to the Forward Plan, as well as the importance of a clear and comprehensive title. This has been emphasised in targeted training for officers. Democratic Services are currently undergoing a service review to ensure that they are a multi-skilled team able to support the democratic process, and similar improvements to the external published Forward Plan are to follow when the new team structure is in place and fully recruited to.</p>	Monitoring Officer	March 2021	<p>This has now taken place or has been completed.</p> <p>Clearer titles are now being used for reports when they are added to the Forward Plan.</p> <p>The Democratic Services team service review is now complete. The recruitment exercise has been completed to fill the posts.</p>
	<p>The Forward Plan will be reviewed at each Cabinet meeting to ensure it captures all upcoming items and that Cabinet are fully aware of the</p>	Monitoring Officer	Ongoing	This is now taking place.

<p><i>agenda items and other information provided in the Plan should be sufficient to enable members and the public to understand the issues coming forward.</i></p>	<p>programme of work coming forward.</p>			
	<p>The Communications team will consider how best to promote the Forward Plan on the website (currently found within the Democratic section) to make it more visible.</p>	<p>Head of Organisational Development</p>	<p>March 2021</p>	<p>The Communications team have considered several different options for raising the profile of the Forward Plan, including promoting it on the website homepage, issuing periodic messaging on social media about what the Forward Plan is and where to find it, and including links in email newsletters that are sent to residents. During the Covid-19 pandemic, links to watch the digital Cabinet, full Council and committee meetings have been promoted in a banner across the top of the homepage and on social media, which has resulted in significantly larger public engagement with these meetings.</p>
<p>Recommendation 5: Transparency in decision taking</p> <p>b) Planning <i>Post Covid, the Council should, as a minimum, record meetings of its Planning Committee and make those readily available to the public.</i></p>	<p>As a result of the Council's shift to digital committee meetings during the Covid-19 pandemic, all committee meetings (with the exception of exempt sessions) are currently being recorded and archived on the Council's website. It is yet to be decided by central government whether the legislation introduced to allow virtual Council meetings will be extended beyond the Covid-19 emergency period, but having seen the increased engagement with residents as a result, the Council is committed to maintaining the recording of committee meetings even if these are no longer streamed live.</p>	<p>Monitoring Officer</p>	<p>Ongoing</p>	<p>Following the confirmation that the legislation allowing for remote meetings would not be extended beyond May 2021, the Council continues to record and livestream Cabinet and committee meetings even though they are no longer being held remotely.</p>

<p>Recommendation 5: Transparency in decision taking</p> <p>c) Wider member briefings</p> <p><i>The Council should review how confidential information on key developments or from external bodies, such as those dealing with Whitehill and Bordon, is shared within the Council (perhaps via Group Leaders meetings) and how items which are not confidential can be made more widely available.</i></p>	<p>Future Member Briefings will be timetabled for six months in advance and publicised to Members.</p>	<p>Monitoring Officer</p>	<p>Ongoing</p>	<p>Two regular Member Briefings a year have now been added to the programme as agreed by Executive Board.</p>
	<p>The new governance arrangements for Whitehill & Bordon will be shared with Members through a Member Briefing early in 2021.</p>	<p>Head of Regeneration</p>	<p>March 2021</p>	<p>The governance arrangements for Whitehill and Bordon have been reviewed and publicised and the team have briefed the Leader and Portfolio Holder on these. Ward councillors have also received a briefing.</p>
<p>Recommendation 6: Compromise agreements</p> <p><i>The Council should review the wording used in any compromise agreements to ensure that they positively state that any confidentiality clauses do not 'gag' employees from raising legitimate concerns about governance within the Council, whether covered by 'public interest' or not.</i></p>	<p>The Organisational Development team are currently reviewing the exit process and will incorporate guidance to this effect in their written policies and procedures. The advice of the Monitoring Officer will be sought in the case of any future compromise agreement.</p> <p>Compromise/settlement agreements will only be used in accordance with HR policies and to follow sector best practice guidelines.</p>	<p>Monitoring Officer / Head of Organisational Development</p>	<p>March 2021</p>	<p>The exit procedure has now been reviewed and updated by the HR team. An exit questionnaire is now available digitally for staff to complete.</p> <p>The Monitoring Officer is consulted for advice on any proposed compromise agreement.</p>
<p>Recommendation 7: Scrutiny</p> <p><i>The Council should consider how it can further develop and strengthen Scrutiny to ensure it is relevant and focused, including through reviewing whether there can</i></p>	<p>Democratic Services are currently undergoing a service review to form a shared, multi-skilled team that is able to support the democratic process both at East Hants and Havant. A shared team with aligned processes will result in improved efficiency and improved resilience and this should enable the development of the scrutiny function at both</p>	<p>Monitoring Officer</p>	<p>August 2021</p>	<p>The service review of Democratic Services is now complete. The new Senior Democratic Services Officer post is the lead Democratic Services officer for scrutiny and this post has now been recruited to. Interviews and shortlisting for the Democratic Services</p>

<p><i>be some dedicated officer resources devoted to it. It should also consider whether there is scope for improving the function by some co-ordination with Havant.</i></p>	<p>Councils. The rollout of the new Constitutions at both Councils will provide a coordinated and broadly similar structure of scrutiny and oversight committees.</p>			<p>Team Leader role have taken place and all other vacancies have been filled.</p>
	<p>Mandatory training will be introduced for members of the Overview & Scrutiny Committee to ensure the role of the Committee is clear.</p>	<p>Monitoring Officer</p>	<p>March 2021</p>	<p>A general training session followed by a workshop training session on work planning has occurred for all Overview & Scrutiny Committee members and Cabinet members. The Councillor Development Programme, which includes mandatory training for O&S members as well as broad training on the structure for newly inducted Members, has been approved by the Member Development Panel.</p>
<p>Recommendation 8: Standards Committee</p> <p><i>Officers and Members need to commit to using the Standards Committee for its stated purpose and the Council acknowledge that the joint failure to act in a timely manner in the past has exacerbated problems.</i></p>	<p>The Council has been working to improve understanding of the role of the Standards Committee since its re-establishment in summer 2019. The independent governance report has provided an opportunity for improved visibility of the Standards Committee and the strengthened role of the Monitoring Officer has already begun to have an effect, with several cases already having been referred to the Standards Committee for investigation in October 2020 (all of which were resolved informally).</p>	<p>Monitoring Officer / Group Leaders</p>	<p>Ongoing</p>	<p>The Council is continuing to raise the profile of the Standards Committee; a minimum of four standard meetings of the committee have been added to the corporate calendar and this will be the case in future years. There are standing items on the agenda that deal with reports on existing Member complaint matters, and any proposed amendments to the Constitution.</p>
	<p>Training on the structure and role of committees, including Standards Committee, is currently being developed for officers and will be incorporated into the introduction of the new Constitution.</p>	<p>Monitoring Officer / Head of Organisational Development</p>	<p>March 2021</p>	<p>Training for officers on decision making, the new Cabinet and Committee terms of reference and the Scheme of Delegations has been prepared and has been rolled out to the Corporate</p>

				Management Team, Legal And Democratic Services, and with other key officer groups to be identified and cascaded via Heads of Service shortly.
<p>Recommendation 9: Application of the Councillors' Code of Conduct</p> <p><i>The Code of Conduct, which has been updated, should have a short annex as part of the Code describing many of the more routine issues a Councillor may face and deal with the issues of perception, as set out in 3.2.4.</i></p> <p><i>In the section in the 'Preamble to the Code' reference is made to the need to 'comply with Protocols contained in or linked to the Council's Constitution'. In my opinion the relevant protocols should be explicitly identified, and consideration should be given as to whether any of the Codes or Protocols should form part of the Councillors' Code of Conduct.</i></p>	The Code of Conduct will be updated as recommended.	Monitoring Officer	December 2021	<p>This will be considered at the next Standards Committee meeting followed by a referral to full Council for approval.</p> <p>Particularly, the Standards Committee in June 2021 will confirm the make-up of eth Constitution Liaison Panel)CLP) to which will be brought amendments for discussion, before bringing same to the Standards Committee in September or December 2021, prior to referral up to full Council for approval. The target date for this action has been amended to December 2021 due to the need for changes to the Constitution to be approved by full Council.</p>
<p>Recommendation 10: Group discipline</p> <p><i>In serious cases or repeated cases, in addition to reference to the Standards</i></p>	This will be raised at Group Leaders meetings. The Monitoring Officer will provide advice and guidance where appropriate. Group Leaders should remain committed to addressing serious matters within their Groups promptly and with the benefit of	Group Leaders	Ongoing	This is an ongoing commitment.

<p><i>Committee, Group Leaders should commit to the exercise of regulation through political groups.</i></p>	<p>advanced discussions with statutory officers.</p>			
<p>Recommendation 11: Monitoring Officer</p> <p><i>Monitoring Officers have a key role in supporting the Chief Executive and members on the ethical values of the Council. Some Councils undervalue the post of Monitoring Officer. The Council should not do so and should ensure that at all times the post holder has not just the required technical skills and personality to work constructively with members but also the strength to intervene and take action when advice is not heeded.</i></p>	<p>The Monitoring Officer role has been strengthened in recent years - as the Head of Legal, the post holder now manages both the Legal Services and Democratic Services teams, enabling a more joined-up approach. The Monitoring Officer is also now a regular member of the Corporate Governance Board and is benefitting from increased visibility within the organisation.</p> <p>It is important that the Monitoring Officer display both a depth of knowledge and experience in legal and governance matters but also have sufficient experience in such a role to afford the gravitas required to engage with Members and address interventions where required.</p>	<p>Chief Executive</p>	<p>Ongoing</p>	<p>This is an ongoing commitment.</p>
<p>Recommendation 12: Revisions to Codes and Protocols</p> <p><i>The Council should consider the observations I make about the content of those documents. There needs to be explicit statements on members not instructing officers, and strong advice cautioning against meetings with</i></p>	<p>The Codes and Protocols will be reviewed in accordance with the recommendation.</p>	<p>Monitoring Officer</p>	<p>December 2021</p>	<p>These Codes and Protocols are being reviewed by the Monitoring Officer with a view to any proposed amendments coming up to Standards Committee.</p> <p>The target date for this action has been amended to December 2021 due to the need for changes to the Constitution to be approved by full Council.</p>

<p><i>developers/possible business partners or contractors.</i></p>	<p>Member training will include a training module on the 'Member Enquiry Programme'.</p>	<p>Head of Organisational Development / Monitoring Officer</p>	<p>March 2021</p>	<p>This has been included in the new Councillor Development Programme which has been approved by the Councillor Development Panel.</p>
<p>Recommendation 13: Member development and training</p> <p><i>The observations from members about short refresher sessions including on conflicts of interest should be considered. The Council should review how it inducts new members in particular to get them up to speed as soon as possible. If new members cannot navigate the Council properly and effectively it hampers them in their patch role. Training for all members on the new Councillors' Code of Conduct and the revised Codes, Protocols and Policies should be mandatory, emphasising issues such as perception.</i></p>	<p>Mandatory training will be developed and delivered for all Members on these topics. The councillor development programme will be an ongoing programme, refreshed and enhanced every year going forward, and will clearly define the training available to Members including requirements for mandatory attendance.</p>	<p>Head of Organisational Development / Monitoring Officer</p>	<p>Ongoing</p>	<p>The new Councillor Development Programme features a series of mandatory and optional modules designed to ensure that councillors have the skills and knowledge to be able to fulfil their roles effectively. The training programme has been approved by the Councillor Development Panel and is now being implemented.</p>
<p>Recommendation 14: Staff surveys and exit interviews</p> <p><i>The Council should re-introduce exit interviews for staff. Those exit interviews should be used along with staff survey data to assess the health of the organisation. The feedback from</i></p>	<p>The HR service returned in-house in April 2020 which has provided an opportunity to review and improve the exit process. The Organisational Development team are currently considering how best to gather the necessary information from exit interviews in order to ensure knowledge gained feeds into lessons learnt and will document this in their policies and procedures.</p>	<p>Head of Organisational Development</p>	<p>March 2021</p>	<p>The exit questionnaire and process has been updated so data can be collated for the future.</p>

<p><i>such interviews and the staff survey should be made available as part of the annual governance statement and reported to the Standards Committee. There should be specifically worded questions in staff surveys about culture and relationships asked on an annual basis so the Council can track the health of the organisation.</i></p>				
	<p>Feedback provided within exit interviews will remain confidential. Analysis by the HR team of data collected will enable trends/concerns to be highlighted to the Staff Welfare Group and interventions identified to address these.</p>	<p>Section 151 Officer / Monitoring Officer</p>	<p>Ongoing</p>	<p>The exit questionnaire and process has been updated so data can be collated for the future. This is an ongoing commitment.</p>
	<p>The Annual Governance Questionnaire, a survey which asks for respondents' self-assessment of how well governance arrangements are working in their service and feeds into the Annual Governance Statement, was opened up to all staff for the first time in January 2020. Each year the results are analysed, circulated and used to inform the governance work programme.</p> <p>In January 2021 the questionnaire will be repeated with new questions asking for respondents' views on the culture and values of the organisation. This will then be reported in the Annual Governance Statement 2020-21 which will be taken to Audit Committee in draft form in June 2021.</p>	<p>Section 151 Officer / Monitoring Officer</p>	<p>June 2021</p>	<p>The Annual Governance Questionnaire run in January 2021 included a new question asking for respondents to select 'strongly agree', 'agree', 'neutral or not sure', 'disagree' or 'strongly disagree' to a range of statements describing the Council's culture and the behaviours displayed by both officers and councillors. The results of the questionnaire were analysed and shared with Executive Board and all staff via Team Talk. The number of respondents increased by 50% from the previous year's survey, which gives a higher degree of confidence in the results (larger sample size implies more representative of the staff population). Notable results included: almost 100% of respondents believe that officers generally act in the public interest, whereas around 62% of respondents believe that councillors</p>

				<p>generally act in the public interest with a further 35% being unsure. More than three quarters of respondents agreed that councillors and officers are able to work together effectively.</p> <p>Concerningly, around 17% of respondents said they would not feel able to report unethical or improper behaviour if it occurred.</p> <p>These results were reported to Audit Committee in June 2021 as part of the draft Annual Governance Statement.</p> <p>The survey will be repeated in January 2022 and the results will be analysed to identify any trends in the data to see if there have been any significant shifts in perception.</p>
<p>Recommendation 15: Appraisal and development of officers</p> <p><i>Regardless of the comments in this review it is important that members do feel able to feed back to senior officers their perception of the performance of staff in accordance with that protocol. (In so doing they should recognise they may only see how an officer 'performs' in a member environment and may not be able to judge the officer's professional, technical, staff</i></p>	<p>The appraisal process for senior officers will be reviewed by the Head of Organisational Development in consultation with the Chief Executive and the Group Leaders and approach will be confirmed for arrangements going forward.</p>	<p>Head of Organisational Development</p>	<p>August 2021</p>	<p>A revised performance management process for all officers will be reviewed by Executive Board shortly. Following agreement, the appraisal process for senior officers will also be reviewed and amended if needed against the backdrop of the revised PM processes.</p>

<p><i>management and other skills). Senior officers should use that feedback to help with the development of staff.</i></p> <p><i>However senior members of the controlling and opposition group should also have appropriate input into the annual appraisal of senior officers of the Council. The Council should consider how that could be structured for the Chief Executive. The Chief Executive should consider how this may be structured for direct reports and potentially Heads of Service.</i></p>				
<p>Recommendation 16: Looking forward</p> <p><i>Members should put their energies into moving forward and consolidating improvements, rather than re-investigating the past.</i></p>	<p>At the 8th December 2020 meeting of the Standards Committee, Members praised the work that has already been accomplished to address historic governance issues and acknowledged the importance of looking to the future. The Leader of the Council has made a public apology for behaviour that was allowed to continue under his administration and committed to holding regular Group Leaders meetings. It is hoped that a renewed effort for collaboration between the political groups will ensue and that these relationships will continue to strengthen and improve in the coming years.</p>	<p>Members</p>	<p>Ongoing</p>	<p>This is an ongoing commitment.</p>

<p>Recommendation 17: Further assessment</p> <p><i>The Council should consider a further assessment of its culture and progress against these recommendations in 12 months' time, perhaps via a review report to Cabinet and the Standards Committee. I understand the Council is to invite the LGA to conduct a peer review next year; the Council should explore whether that process can deliver a suitable progress report on these recommendations.</i></p>	<p>Progress made against this action plan will be monitored and overseen by the Chief Executive and the Council's Corporate Governance Board, which will provide a follow-up report to Standards Committee in December 2021.</p>	<p>Chief Executive</p>	<p>December 2021</p>	<p>The action plan has been circulated to responsible people (listed against actions) in advance of Corporate Governance Board meetings to collect updates on progress which are then discussed during the meeting. The Board will provide a report to Standards Committee in December 2021 as promised.</p>
	<p>The LGA peer review in 2021 will also consider corporate governance in the context of this review and the Chief Executive will ensure that this is stated in the Terms of Reference (though the final report may not be available until 2022, depending on continued uncertainties as a result of Covid-19).</p>	<p>Chief Executive</p>	<p>December 2021</p>	<p>Work is underway on the LGA peer review, being led by the Director of Corporate Services. Meetings with the LGA taken place and a brief has been pulled together.</p>

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PART-EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL

Standards Committee

22 June 2021

Councillors Code of Conduct

FOR NOTING

Portfolio Holder: Cllr N Drew, Governance and Legal

Key Decision: No

Report Number: *EHDC/007/2021*

1. Purpose

- 1.1. To update the Committee on the Councillor Code of Conduct Complaints received by the Monitoring Officer or that have been ongoing, since 1 January 2021.

2. Recommendation

- 2.1. Members are requested to note the report.

3. Executive Summary

- 3.1. The Monitoring Officer has the responsibility of monitoring and dealing with Councillor Code of Conduct complaints and covers complaints relating to District, Town and Parish Councillors. This report details formal complaints, i.e. where the Monitoring Officer has received a formal complaint in the approved form.
- 3.2. The Monitoring Officer has a total of 11 complaints that have been received or are still ongoing since 1 January 2021.

2 in respect of District Councillors and 9 in respect of Town and Parish Councillors.

3.3 The attached spreadsheet (**exempt**) details the complaint in more detail.

4. Additional Budgetary Implications

4.1. None

5. Background and relationship to Corporate Strategy and/or Business Plans

5.1. This aligns with the requirements of the Constitution and the Terms of Reference of the Standards Committee.

6. Options considered

6.1. N/A

7. Resource Implications

7.1. N/A

7.2. Human Resources Implications

N/A

7.3. Information Governance Implications

N/A

Section 151 Officer comments

Date: 10.06.2021

There are no additional resources arising from this report.

7.4. Other resource implications

N/A

8. Legal Implications

8.1. N/A

9. Risks

9.1. N/A

Monitoring Officer comments

Date: 14 June 2021

Regular updates on existing member code of conduct complaints and associated process are a key requirement for ensuring the highest standard of member behaviour in keeping with best practise for good governance.

10. Consultation

10.1. N/A

11. Communication

11.1. N/A

12. Appendices

12.1. Appendix 1 – Spreadsheet - **EXEMPT**

13. Background papers

13.1. NONE

Agreed and signed off by:

Monitoring Officer: Daniel Toohey (signed 14.06.2021)

Section 151 Officer: Peter Lewis (signed 10.06.2021)

Contact Officer

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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