

Agenda

Standards Committee

Date: **Thursday 18 July 2024**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Francesca Whyley

Head of Governance and Customer Services

0115 901 3907

Standards Committee

Membership

Chair	Councillor Paul Feeney
Vice-Chair	Councillor David Brocklebank
	Councillor Stuart Bestwick
	Councillor Boyd Elliott
	Councillor Rachael Ellis
	Councillor Andrew Ellwood
	Councillor Clive Towsey-Hinton
	Rosalie Hawks
	Louise Kopyrko

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Responsibility of committee:

Within their terms of reference the Standards Committee will be responsible for:

- a) promoting and maintaining high standards of conduct by the members and co-opted members of the council;
- b) assisting members and any co-opted members of the Council to observe the Members' Code of Conduct;
- c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- d) monitoring the operation of the Members' Code of Conduct;
- e) advising, training or arranging to train members and any co-opted members of the council on matters relating to the Members' Code of Conduct;
- f) performing the functions set out in (a) - (e) above in respect of the parish councils in the Borough;
- g) granting dispensations to members and any co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- h) dealing with any reports from the Monitoring Officer on any matter;

- i) advising on what should be entered into the register of interests for members and co-opted members;
- j) dealing with matters relating to the recruitment of co-opted independent and parish members of the Standards Committee;
- k) dealing with matters relating to the recruitment of the Independent Person and to make recommendations to Council as to the appointment of the Independent Person.
- l) approving all strategies, policies, protocols and procedural documents that fall within the remit of the Committee (excluding budget and policy framework items).

AGENDA

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|----------|--|-----------------|
| 1 | Apologies for absence | |
| 2 | To approve, as a correct record, the minutes of the meeting held on 14 March 2024 | 5 - 6 |
| 3 | Declaration of interests | |
| 4 | Annual review of gifts and hospitality
Report of the Deputy Chief Executive and Monitoring Officer | 7 - 13 |
| 5 | Appointment of Independent Person and Reserve Independent Person
Report of the Deputy Chief Executive and Monitoring Officer | 15 - 18 |
| 6 | Code of Conduct Complaints Update
Report of the Deputy Chief Executive and Monitoring Officer | 19 - 139 |
| 7 | Any other item which the Chair considers urgent | |

MINUTES STANDARDS COMMITTEE

Thursday 14 March 2024

Councillor Paul Feeney (Chair)

Councillor David Brocklebank	Councillor Clive Towsey-Hinton
Councillor Stuart Bestwick	Councillor Russell Whiting
Councillor Andrew Ellwood	Louise Kopyrko
Councillor Des Gibbons	

Absent: Councillor Boyd Elliott and Rosalie Hawks

Officers in Attendance: C Goodall and F Whyley

23 APOLOGIES FOR ABSENCE

Apologies were received from R Hawks.

24 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 7 DECEMBER 2023

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

25 DECLARATION OF INTERESTS

None.

26 RECRUITMENT OF INDEPENDENT PERSON AND RESERVE INDEPENDENT PERSON

The Monitoring Officer introduced a report, circulated in advance of the meeting, seeking approval to commence recruitment to the positions of Independent Person and Reserve Independent Person.

RESOLVED that:

- 1) The Monitoring Officer be authorised to commence the recruitment process to the role of Independent Person and Reserve Independent Person from 14 July 2024 for 2 years;
- 2) Any suitable candidates for the role of Independent Person should be considered for the reserve role for the same period; and
- 3) A cross party interview panel should be established to interview

- candidates and make recommendations to appoint; and
- 4) Authority be delegated to the Monitoring Officer, in consultation with the Chair, to appoint alternative members to the interview panel should appointed members be unavailable.

27 CODE OF CONDUCT COMPLAINTS UPDATE

The Monitoring Officer introduced a report, circulated in advance of the meeting, informing members of the Standards Committee of complaints received between 7 December 2023 and 14 March 2024.

RESOLVED:

To note the report.

28 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.05 pm

Signed by Chair:
Date:



Report to Standards Committee

Subject: Gifts and Hospitality 2023/24

Date: 18 July 2024

Author: Monitoring Officer

Purpose

To inform Standards Committee of gifts and hospitality received between 1 April 2023 and 31 March 2024 and identify any issues arising from the annual review of the Register of Gifts and Hospitality.

Recommendation

THAT Committee:

- 1) Notes the details of the annual review of gifts and hospitality.

1 Background

- 1.1 The Council has a Gifts and Hospitality Code of Practice for Members and Officers to enable Members and Officers to decide on the circumstances and the manner in which gifts and hospitality may be accepted. The Code of Practice was reviewed during 2023 and minor amendments approved by both Standards Committee (December 2023) and Appointments and Conditions of Service Committee (October 2023). Since 2012 the register for officers has been held centrally in an electronic folder and during 2019 it was transferred to the online Employee Claims system. The system automatically sends an email reminder to Managers at the end of each quarter requesting that they ensure the register entries are up to date.
- 1.2 Quarterly reports in relation to the Gifts and Hospitality register are taken to Senior Leadership Team (SLT).

- 1.3 The register of gifts and hospitality for Members is still held in an electronic folder in the I:Drive and is updated on the Monitoring Officer's behalf by Democratic Services. Members received induction training in 2023 on the need to notify the Monitoring Officer of gifts and hospitality accepted in excess of £50 as this will be included on their register of interests in line with the Member Code of Conduct. In addition to this requirement, Members should notify the Monitoring Officer of any gifts and hospitality offered for inclusion on the members Gifts and Hospitality register. Members are being reminded on a quarterly basis to keep their Register of Interests including gifts and hospitality received up to date via the 'Councillor Contact' emails or by direct email.
- 1.4 The entries on the Register for officers shows that during 2023/24, across the Council's officers, 40 offers of gifts were made; 2 gifts were refused. One refusal was of gifts, the details of which were not specified by the offeror, but the offer was made to public protection officers and was made by an organisation that provides medical assessments for taxi drivers, it was not considered appropriate to accept in line with the Code of Practice. The other refusal was an offer made to planning policy and was refused due to the offer coming from a supplier. These refusals demonstrate an understanding by managers of the Code of Practice, however managers have been advised to give clear reasons for refusal on the register.
- 1.5 The most commonly recorded gifts were boxes of chocolates, boxes of biscuits and flowers given by members of the public to staff which were shared amongst teams. All gifts were of a low value.
- 1.6 Only one offer of hospitality was made in 2023/24 to officers, this was a gin tasting experience offered to Leisure Services and was refused at a value of £40.
- 1.7 The Gifts and Hospitality Register for Officers appears at Appendix 1. There was only one gift recorded on the Gifts and Hospitality Register for Members in 2023/24. The gift was a book of low value and was accepted.
- 1.8 In reviewing the register for officers, there are 6 more entries for 2023/24 than 2022/23, but it is still a significantly lower number than in 2019/20 (92 gifts recorded in 2019/20) prior to the pandemic where conferences and events were more frequently held face to face.
- 1.9 A review of the registered entries has identified that managers are generally prompt to respond and authorise gifts and hospitality where appropriate. Managers have been reminded to ensure officers are declaring any gifts and hospitality received. Following amendments to the Code of Practice in 2023, Heads of Service were briefed on the Code of Practice and cascaded information to teams.

- 1.10 There are no specific issues in relation to the value of gifts accepted, or repeat gifts from the same company which would give rise to a cause for concern. The large proportion of officer gifts are given to front facing services such as Customer services and Leisure Services and are received from customers.

2 Proposal

- 2.1 It is proposed that the Committee notes the report in terms of the annual review of Gifts and Hospitality and work undertaken to review the Code of Practice.

3 Alternative Options

- 3.1 Not to provide an update on gifts and hospitality offered to officers and members, however, given that the Code relates to officers and members, this is considered to be the appropriate forum for consideration of such offers.

4 Financial Implications

- 4.1 There are no financial implications arising from this report, as indicated, all gifts and hospitality accepted were of a low value.

5 Legal Implications

- 5.1 With regard to Officers, Section 117(2) of the Local Government Act 1972 provides that an Officer of a Local Authority shall not, under the colour of his or her office of employment, accept any fee or reward whatsoever other than his or her proper remuneration. The Bribery Act 2010 makes it an offence to seek, accept or agree to accept a financial or other advantage as an inducement or reward to perform a function improperly. In simple terms, it is a criminal offence for employees to seek or accept a financial or other advantage in return for making a decision, granting an award or performing any other public function, regardless of what decision is made.
- 5.2 The Code of Conduct requires Members to notify the Council's Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50.00 which they have accepted as a member from any person or body other than the authority within 28 days of receipt. Under the Code of Practice, members are also required to record gifts and hospitality on the

gifts and hospitality register, in addition, refusal of gifts offered should also be recorded.

- 5.3 The Council has a Gifts and Hospitality Code of Practice for Members and Officers which has been approved by Standards Committee and Appointments & Conditions of Service Committee but which should be kept under review.

6 Equalities Implications

- 6.1 There are no direct equality implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

- 8.1 Appendix 1 - Gifts and Hospitality Register for Officers 2023/24

9 Background Papers

- 9.1 None.

Statutory Officer approval

Approved by the Chief Financial Officer

Date:

Drafted by the Monitoring Officer

Department	Offer Date	Description	Amount	Acceptance
Welfare Services	17/08/2023	Dairy Box chocolates 162g	2.50	Accepted
Economic Growth & Regeneration	19/05/2023	A small selection of Indian Food, including samosas and skewers	9.00	Accepted
Customer services	09/05/2023	box of chocolates	2.00	Accepted
Customer services	18/12/2023	2 x box of biscuit's	5.00	Accepted
Customer services	24/01/2024	BUNCH OF FLOWERS	5.00	Accepted
Customer services	09/02/2024	BOX OF CHOCOLATES	5.00	Accepted
Public Protection	25/07/2023	2 bags of sweets and a chocolate bar	2.00	Accepted
Revenue Services	19/02/2024	2 boxes biscuits 5 phone chargers 5 notebooks	30.00	Accepted
Planning Policy	02/10/2023	N/A	0.00	Refused
Welfare Services	11/08/2023	small box of chocolates	5.00	Accepted
Planning	09/01/2024	Drink at informal 'women in planning' networking meet-up	10.00	Accepted
Leisure Services	22/08/2023	12 sugar-coated doughnuts given to Tony Parker	5.00	Accepted
Leisure Services	15/02/2024	A gin tasting experience for 2	40.00	Refused
Welfare Services	30/10/2023	Box of quality street chocolates	5.00	Accepted

Executive Office	12/07/2023	box of broken biscuits	3.75	Accepted
Redhill Leisure Centre	14/12/2023	Box of biscuits	5.00	Accepted
Redhill Leisure Centre	16/12/2023	Box of Christmas biscuits	5.00	Accepted
Redhill Leisure Centre	19/12/2023	Body Mist Bottle	5.00	Accepted
Redhill Leisure Centre	21/12/2023	Cadbury Roses	5.00	Accepted
Redhill Leisure Centre	27/12/2023	Cadbury Roses	3.50	Accepted
Redhill Leisure Centre	04/01/2024	Flapjacks	2.50	Accepted
Revenue Services	20/12/2023	Mcvities Victoria Biscuit Selection 550g	4.00	Accepted
Redhil Leisure Centre	28/07/2023	Figure 8 straps	5.00	Accepted
Public Protection	20/12/2023	Offer of 'gifts' - no specifics	0.00	Refused
Arnold Leisure Centre	22/12/2023	Sweets and Wine	10.00	Accepted
Arnold Leisure Centre	22/12/2023	A Cupcake	3.00	Accepted
Arnold Leisure Centre	22/12/2023	Bag of chocolates	4.00	Accepted
Arnold Leisure Centre	22/12/2023	Shortbread	3.00	Accepted
Arnold Leisure Centre	20/01/2024	Box of biscuits, accepted by Tony for all staff.	5.00	Accepted
Arnold Leisure Centre	04/08/2023	Two bags of chocolate	2.00	Accepted
Arnold Leisure Centre	12/12/2023	box of biscuits	3.00	Accepted
Arnold Leisure Centre	14/12/2023	tin of roses	5.00	Accepted

Arnold Leisure Centre	20/12/2023	3x small box of Luxury truffles	5.00	Accepted
Arnold Leisure Centre	04/09/2023	Trinket Jewellery box	2.50	Accepted
Arnold Leisure Centre	04/09/2023	Scented candle	2.50	Accepted
Arnold Leisure Centre	19/07/2023	3 boxes of chocolate	6.00	Accepted
Arnold Leisure Centre	06/09/2023	box of chocolates	3.00	Accepted
Arnold Leisure Centre	18/12/2023	2 bags of quality street	6.00	Accepted
Redhill Leisure Centre	20/12/2023	Small bag of Fudge	4.00	Accepted
Welfare Services	04/01/2024	Cherry Bakewell cake	2.00	Accepted
Welfare Services	12/01/2024	Whitakers Strawberry Creams	2.00	Accepted

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Report to Standards Committee

Subject: Recruitment of Independent Person and Reserve Independent Person

Date: 18 July 2024

Author: Monitoring Officer

Purpose

To recommend to Council that David Walsh should be appointed as Independent Person and John Baggaley be appointed as reserve Independent Person.

Recommendation

That Members:

- 1) recommend to Council that David Walsh be appointed as Independent Person under the Localism Act 2011 for 2 years; and
- 2) recommend to Council that John Baggaley be appointed as reserve Independent person under the Localism Act 2011 for 2 years.

1 Background

- 1.1 Members will recall that at the Standards Committee meeting in March 2024, it was agreed that steps be taken to recruit to the role of Independent Person and reserve Independent Person as both current appointments expire in July. The roles were advertised, and three applications were received. The candidates were interviewed by the Chair of Standards Committee, the Monitoring Officer and the Democratic Services Manager, who were appointed by the Chair due to the unavailability of other panel members.
- 1.2 The panel recommends, following interviews, that David Walsh be appointed as Independent Person for two years. David has a wealth of public sector experience, and a solid understanding of local government. In addition, the

interview panel recommends John Baggaley be appointed as reserve Independent Person who is able to act when the Independent Person is unable to do so for example as a result of a conflict in interest, ill-health or absence. John currently holds the Independent Person role and wishes to continue supporting the standards regime in Gedling.

2 Proposal

- 2.1 It is proposed that the Standards Committee recommends to Council that David Walsh be appointed as the Independent Person for 2 years and that John Baggaley be appointed as reserve Independent Person for a period of 2 years.

3 Alternative Options

- 3.1 The Committee could determine not to recommend appointment of these candidates despite both being recommended for the roles by the interview panel. The Committee for Standards in Public Life (CSPL) report recommended that to ensure that the Independent Person's judgement and independence is not compromised by a long period of involvement in a single authority, that Independent Persons should be appointed for a 2-year period only, renewable once. This Committee accepted that a 2-year appointment period for both the Independent and Reserve Independent was appropriate, in line with this recommendation, however, the number of applicants for the roles was limited. The government have responded to the CSPL recommendations (March 2022) in the following terms:

The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once.

The Government does not accept this recommendation as appropriate for legislation on the basis that it would be likely to be unworkable. The Government's view is that it would be more appropriately implemented as a best practice recommendation for local authorities. In principle, it may be attractive to limit the terms Independent Persons serve to keep their role and contribution "fresh" and avoid them becoming too closely affiliated with the overriding organisational culture. However, discussions with Monitoring Officers indicate that in practice most local authorities would likely find servicing this rate of turnover unachievable. There is frequently a small pool of people capable and willing to undertake the role, who also fit the stringent specifications of being amongst the electorate, having no political affiliation, no current or previous association with the council, and no friends or family members associated with the council. When local authorities have found effective Independent Persons who demonstrate the capability, judgement and integrity required for this quite demanding yet unpaid role, it is understandable that they may be reluctant to place limitations on the

appointment.

Taking into account the above, the experience that John Baggaley has historically had in the role and the number of applicants, the interview panel determined that the appointment of John Baggaley as reserve Independent person supporting a new Independent Person was appropriate. Whilst the CSPL recommendation is for a 2-year appointment renewable once, this is not a legislative requirement and is not necessarily always practical. It should also be noted that it is a legal requirement to have an Independent person, if these individuals are not recommended for appointment this would leave the council without an Independent Person from July.

4 Financial Implications

- 4.1 On appointment, the Independent person and reserve will be entitled to an allowance. This will be met from existing budgets.

5 Legal Implications

- 5.1 Standards Committee have authority to deal with the recruitment of Independent Persons and Reserves and to make recommendations to Council on appointment. There is a legal requirement to have an Independent person. There is no such requirement in terms of a Reserve Independent Person, however, it is recommended best practice by the CSPL. Recruitment should follow the requirements of the Localism Act.

6 Equalities Implications

- 6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

- 8.1 None

9 Background papers

- 9.1 [Government response to the Committee on Standards in Public Life review of local government ethical standards \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/consultations/committee-on-standards-in-public-life-review-of-local-government-ethical-standards)

Statutory Officer approval

Approved by the Chief Financial Officer

Date:

Drafted by the Monitoring Officer



Report to Standards Committee

Subject: Code of Conduct Complaints Update

Date: 18 July 2024

Author: Monitoring Officer

Purpose

To inform members of the Standards Committee of complaints received between 15 March 2024 and 18 July 2024.

Recommendation

THAT the report be noted.

1 Background

1.1 A summary of the number of complaints received since the implementation of the existing Standards regime (from 1 July 2012) is set out in the graph in Appendix 1. A summary of the complaints received since 2021/22 is set out in the table at Appendix 1. Since 15 March 2023, the Monitoring Officer has received four new valid code of conduct complaints. The first two of these were submitted prior to the 15 March Committee, but were not received or validated until after papers had been published for that Committee.

1.2 Members may recall that at the last Committee, one complaint remained outstanding. This complaint was referred for formal investigation and that investigation has now concluded, and the outcome of that complaint is included at Appendix 2.

1.3 In relation to the four new complaints received, one of these has now been withdrawn, an outcome was provided on one of the complaints on 28 March 2024 (Appendix 3) and the other two are ongoing.

2 Proposal

2.1 It is proposed that the Committee notes the report.

3 Alternative Options

- 3.1 Not to report code of conduct complaints received by the Monitoring Officer however this would be contrary to the Council's arrangements for dealing with complaints.

4 Financial Implications

- 4.1 The costs associated with complaints are met from existing budgets.

5 Legal Implications

- 5.1 Code of Conduct complaints must be dealt with in accordance with the Council's Approved Arrangements for Dealing with Complaints.

6 Equalities Implications

- 6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

- 8.1 Appendix 1 – Summary of the Code of Conduct complaints received since 1 July 2012.

Appendix 2 – Exempt Appendices

Appendix 3 – Exempted Appendices

9 Background papers

- 9.1 None identified.

10 Reasons for Recommendation

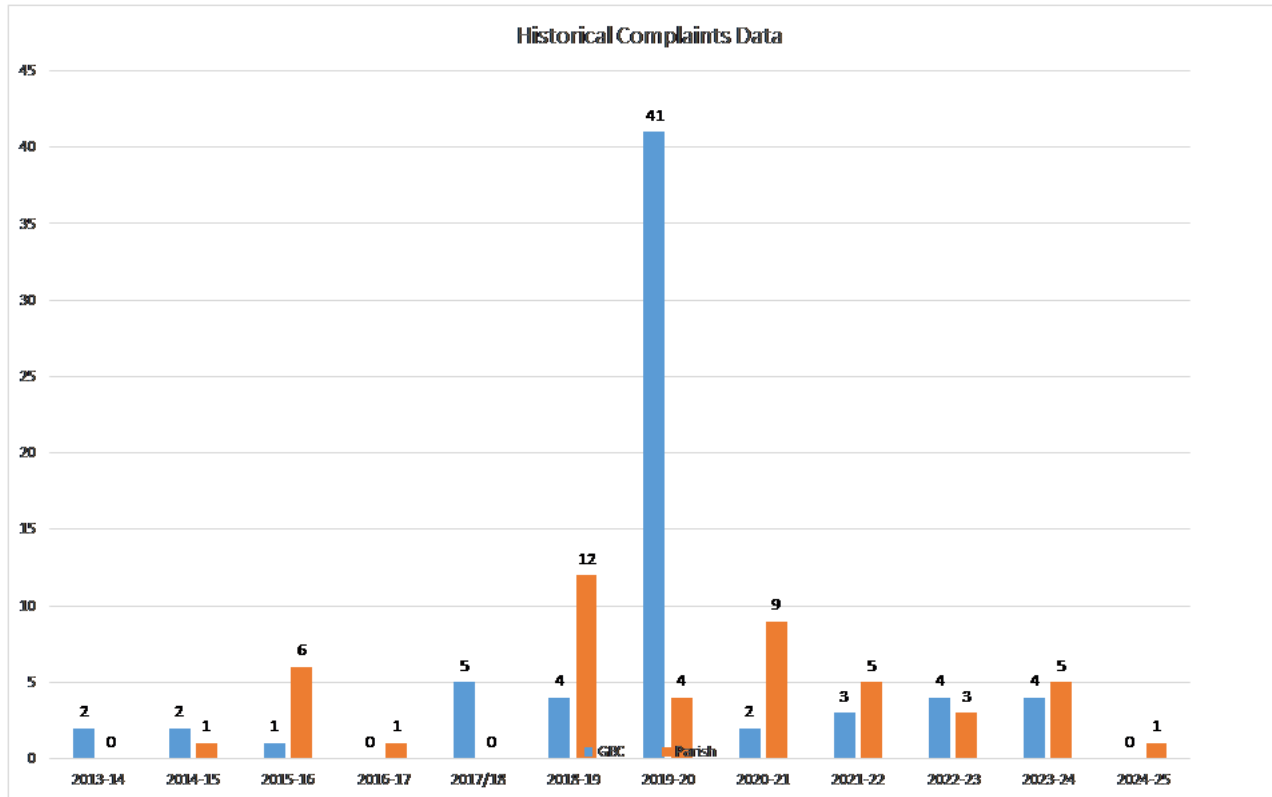
- 10.1 To keep Committee updated on Code of Conduct Complaints

Statutory Officer approval

Approved by the Chief Financial Officer

Date:

Drafted by the Monitoring Officer



Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
Complaints received 2021-22					
STD002554	21/04/21	Calverton Parish Council	Member of the Public	Complaint treated as withdrawn	
STD002555	07/04/21	Calverton Parish Council	Member of the Public	No further action	13/08/21

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
STD002582	06/05/21	GBC	Member of the Public	Reject complaint – Not acting in official capacity	21/05/21
STD002583	07/05/21	GBC	Member of the Public	Reject complaint – Not acting in official capacity	21/05/21
STD002584	11/05/21	GBC	Member of the Public	Reject complaint – Not acting in official capacity	21/05/21
STD002657	14/07/21	Calverton Parish Council	Member of the Public	No further action	13/05/22
STD002955	16/03/22	Calverton Parish Council	Councillor (not GBC)	Reject complaint – Not acting in official capacity	28/07/22
STD002956	16/03/22	Calverton Parish Council	Councillor (not GBC)	No further action	30/05/22
Complaints received 2022-23					
STD002993	03/05/22	GBC	Member of the Public	Reject complaint – Conduct complained of outside the Code of Conduct	15/06/22
STD003067	29/06/22	St Albans Parish Council	Councillor (not GBC)	No further action	16/09/22
STD003116	01/08/22	Calverton Parish Council	Councillor (not GBC)	No further action	16/11/22

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
STD003124	13/08/22	Gedling Borough Council	Member of the public	Reject complaint – not acting in official capacity	19/08/22
STD003126	15/08/22	Gedling Borough Council	Member of the public	Reject complaint – not acting in official capacity	19/08/22
STD003127	15/08/22	Gedling Borough Council	Member of the public	Reject complaint – not acting in official capacity	19/08/22
STD003249	30/11/22	Calverton Parish Council	Member of the public	Informal Resolution, apology given – no further action	10/03/23
Complaints received 2023-24					
STD003558	13/04/23	Burton Joyce Parish Council	Member of the Public	No further action	13/7/2023
STD003677	30/6/23	St Albans Parish Council	Councillor (not GBC)	Investigation concluded – No breach, no further action	27/6/24
STD003687	10/7/23	Newstead Parish council	Member of the Public	Potential breach identified – informal resolution proposed	17/08/23
STD003690	13/7/23	Newstead Parish Council	Member of the Public	Potential breach identified – informal resolution proposed	17/08/23
STD004065	26/1/24	GBC	Member of the Public	No further action	8/2/24
STD004092	16/2/24	GBC	Member of the	No further action	29/2/24

Complaint Ref	Date received	GBC/Parish Council	Complainant	Decision	Date of decision
			Public		
STD004118	6/3/24	GBC	Member of the Public	No further action	28/3/24
STD004121	9/3/24	GBC	Member of the Public	Withdrawn	1/7/24
STD004143	27/3/24	St Albans Parish Council	Member of the Public	Ongoing	
Complaints Received 2024/25					
STD004264	28/6/24	St Albans Parish Council	Councillor (not GBC)	Ongoing	

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