

Report to Cabinet

Subject: Report and Recommendations of the Gedling Councillor Standard Working Group

Date: 3 May 2018

Author: The Working Group

Wards Affected

Borough wide

Purpose of the Report

To present the final report and recommendations of the Gedling Councillor Standard Working Group. Members are asked to consider the report and recommendations of the above review, previously approved by the Overview and Scrutiny Committee and refer the report to the appropriate Cabinet Member in order for a response to be made to the Overview and Scrutiny Committee at the next meeting on 23rd July 2018.

Key Decision

This is not a Key Decision

Introduction

1. Background

Employees at Gedling Borough Council are expected to work to a number of behavioural standards, dependant on their position within the Authority. These behaviours are set out within three documents; the Gedling Employee, targeted at employees on a Band 9 or below, the Gedling Manager, targeted at those employees on or above a Band 10 and the Gedling Leader for Senior Managers within the organisation, although Officers are encouraged to exhibit behaviours contained within all of the documents. The Gedling Employee, Manager and Leader standards are currently used by the organisation during the recruitment and performance review process, to ensure that those recruited and working within the organisation act in a way that is representative of the organisation's values.

At the request of Joint Consultative and Safety Committee, Scrutiny were asked to consider the merits of and develop, if appropriate, a similar document in relation to Councillors. It was thought that, much like employees, there would be value in

setting out the behavioural standards that are expected by the organisation in pursuit of the Council's values. The Monitoring Officer was keen for the document to be a stand-alone piece, complementing but not replicating the Nolan principles or Code of Conduct.

2. Method of Investigation

Discussion with Members and Officers

Desktop research

Request for additional contributions/comments from wider Members.

3. Working Group Outcome

Members were invited to attend a number of working group meetings in February 2018, those who were unable to attend were encouraged to contribute to the review by email or through discussion with the Senior Democratic Services Officer, who would feed their comments into the working group meetings.

All Members were provided with copies of "The Gedling Employee", "The Gedling Manager" and "The Gedling Leader". In addition, Members were provided with a similar document recently put together by the Nottinghamshire Fire Authority and an extract from Cornwall Council's constitution detailing their Councillor role profile, which was the only response to a request for similar documents made through the Association of Democratic Services Officers. Members were also provided with a copy of INLOGOV's "The 21st Century Councillor", a piece of research undertaken by academics interested in understanding the range of roles that Councillors are now required to undertake, the skills and training requirements and support provided to these roles, to complement their previous work of the role of the Public Servant in the 21st Century.

Councillors Adams, Barnfather, Paling and Parr attended the first scheduled meeting of the working group.

Appropriateness of the work

Members expressed a view that Councillor conduct was within the remit of the Standards process and therefore outside of the scope of Council management procedures and that it was not appropriate for the Council to become involved due to the political nature of the role. As Elected Members, Members felt that they were accountable primarily to the electorate and accountable to their respective political parties as party members.

Members noted the differences between Officer and Members role and considered that while the setting of behavioural expectations for Officers, enforceable through performance management procedures, had value, it would not be appropriate for performance management of Councillors by the Council and therefore felt that there was little value in setting out expectations that could not be enforced or managed.

Councillors were clear that their respective political parties had expectations of them in their work and that there were clear structures in place to monitor and address performance.

Members considered whether there was a clear need to outline behavioural expectations of the Council in respect of Elected Members. Members considered that there were very few complaints made to the Monitoring Officer about Member behaviour, particularly in comparison with other authorities, and concluded that this suggested that Members behaved well or as expected in their interactions with the public and Officers and that there was no clear need for an additional document outlining expectations.

Members noted, in addition, that sanctions available to the Monitoring Officer for breaches of the Code of Conduct were now extremely limited and it was widely considered that there were not significant consequences to a breach. Any additional document would not be subject to even these low-level sanctions and would therefore be optional and unenforceable.

Finally, Members considered whether there was value in creating a “Gedling Councillor” document to be provided to parties to influence their selection process. Some Members felt that it would be inappropriate for the Council to be involved in or influence the selection process. Members concluded that even if such action were appropriate, it would likely be of little value as the standards and selection criteria of the Party would take precedence.

There was general consensus that the code of conduct, Nolan principles, internal party procedures and accountability to the electorate were sufficient to monitor Councillor behaviour.

Following the meeting, additional views were sought from wider Members and while a number of Members agreed with the comments of the working group, no Members responded with contrary views.

Alternative Options

Members noted that a “Job Description” had been provided, along with a copy of the Code of Conduct, as part of the Member induction pack and that this was helpful in outlining the role for new Members. Councillors felt that this was valuable to new Members and suggested that there may be further value in providing this earlier in the electoral process so that prospective candidates are informed of what the job entails before they are elected. Members suggested that the Job Description provided to Members as part of the 2015 Member Induction Pack should be reviewed as part of a wider review of new Member induction prior to the 2019 local elections.

Members considered that organisational culture was important in setting behavioural standards. It was felt that wider Members had little interaction with Officers and that there was little activity undertaken by Officers to communicate the Council’s values to Members. Members felt that there would be more value in activity of this kind than in the creation of a document outlining expectations.

Councillor Adams discussed shadowing that he had undertaken with Officers in the Customer Services Department shortly after his election in 2015. It was felt that this had not only increased his understanding of the role and breadth of Council services, but gave him an understanding of the values of the Council through seeing and hearing the way in which Officers treat customers.

Members commented that they felt that there was little interaction between wider Members and Officers and it was felt that Officers by and large did not understand the Member role. Similarly some Members considered that there was not a sufficient level of respect across the organisation for the role of Elected Members, particularly in comparison to experiences at other Authorities. Members felt that there was value in improving the Member/Officer relationship through the review of current protocol, increased and improved communication with wider Members and that this could be used to create a better understanding of the Council vision and behaviours.

Members felt that there was value in working to improve the interactions and understanding between Members and Officers and that there was potential to better communicate the Council vision to Members.

Working Group Conclusions

The working group were clear that they did not feel that the creation of a “Gedling Councillor” document setting out the Council’s expected behavioural standards was appropriate or necessary. Members had a constructive conversation in respect of ways in which the Council might better interact with Members in sharing the organisations’ vision and behavioural standards and made a number of recommendations in this respect.

As a result, Members did not consider that further meetings of the working group would be necessary and instead concluded that the notes and recommendations of the working group should be communicated to wider Members seeking additional comments.

Notes and recommendations from the working group were, therefore, communicated to all Members. A number of responses were received which agreed with the findings of the working group, no responses were received which expressed disagreement, alternate or additional views or recommendations.

4. Recommendations

The working group made a number of recommendations as follows:

1. That the job description provided as part of the Members Induction Pack be provided to prospective candidates and/or form part of our information online regarding how to become a Councillor.
2. That SLT hold a Member briefing for all Members on at least a yearly basis to communicate the visions, values and position of the Council.

3. That Group Leaders be invited to address Officers at a staff briefing to increase understanding of the role of Elected Members.
4. That the Member/Officer relationship be reviewed to consider how to better communicate with and respond to Members.
5. That arrangements be made to give Members the opportunity to shadow within key departments to gain understanding of the work of the Council and foster better relationships with Officers.
6. That there be a process for communicating any concerns regarding Member conduct, that is not in breach of the Code of Conduct, to Group Leaders or Business Managers.
7. That Officers be encouraged to keep wider Members better informed through briefing notes and information emails, rather than taking information reports and presentations through Cabinet.