

STANDARDS COMMITTEE

7 November 2017

Commenced: 4.00 pm

Terminated: 5.30 pm

Present:

Mrs Valerie Bracken (Chair)

Councillors Bell, M Smith and J Lane, Town Councillor Lesley Bill and Mrs J Barnes.

Also in attendance:

Sandra Stewart, Director of Governance and Pensions (Monitoring Officer), Tracy Brennand, Assistant Director (People and Workforce Development), Wendy Pool, Head of Risk Management and Audit Services, and Alison Williams, Workforce Development and Engagement Manager.

Apologies for absence:

Councillors Kitchen and S Quinn and the Chief Executive Tameside MBC and Accountable Officer NHS Tameside and Glossop Clinical Commissioning Group.

1. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by members of the Standards Committee.

2. MINUTES

The Minutes of the proceedings of the Standards Committee held on 4 April 2017 were taken as read and signed by the Chair as a correct record.

Reference was made to Minute 3 – Code of Conduct for Campaigners: Electoral Registration, Postal Voting, Proxy Voting and Polling Stations – and the Monitoring Officer was pleased to advise on the successful administration of the Greater Manchester Mayoral Election in May 2017 and the Parliamentary Election in June 2017.

In respect of Minute 4 – Mayoral Protocol – the Monitoring Officer reported that the current Civic Party had signed the declaration and associated discussions on the Protocol had provided an opportunity for the Civic Party to raise questions regarding their role and responsibilities for their year in office.

3. ELECTED MEMBER DEVELOPMENT UPDATE AND FUTURE DELIVERY PLAN

The Assistant Director (People and Workforce Development) presented a report detailing the achievements made during the last three years, outlining the development courses, events, activities undertaken by Elected Members and attendance figures over this period. It also included proposed courses, activities and budget for the next eighteen months.

The Elected Member Development Strategy, attached as Appendix 2 to the report had been revised for 2017-19, recognising that in order for Tameside to embrace the period of austerity, Elected Members must be able to take on the challenges the Council would face with rigour. It was proposed that the essential evening sessions continued to follow the same format of 6.00 pm to 7.30pm at Dukinfield Town Hall. All of these essential evening sessions would be deemed mandatory for Elected Members to attend to ensure they were all receiving the most up to date training and development. The propose schedule for the remainder of 2017/18 was detailed in the report.

It was intended that Continued Professional Development would be strengthened through personal development sessions and role specific training. All Elected Members would be required to undertake a mandatory 24 hours of Continued Professional Development in addition to attendance at the mandatory essential evening sessions.

It was reported that the Elected Member Development Forum had met quarterly throughout the year. The Forum, chaired by Councillor John Taylor (Deputy Executive Leader), discussed Elected Member Development to ensure that the delivery plan was robust and flexible enough to accommodate emerging themes for both Elected Members and the Council.

Reference was made to an Elected Member development skills audit questionnaire, attached to the report at Appendix 1, to be used during all one-to-one's with Elected Members before the end of December 2017 asking Elected Members to identify any particular learning and development needs, plus any suggestions they might have around future learning and development. One-to-one discussions would take place with a member of the Workforce Development team and the outcomes of the audit would be utilised to shape the programme and offer for the next 16 months (January 2018 – April 2019) and to evaluate the programme from the previous 12 months.

North West Employers had collaborated with Birmingham University following some key research around the required skills and knowledge of an effective '21st Century Councillor' which had been incorporated into the Elected Member development strategy.

The North West Employers Elected Member Development Network helped facilitate the sharing of good practice, advice and highlighted local and national drivers. The Network was open to both Elected Members and Officers supporting and / or had an interest in Elected Member Development. Currently, an officer from the Workforce Development Team attended the networking sessions and it was proposed that an Elected Member be identified to take a lead role in championing learning and development for Elected Members and also to attend the sessions to represent Tameside. Additionally, North West Employers provided a Councillor Development Programme and Elected Members would continue to be offered opportunities to attend these sessions throughout 2017/18 and 2018/19.

Reference was made to the North West Charter for Elected Members that was launched by North West Employers Organisation in 2000 and a declaration of commitment in supporting in Elected Member development. The Council currently held the Member Development Charter Level 1 and Level 2 Exemplar for Community Budgets. Level 1 was due to re-assessment in during 2018 and the evidence that would need to be provided for the Level 1 Review and what areas would need to be developed in order to achieve the award were detailed in the report.

It was further reported that as a result of continued austerity and reducing budgets within the public sector, a greater number of reforms were taking place across all areas of service delivery. In particular, Standards Committee discussed the integration of Health and Social Care which was of key importance both nationally and locally. Tameside was leading the way on the integration of the Council, Integrated Care Foundation Trust and Clinical Commissioning Group to provide better services for local residents. Elected Members would therefore be increasingly asked to work across partnerships and with changing Constitutions to ensure the integration agenda was a success and through a culture of ongoing learning and continuous improvement, Elected Members would continue to lead the Council and the borough forward.

The Standards Committee commented favourably on the programme and proposals designed to ensure that Elected Members were provided with sufficient support and training to develop the necessary skills in a very challenging environment.

RESOLVED

- (i) That the Elected Member Development Forum be reviewed to ensure that it remained effective and continued to drive Elected Member Development forward.**

- (ii) That the actions identified for development and review in order to maintain the North West Charter for Elected Members be progressed.
- (iii) That opportunities for further development through in house training, and also with partner organisations be further utilised.
- (iv) That the annual budget for 2017/18 and 2018/19 detailed in the report be agreed.
- (v) That an Elected Member be identified to take the lead on identifying future learning and development and attend the quarterly North West Employers networking sessions.
- (vi) That all Elected Member evening development sessions be made mandatory to ensure attendance to receive important information and updates and, in addition, all Elected Members be required to complete 24 hours of Continued Professional Development each year.
- (vii) That the Elected Member Development Strategy for 2017-19 be approved.
- (viii) That all Elected Members be asked to complete the refreshed Elected Member Development Skills Audit Questionnaire.

4. PROPOSAL FOR MANAGING CONFLICTS OF INTEREST IN THE SINGLE COMMISSION

The Monitoring Officer made reference to discussions during the previous item regarding the integration agenda and presented a report proposing an approach for the management of conflicts of interest for the Single Commissioning Board, the joint Committee between Tameside MBC and the NHS Tameside and Glossop Clinical Commissioning Group, with the aim of providing assurance as to its decision-making processes.

The Standards Committee heard that a national working group was established in summer 2016 and was tasked with producing guidance intended to be helpful for those economies which were establishing such joint commissioning arrangements. The Monitoring Officer advised that unfortunately, the working group had not yet reported back and there was currently no known timescale by which any such guidance was intended to be published. In the absence of any national guidance she considered it necessary that the locality proceed with making its own arrangements.

She explained that as a formal part of Tameside MBC's governance, the Single Commissioning Board was subject to the legislation governing local authorities within the Local Government Act 1972 as amended by the 2000 Act. This legislation provided details of what would be considered as direct and indirect pecuniary interests for a member and how these could be managed during the decision-making process. The Tameside MBC Constitution sets out within its Procedural Standing Orders at Part 4a, section 35, the definitions of a prejudicial interest and the process for managing these which were detailed in the report.

She then advised on NHS England guidance which must be followed by Clinical Commissioning Groups including the arrangements for the management of conflicts of interest. This guidance recognised that Clinical Commissioning Groups were subject to certain inherent conflicts within their essence by being clinically-led organisations. The General Practitioners were leading the commissioning of local health and care services whilst also being a significant part of the provider landscape. The Clinical Commissioning Groups Accountable Officer and its Lay Member for Governance were required to sign a quarterly declaration to NHS England to confirm that the Clinical Commissioning Group had robust processes in place for the management of conflicts of interest which followed the published guidance. The current NHS England guidance setting out the processes for the management of actual or perceived conflicts of interest was highlighted in the report.

In noting that there was a considerable amount of congruence between the two approaches outlined, the Monitoring Officer explained that the key differences between the two frameworks was that the guidance issued by NHS England placed greater discretion upon the Chair of the committee whereas the local authority framework was more absolute in its statements for example by stating that *'where a member has a prejudicial interest in any business of the authority....s/he must*

withdraw from the room or chamber where a meeting considering the business was being held' (section 35.3.1.1.).

It was therefore proposed that the Single Commissioning Board should adopt the framework as set out within the Tameside MBC Constitution for the reasons that:

- This ensured that proceedings were taking place in accordance with local government statute under which the joint committee was governed.
- This approach was aligned to the options set out within the NHS England guidance and therefore would enable the Accountable Officer and Lay Member for Governance to make the required quarterly assurance return to NHS England.

In order to support the above approach it was also proposed that a single Register of Interests was maintained for the members of the Single Commissioning Board and published on the website. This would enable those present, including members of the public, to have assurance in the processes in place at the Single Commissioning Board to manage conflicts of interest.

RECOMMENDED

That Council agree:

- (i) **That the Single Commissioning Board adopt the framework as set out within the Tameside MBC Constitution for the reasons that:**
 - a. **This ensured proceedings were taking place in accordance with local government statute;**
 - b. **This approach was aligned to the options set out within NHS England guidance and therefore will enable the Accountable Officer and Lay Member for Governance to make the required quarterly assurance return to NHS England.**
- (ii) **In order to support the above approach a single Register of Interests be maintained for the Members of the Single Commissioning Board and published on the website.**

5. SOCIAL MEDIA USE: RESPONSIBLE CONDUCT POLICY

Consideration was given to a report of the Borough Solicitor advising that the Social Media Use Responsible Conduct Policy had been refreshed and updated to take on board learning and best practice since the Policy was last approved as part of the Information Governance Framework which was presented to the Standards Committee in October 2013.

It was explained, that as an organisation, the Council encouraged communication among employees, residents, customers, partners and others. The purpose of the updated guidance was to outline the responsibilities of employees using social networking websites and other online forums and formed part of the Council's existing ICT and E-mail Security Policy and the Council's employee Code of Conduct. It was not intended to stop Council employees from conducting legitimate activities on the Internet, but would serve to flag-up those areas in which conflict could arise. Residents and partner audiences needed to be confident that the outside / private activities of employees did not undermine the Council's reputation and that its actions were not perceived to be influenced by any commercial or personal interests.

Members welcomed the revised guidelines designed to protect staff and the reputation of the Council commenting that the Policy was not meant to restrict genuine and work related use of what was an important method of communication and engagement.

RECOMMENDED

That Council adopt the refreshed and updated Social Media Use Responsible Conduct Policy attached at Appendix 1.

5. REGISTER OF INTERESTS AND GIFTS AND HOSPITALITY

The Monitoring Officer advised that the Register of Interests and Register of Gifts and Hospitality were available at the meeting for inspection.

6. URGENT ITEMS

The Chair advised that there were no urgent items for consideration at this meeting.

7. DATE OF THE NEXT MEETING

It was noted that the next meeting of the Standards Committee will be held on 3 April 2018.

CHAIR