



Values and
Committee
Agenda

Date: Monday, 22 March 2021

Time: 12.00 pm

Venue: Virtual Meeting - Zoom Committee Meeting
with Public Access via YouTube

Distribution:

Councillors: Adebola Adebayo, Mark Brain, Liz Radford, Tim Kent and Paula O'Rourke

Copies to: Nancy Rollason (Head of Legal Service), Allison Taylor (Democratic Services Officer), Lucy Fleming (Head of Democratic Engagement) and Louise deCordova (Democratic Services Manager)

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Date: Friday, 12 March 2021

Agenda

1. **Welcome and apologies for absence**

(Pages 3 - 5)

2. **Declarations of Interest**

3. **Public Forum**

4. **Member Development Strategy**

(Pages 6 - 23)

5. **Summary of Complaints against Councillors and Outcomes
January 2018 - March 2021**

(Pages 24 - 33)



Public Information Sheet

Inspection of Papers - Local Government (Access to Information) Act 1985

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Covid-19: changes to how we hold public meetings

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Councillors will take decisions remotely and the meetings will be broadcast live on YouTube.

Members of the public who wish to present their public forum in person during the video conference must register their interest by giving at least two clear working days' notice to Democratic Services of the request. To take part in the meeting, you will be required to register for a Zoom account, so that Democratic Services is able to match your named Zoom account to your public forum submission, and send you the password protected link and the instructions required to join the Zoom meeting to make your statement or ask your supplementary question(s).

As part of our security arrangements, please note that we will not permit access to the meeting if your Zoom credentials do not match your public forum submission credentials. This is in the interests of helping to ensure a safe meeting environment for all attending or observing proceedings via a live broadcast.

Please note: Members of the public will only be invited into the meeting for the duration of their submission and then be removed to permit the next public forum participant to speak.

Changes to Public Forum

Members of the public may make a written statement, ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee Members and will be published on the Council's website before the meeting. Please send it to democratic.services@bristol.gov.uk. The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.
- Any statement submitted should be no longer than one side of A4 paper. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.
- **Your intention to attend the meeting must be received no later than two clear working days in advance. The meeting agenda will clearly state the relevant public forum deadlines.**



By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee, published on the website and within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- Public Forum will be circulated to the Committee members prior to the meeting and published on the website.
- If you have arranged with Democratic Services to attend the meeting to present your statement or ask a question(s), you should log into Zoom and use the meeting link provided which will admit you to the waiting room.
- The Chair will call each submission in turn and you will be invited into the meeting. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute, and you may need to be muted if you exceed your allotted time.**
- If there are a large number of submissions on one matter, a representative may be requested to speak on the group's behalf.
- If you do not attend the meeting at which your public forum submission is being taken your statement will be noted by Members.

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Values and Ethics Sub Committee

22nd March 2021



Report of: Service Director Legal & Democratic Services (Monitoring Officer)

Title: Member Development Strategy

Ward: Citywide

Officer presenting report: Louise deCordova, Democratic Services Manager

Recommendation:-

That the Committee considers and comments on the draft Member Development Strategy 2021-2024 prior to design.

Summary

The draft Member Development Strategy 2021-2024 (found at Appendix B) has been written in collaboration with the Member Development Steering Group.

The Strategy sets out the Council's commitment and approach to Member Development and outlines how the Council will evaluate success through key performance measures. This is supported by an action plan (Appendix B1) which includes the aim to attain South West Council's Charter Status accreditation for Member Development by May 2022.



Policy

1. Responsibility for Member Development sits with the Member Development Steering Group and it's been agreed that the Values and Ethics Sub Committee of the Audit Committee will retain a watching brief. Membership of the Member Development Steering Group can be found at Appendix A.
2. The City Council is committed to supporting Members with their development to ensure they have the necessary training to discharge their democratic duties.

Consultation

Internal

3. Member Development Steering Group, Party Group Leaders and Whips.

External

4. Not applicable.

Context

5. The Member Development Steering Group has been planning the induction programme for the intake of Councillors that will begin a new term of office for 3 years from May 2021. The draft Member Development Strategy (found at Appendix B), sets out the Council's commitment and approach to continuous Member development, and the opportunities that are available to all elected representatives. The Strategy will be reviewed annually or earlier where necessary.
6. Regular evaluation of the Member Development offer will be undertaken by officers in conjunction with the Member Development Steering Group. The key performance measures for this Strategy are set out in Section 7. This is in line with best practice, and accreditation from South West Councils will be sought through their Member Development Charter Scheme.

Other Options Considered

7. None necessary.

Risk Assessment

8. Not applicable.

Legal and Resource Implications

Legal implications:

9. Not applicable.

Financial:

(a) Revenue

10. An annual budget is allocated for Member development, and to provide administrative support for the delivery of training and facilitating the Member Development Steering Group.

(b) Capital

12. Not applicable.

Land/Property:

11. Not applicable.

Human Resources:

12. Not applicable.

Appendices:

A – Membership of the Member Development Steering Group

B – Draft Member Development Strategy 2021-24

B1 - Member Development Strategy Action Plan

B2 - Member Induction Programme – 21/22 – Overview of Topics

B3 - Member Development Steering Group Terms of Reference

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None

Appendix A – Member Development Steering Group Membership

- Councillor Peter Abraham
- Councillor Lesley Alexander
- Councillor Nicola Bowden-Jones
- Councillor Tony Carey
- Councillor Harriet Clough
- Councillor Martin Fodor
- Councillor Margaret Hickman
- Councillor Helen Holland
- Councillor Tim Kent

Bristol City Council
Draft Member Development Strategy 2021-2024

Foreword

Introduction from the Chief Executive

With increasing pressures on local authorities it's more important than ever that we ensure that every elected representative has access to the knowledge and skills necessary to function at a high level. Covid 19 has presented new challenges which have required Members¹ and officers to be even more responsive and flexible as we navigate the way ahead.

As Councillors undertake their responsibilities as community leaders, in strategic functions and regulatory roles, we will work to ensure that learning and development is appropriately focused, well delivered and that resources are used effectively to achieve maximum benefit. This will help to ensure that we can all play a leading role in driving forward our recovery in a city of hope and aspiration where everyone can share in its success.

The Bristol City Council Member Development Strategy sets out our commitment to continuous Councillor development, our approach and the opportunities that are available to all elected representatives.

As a Council, we recognise that the learning and development of Members is crucial to our success and will bring wider benefits to both the organisation and our citizens.

Introduction from the Member Development Steering Group²:

Our cross-party Steering Group has been established to oversee and shape the Member Development programme. As Councillors with a broad range of skills and experience, we understand the challenges faced by the modern-day Councillor, including in the period shortly after election when considerable learning is required during a condensed period.

We are committed to our own personal development and the many benefits this brings, and within this document you will find case studies detailing our personal experiences. One of our key pledges is to ensure that all Councillors receive the support and help that they need to succeed in their roles, and we will ensure that equality of access to development and training remains a guiding principle.

¹ The term Member means 'Member of Council' or 'Elected Member' and is interchangeable with 'Councillor'.

² The Member Development Steering Group is comprised of around 10 Members from all four of the Council's political parties. The Terms of Reference can be found at Appendix C.

Member Development - the Journey so Far

1. Following the Council's first 'all out' elections in 2016, we provided a comprehensive Member Induction Programme for a wide range of new Members. Many opportunities arose from delivering training and support at a large scale, however, there were also some learning points, particularly with regard to the types of learning available; 'overload' of information; and adapting training and guidance to suit Members with all levels of understanding and experience.
2. As an organisation, we have renewed our commitment to supporting Members with their development needs and we will ensure that the programme of activities for the 21/22 cohort offers learning in a broader range of topics and skills, and meets our commitment to accessibility.
3. When designing the ongoing Member Development Programme, officers and Councillors will work together to ensure that it reflects best practice, and the overarching objective is to achieve South West Council's Member Development accreditation by the end of the 21/22 Municipal Year.

Purpose and Aims

4. This Strategy sets out the City Council's commitment to supporting Members with their development, and details how we will equip elected representatives with the skills and knowledge they need to fulfil their various roles effectively and to the best of their abilities. It identifies our long-term goals and an action plan (see appendix A) for achieving them. It also covers how we will identify development needs; the ways in which Members can participate in continuous learning and development; and how we will evaluate and measure the success of all learning.
5. The Member Development Strategy will closely align to the [City Council's Corporate Strategy 2018-2023](#) by ensuring that all activities contribute to the delivery of the following strategic themes/key commitments;
 - 5.1 Empowering and Caring
We will ensure that Councillors are supported to become effective leaders enabling them to empower communities and individuals.
 - 5.2 Fair and Inclusive
All Councillors will have access to quality learning opportunities, and these will be tailored to suit individual circumstances where required.
 - 5.3 Well Connected
We will support Councillors to engage with local communities and ensure residents' views are represented in democratic decision making.
 - 5.4 Wellbeing
Councillors will have access to various tools to help them to support and promote wellbeing amongst their constituents, but also to look after their own physical and mental health.

6. The Strategy will ensure that Members will have appropriate training, support and guidance to assist them with every aspect of their roles. This will include;
 - 6.1 Ensuring compliance with mandatory training (as agreed with the Whips) on areas such as data protection and information security.
 - 6.2 Providing all key policy, procedural and legal information before Members are required to participate in decision making.
 - 6.3 Embedding a framework in order to assist Members with community work, including support with managing workloads and pressures.
 - 6.4 Ensuring Members are able to perform any 'special responsibilities' relating to additional duties and roles they may undertake.
 - 6.5 Offering the opportunity to participate in continuous development through a variety of methods.

Aims and Key Performance Measures

7. Our Aims and Key Performance Measures are:
 - 7.1 To ensure that all Members have consistent and equal access to training and development opportunities, providing the resources required to support those with access needs. We will monitor this with an annual survey as well as feedback on non-attendance and potential barriers.

We will measure success by achieving the following during the 21/22 Municipal Year;

 - 100% of Members completing mandatory training*
 - 80% of Members attending the 'strongly recommended' training courses*
 - 60% of Members participating in all the recommended 'core' training opportunities*
 - 80% of Members expressing overall satisfaction with the development programme*
 - 7.2 Broaden knowledge around Council business and ensure that Members feel confident that they have the skills to fulfil all their duties effectively, including ward work, performance management and decision making. We will monitor this via the annual survey to Members.

We will measure success by achieving the following during the 21/22 Municipal Year;

 - 80% of Councillors reporting that they feel they have the skills to fulfil all their duties.*
 - 7.3 Evaluate the effectiveness of the training programme to ensure continuous improvement. We will monitor this by asking each training provider to set out the learning objectives for each session offered and asking Members to advise whether they believe they have been achieved.

We will measure success by achieving the following during the 21/22 Municipal Year;

80% of Members reporting that the objectives of each learning/training session have been met.

7.4 Obtain South West Council's Charter Status accreditation for Member Development by May 2022.

We will measure success by ensuring that;

South West Councils' Charter Status accreditation is secured by May 2022.

Equalities and Inclusion

8. Public Sector Equality Duty

As a public body we are bound by the Public Sector Equality Duty, which is defined within the Equality Act as:

"A public authority must, in the exercise of its functions, have due regard to the need to—

- *Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- *Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- *Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The Councils' [Equality and Inclusion Policy and Strategy](#) will underpin how we design and deliver the Member Development programme but in particular we will;

- 8.1 Ensure all Councillors have equal access to training and development opportunities i.e. by providing multiple sessions in accessible formats and at various times of the day.
- 8.2 Offer strongly recommended training on equalities and inclusion to all Councillors on an annual basis. This will provide Members with the skills necessary to comply with the Public Sector Equalities Duties.
- 8.3 Provide advice and guidance to Members setting out how to interpret and evaluate the Equalities Impact Assessments completed for formal reports.

Ethical Standards

9. Members sign up to the City Council's [Code of Conduct](#) upon accepting their term of office, which includes a commitment to upholding the Seven Principles of Public Life, outlining the requirements around ethical standards. Details below;

- **Selflessness**
Holders of public office should act solely in terms of the public interest.
- **Integrity**
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity**
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **Accountability**
Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness**
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- **Honesty**
Holders of public office should be truthful.
- **Leadership**
Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

We will support Members to uphold the ethical framework set out above by doing the following:

- 9.1 Ensure Members are fully briefed about their roles and responsibilities and that all essential requirements regarding compliance with Codes, Protocols and Declarations are met.
- 9.2 Provide ongoing training, advice and guidance to Members in respect of ethical matters as and when required.
- 9.3 Facilitate a range of training and support to assist Members to conduct their roles as effective community leaders.

Member Development Programme

10. The Member Development Programme for 21/22 will be delivered via an induction of intense activity over the first 6 months, followed by ongoing targeted training and support for the remainder of the 3-year term. The Programme will be flexible in order to adapt to meet changing needs in the event of challenging times or disruption to 'business as usual.'

Induction

11. The Member Induction Programme (see Appendix C) will consist of a wide range of introductory sessions into all key Council areas:

- Committee specific (including regulatory) sessions
- Guidance and support for Councillors undertaking specific roles e.g. chairing meetings
- Ward-specific briefings
- Corporate priorities
- The Council's budget
- Partnership working
- Opportunities to meet and work alongside senior officers

Personal Development Plans

12. If Members wish to be supported with their Personal Development Plans, we can offer a structured process for regularly assessing their individual learning and development needs. This will be conducted by officers in conjunction with the relevant Party Group Leader.

Training Delivery Methods

13. We will use a wide variety of in person and/or virtual formats to deliver training, such as:
 - E-Learning courses
 - Demonstration videos
 - Internal training courses
 - Internal briefings – emerging topics
 - Case studies - examples of best practice
 - External conferences, seminars and training courses
 - Personal development planning discussions
 - Peer to peer learning between Councillors and information sharing including with key external partners

Where appropriate, we will work in partnership with other Local Authorities to deliver joint programmes.

Communicating New Learning and Development Opportunities

14. All communications regarding the induction programme of activities will be issued electronically at the start of the Municipal Year and diary appointments will be sent as standard.
15. All training events will clearly set out the goals and objectives of each session and highlight the relevance to Members.

Feedback and Evaluation

16. Regular evaluation of the Member Development offer will be undertaken by officers in conjunction with the Member Development Steering Group. The key performance measures for this Strategy are set out in Section 7.

The following methods will be used:

- Training evaluation forms and other feedback received from Councillors
- 1-1 sessions
- Feedback through Group Offices and Whips
- Statistics on Councillor participation
- Annual Survey

17. This Strategy will be reviewed annually or earlier where necessary.
18. Achievement of the South West Council's Charter Accreditation for Member Development will demonstrate the effectiveness of our offer.
19. The Values and Ethics Sub Committee of the Audit Committee has responsibility for oversight of the Member Development Programme and will be regularly consulted on progress.

Resources

20. An annual budget is allocated for Member development, and to provide administrative support for the delivery of training and facilitating the Member Development Steering Group.
21. The resources available to support Member development are available to all Councillors and do not fund activity specific to a political group.
22. Cost benefit analysis will be conducted to monitor investment in Member Development.

Appendices

- A. Member Development Strategy Action Plan
- B. Member Induction Programme – 21/22 – Overview of Topics
- C. Member Development Steering Group Terms of Reference

Members' Case Studies – to be inserted throughout the designed document

*The induction is a crucial part of understanding our roles as Councillors and how the council is run, but this information is vast, so it's always useful to go back to it during your term and have a refresh. Thankfully the Council has a vast library of online paper free resources available 24/7 via their intranet sites. As well as the online resources, what I found to be the most helpful thing when becoming a Councillor, was finding a colleague to mentor me; a fellow Councillor with experience who could guide me in the right direction. This year the Member Development Steering Group have approved a Councillor Link Scheme to include senior officers, which will provide excellent additional support, especially to new Councillors. **Councillor Don Alexander***

*As a long serving Councillor, I understand the importance and value of member development and the opportunity it brings to feel confident, as well as connected to the services that are delivered across the city. Regular updates on policy and processes have helped me serve my ward better over the years. The induction programme can be a lot to take in so revisiting the resources available really can help. Once you start demystifying who does what, and why, you can start to perform effectively as a Councillor. **Councillor Lesley Alexander***

*My initial focus when becoming a Councillor was understanding the practical things such as using ICT, getting to know officers, and completing induction sessions. After this, the focus fell on understanding the problems in the city by attending regular and incredibly helpful briefings and receiving statutory training to sit on Planning and Licensing Committees (every ward Councillor will receive casework on this!). Other useful training for me has been around improving personal skills such as negotiation, stakeholder working, public speaking, and networking. **Councillor Martin Fodor***

You might think that Member Development is only for new Members, but as one of the longest serving councillors here, and having held many different positions in the Council, I still highly value all sorts of training, whether delivered by our own Council officers, by national or regional organisations, or by experts outside the local government field.

Learning from other local authorities and other councillors is one of the best ways that I know for us to look at what Bristol does, and see how that measures up to other's experience and practice. I always come back from training with questions both to stretch myself, and to ask of professionals.

All of this learning can be put to good use in your role as a ward member, on Scrutiny Boards, on formal "quasi-judicial" committees and on Cabinet. Being the best we can be, in whatever role, enhances the value you get from being a representative, and I believe this is important in reputational terms for the Council.

*All of this helps keep you up to date with the latest developments in policy, best practice, and brings fresh eyes to our work. Grab every opportunity with both hands! **Councillor Helen Holland***

*The best piece of advice I can give any new starter is do not be afraid to ask for help. The member training and induction is there to educate and support you and to help you avoid making assumptions. In the first 3 months you will be introduced to lots of services, BCC staff, party members, people and legislation. The member induction and training will help you make sense of it all. Remember to ask if unsure about something as member development officers will explain and support if you need it. **Councillor Tony Carey***

Member Development Action Plan

Key actions related to the Member Development Strategy 2021/25

Action	Outcome	Start date/ Deadline	How we will measure success	Person (s) Responsible
Design and implement optional Personal Development Plans	Councillors can choose to have an annual plan to set out goals, as well as ways of achieving them	Where required by Members, plans will be ongoing over 3 years (to align with the electoral cycle), but first plans to be completed by Jun 21	By the number of plans completed by Councillors who have requested them, and continuous implementation of them over 3 years	Members/Party Group Leaders - with support from the Head of Democratic Engagement if required
Launch a Councillor Link Scheme	Councillors will be offered access to a dedicated senior officer to support them with their initiation into the Council	Arrangements in place by Apr 21 and scheme completed by Aug 21	By the number of officers and Councillors we successfully pair, as well as using feedback from both parties	Chief Executive Head of Democratic Engagement
Run introductory briefing sessions during the first 3 months of Councillors commencing	Introductory sessions will give Members foundation knowledge about the Council and how it works	Start May 21 - End July 21	Participation numbers and session feedback	Member Development Officer Head of Democratic Engagement Democratic Services Manager
Schedule and deliver the Member induction programme	Councillors will be well equipped to conduct their various roles	Start May 21 - End Aug 21 (Repeat over 4 years)	Participation numbers and session feedback	Member Development Officer
Councillor virtual 'tour' of Bristol	New Councillors will be given a city wide briefing so they understand priorities at ward level	May-21	Participation numbers and session feedback	Member Development Officer Head of Democratic Engagement Democratic Services Manager
Councillor Swearing In Ceremony	Councillors will complete all essential documentation and receive their equipment	May-21	Participation numbers and session feedback	Member Development Officer Head of Democratic Engagement Democratic Services Manager
Create a detailed Councillor Information Guide	Councillors will have easy access to essential information	May-21	Feedback from Councillors	Member Development Officer
Survey Councillors on an annual basis to gather data on progress and satisfaction	We will be able to identify trends and gaps in learning and development that can be addressed	Annually, to commence in September 21	Annual Survey	Head of Democratic Engagement Democratic Services Manager Member Development Officer

Maintain a Member Development Steering Group that meets monthly	Member Development will continue to be a member led process with a 'best practice' approach	Ongoing	Participation numbers and general feedback from members	Head of Democratic Engagement Democratic Services Manager Member Development Officer
Gather the protected characteristics of Councillors	The Council will be better informed about the protected characteristics of its Members.	May-21	Data recorded and used to inform service planning	Head of Democratic Engagement Democratic Services Manager Member Development Officer
Achieve South West Council's Member Development Charter Accreditation	Bristol City Council will have a best practice Member Development programme	May-22	By achieving the accreditation	Head of Democratic Engagement Democratic Services Manager Member Development Officer
Plan and deliver activities/programmes that promote becoming a Councillor	The public will gain knowledge on how to become a Councillor	2023 TBC	Feedback from Councillors about the quality of information available	Head of Democratic Engagement Democratic Services Manager Member Development Officer

Bristol City Council Member Development Induction Programme - Overview

Introductory Sessions

- An Overview of the Constitution
- Internal and External Communications
 - Local Authority Finance
 - Equalities and Inclusion
- Policy, Strategy, and Partnerships
 - Corporate Parenting
 - Safeguarding
- Full Council/Cabinet Operations
- Organisational Values and Culture
 - s106 and CIL funding
 - Climate Change
 - Education and Skills
 - SEND
- Devolution Briefing (WECA)
 - Procurement
- Waste and Clean Streets
 - Public Health
- Child Sexual Exploitation
- Risk Management and Insurance
 - LGA

Special

- Councillor Swearing In Ceremony
- Meet and Greet CLB and Service Directors
 - Virtual Tour of the City
- Emergency Planning and Bristol Operations Centre
 - Citizen Service Point

Committee Training

- Introduction to Planning
- Development Control Committee members
 - Home to School Transport Appeals
- Guardianship Panel Appeals Committee Members
 - Audit Committee
- HR Dismissals Appeals Committee Members
 - Taxi Licensing Training
 - Scrutiny Training
 - Health Scrutiny Training
- Development Control Training
 - Licensing Training
- Public Rights of Way (within PROWG committee)
- Training for Towns, Villages, and Greens (within PROWG committee)
 - Charing Training

E-Learning

- Adult and Child Safeguarding
 - Equality and Diversity
 - GDPR

Community and Wards

- Lone working and personal safety
- iCasework (Enquiries, Complaints, Feedback and Information Requests)
 - Ward Profiles / Finding out about your ward
 - Strategic Transport planning
 - Holding Companies
 - City growth and regeneration
 - Housing & Landlord Services
 - Online surgeries and Public Meetings
 - Practical Casework and Advocacy Skills
- Managing challenging people and difficult conversations
 - Public Speaking Skills

Member Development Steering Group

Terms of Reference

Introduction

The Member Development Steering Group has been established to ensure that the programme of development activities for Councillors is fully 'Member led' and supports new and existing elected representatives so they can fulfil all their duties effectively.

Purpose

1. Facilitate a planned and strategic approach to Member development.
2. Ensure all Councillors are well equipped with the skills and knowledge to enable them to carry out their duties.
3. Monitor the programme of development activities to ensure all Members have equal access to training and development opportunities.
4. Champion the learning and development of Members so that it's recognised as a key component to the Council's overall performance.
5. Facilitate, where required, the regular assessment of training needs/records for Members.
6. Evaluate the effectiveness of the overarching training programme and the Member Development strategy.
7. Achieve and maintain South West Council's Charter Status accreditation for Member Development.

Membership

Councillors:

Membership is cross party with appointments being made by the Whips. The MDSG have requested that the Chair rotates between all its Members. Current membership is as follows;

Cllr Peter Abraham
Cllr Lesley Alexander
Cllr Nicola Bowden-Jones
Cllr Tony Carey
Cllr Harriet Clough
Cllr Martin Fodor
Cllr Margaret Hickman
Cllr Helen Holland

Supporting Officers:

Lucy Fleming, Head of Democratic Engagement
Louise DeCordova, Democratic Services Manager
Taylor Meagher, Member Development Officer

The Member Development Steering Group meets informally, with Council officers attending to provide advice and guidance.

Timing

The MDSG is a standing body and meets monthly.

A full review of progress of the Member Development programme will be conducted at the end of the 21/22 Municipal Year.

Decision Making Pathway

The MDSG will regularly report to the Values and Ethics Sub Committee of the Audit Committee, which has responsibility for maintaining oversight of the Member Development Programme.

Values and Ethics Sub Committee

22nd March 2021



Report of: The Monitoring Officer – Director of Legal and Democratic Services

Title: Summary of Complaints against Councillors and Outcomes January 2018 – March 2021

Ward: N/a

Officer Presenting Report: Head of Legal Service

Recommendation

That the Committee notes the report, the summary of Complaints made against Councillors and outcomes since the last report to the Committee in January 2018

That the Committee agrees to receive a report from the Monitoring officer summarising complaints received on an annual basis.

The significant issues in the report are:

As set out in the report and Appendix 3 to the report.

Policy

1. This report is submitted in line with the process set out in the Councillor Complaints procedure (Appendix 1).

Context

2. Paragraph 4.7 of the procedure provides that the Monitoring Officer will report to the Audit Committee on a quarterly basis regarding complaints received (anonymised) and their resolution/decision. The report is being presented to the Values and Ethics sub-committee as Standards issues are now within this committee's terms of reference. A report is being presented now both to rectify the lack of reporting since January 2018 and to bring Members of the committee up to date. It is recommended that a report be received by the committee on an annual rather than a quarterly basis.

3. A complaint against a Councillor relates to an allegation that a Councillor has not observed the Code of Conduct for Members. Complaints are made through the Monitoring Officer and Standards Committees. Complaints must be about councillors' actions relating to their role as a Member of the Council.

4. The Localism Act 2011 places a duty on the Council to promote and maintain high standards of conduct by members and co-opted members of the authority and to adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. Codes of conduct must be consistent with the following principles—

(a)selflessness.

(b)integrity.

(c)objectivity.

(d)accountability.

(e)openness.

(f)honesty.

(g)leadership.

5. The Act also requires all local authorities (other than parish and town councils) to have procedures in place to deal with complaints about member conduct. It is for the authority to decide the details of those procedures, but they must appoint at least one Independent Person whose views are to be taken into account before making a decision on a complaint that they have decided to investigate.

6. The last report to the Audit committee was in January 2018, the summary of complaints is at

Appendix 2.

7. The summary of complaints in this report at Appendix 3 covers all complaints received since that time.

8. The Committee is asked to agree that the Monitoring officer should ensure that an annual summary is presented.

9. It is not possible to provide further details of complaints received or outcomes as only complaints that have been upheld are published.

Other Options Considered

10. Not applicable.

Risk Assessment

11. Not applicable.

Legal and Resource Implications

Legal

As set out in the report

(Legal advice provided by Nancy Rollason – Head of Legal Services)

Financial / Land / Human Resources

Not applicable.

Appendix 1 - Council Complaints procedure

Appendix 2 – Summary of complaints 2018

Appendix 3 - Summary of Complaints 2018-2021

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: Localism Act 2011

BRISTOL CITY COUNCIL PROCEDURE COMPLAINTS ABOUT BREACHES OF THE CODE OF CONDUCT

1.0 Making a Complaint

- 1.1 If you wish to make a complaint about a councillor or co-optee of Bristol City Council you must complete the [Complaint Form](#) (Appendix A), and provide relevant evidence to substantiate your allegation(s). The form is also available from the Monitoring Officer.

Head of Legal Services
c/o Democratic Services Team
Room 220
Bristol City Council
City Hall
College Green
Bristol, BS1 5TR

2.0 Written Allegations

- 2.1 The Monitoring Officer will receive all complaints. The Monitoring Officer may find that an allegation does not fall to be considered under the [Code of Conduct for Councillors](#) (appendix B) as adopted by Full Council on 19th June 2012. If this is the case, the Monitoring Officer may request further information, or direct the matter through a more appropriate channel.
- 2.2 There are some instances where it is not appropriate to complain through this complaints process eg
- People employed by the Council or Authority or a decision made by an Officer of the Council
 - Incidents that happened before a Member was elected or chosen to serve.
 - The way an Authority conducts or records its meetings.
 - The way an Authority has or has not done something. This might be a matter for the Local Government Ombudsman if the Authority has not dealt with the matter properly and it has not been resolved locally.
 - Complaints about someone who is no longer a Councillor or conduct during their private life, will not be dealt with under this procedure.

If your complaint or comment is regarding one of the options above, please refer to our **Fair Comment** system.

Decisions relating to Planning or Licensing matters where you are unhappy with the decision made should be challenged by way of judicial review.

- 2.3 On receipt of a complaint, a letter of receipt will be sent to the complainant within five working days, with details about how the complaint will be dealt with and in what timescales.
- 2.4 A letter of notification will be sent to the Councillor within five working days, with a copy of the complaint and the name of the complainant, if anonymity has not been requested.
- 2.5 The Councillor will be invited to submit a written statement of fact in reply to the complaint.

- 2.6 The Monitoring Officer may also source further information to help such as (1) copies of acceptance of office and code of conduct forms (2) minutes of meetings (3) copy of register of interests forms (4) info from companies house or land registry (5) other easily obtainable documents in the public sphere. The Monitoring Officer could also contact complainants for clarification of their complaint, or further information.
- 2.7 The Monitoring Officer will consider any request for confidentiality. If confidentiality is refused, the complainant will be given the opportunity to withdraw the complaint before the subject member is informed.
- 2.8 The Monitoring Officer will consider whether, on the basis of the complaint and additional information, there appears to have been a breach of the Code of Conduct.
- 2.9 The Monitoring Officer would in the first instance and where appropriate, seek informal resolution of the case by way of apology or mediation.

3.0 Consideration by the Monitoring Officer

After considering the information provided, the Monitoring Officer may make one of three decisions;

- (i) Decide that no action should be taken- with reasons for this decision OR
- ii) Take other action OR
- iii) May refer the matter for investigation

- 3.1 If the Monitoring Officer decides that no action should be taken then reasons will be stated and the complainant informed. It is likely that no action will be taken where;
- a. there is no prima facie evidence that the Code has been breached;
 - b. taking into account the nature of the allegation, using public funds to examine the matter further would be disproportionate;
 - c. the complaint appears to be vexatious, politically motivated, tit-for-tat or made by a persistent complainant;
 - d. the conduct complained about has already been the subject of investigation or enquiry by another public body;
 - e. the same, or substantially the same, issue has been the subject of a previous Code of Conduct allegation, and there is nothing further to be gained;
 - f. there is not enough information to take the matter further;
 - g. the complaint was made anonymously;
 - h. the complainant has requested that their identity as complainant be withheld from the member, and the matter cannot reasonably be taken further in these circumstances;
 - i. the member has already apologised for the action that was the subject of the complaint, and that is sufficient to dispose of the complaint;
 - j. the complaint is essentially against the action of the Council as a whole and cannot properly be directed against an individual member(s).
- 3.2 The Monitoring Officer could refer a matter for other action where it would not be in the interests of good governance to conduct an investigation. Other action may be more appropriate where a number of Members have failed to comply with the same paragraph of the Code of Conduct, officers have given incorrect advice leading to the breach or where there has been a breakdown in relationships in the Authority. Examples of other action include training, conciliation and mediation or changes to

Council procedures.

3.3 In order to investigate, the Monitoring Officer can make enquiries of people and request them to provide information or explanation. After consultation with the Independent Person, a written report will then be submitted to the Monitoring Officer for consideration. If there is no finding of a breach of the Code of Conduct then that will be an end to the matter. If there is a finding of a breach and the Monitoring Officer is unable to negotiate an informal resolution between the parties then the matter will be referred to the Audit Committee for consideration.

4.0 Referral to Audit committee

4.1 The Audit Committee will decide whether a formal hearing is required and consider whether this should be dealt with by the full committee or delegated to a Sub-Committee. It will decide upon who should attend and the procedure to follow after considering representations from the complainant and the councillor.

4.2 The Committee/Sub-Committee has the power to reach one of three decisions:

1. The person had NOT failed to comply with the Code of Conduct
2. The person HAD failed to comply with the Code of Conduct, but no action needed
3. The person HAD failed to comply with the Code of Conduct, and a sanction should be imposed.

4.3 Possible sanctions that will be available include

- **To Report on findings to Full Council i.e. “naming and shaming”.**
- **To Recommend to a Group Leader that the member concerned be removed from any committee or sub-committee.**
- **To recommend, In relation to any members of the executive that the member concerned be removed from the Executive.**
- **to recommend the Monitoring Officer to arrange appropriate training for the member concerned.**
- **to recommend removal of any member concerned from any outside body appointments.**
- **to require the withdrawal of Council facilities e.g. use of computer or internet.**
- **to exclude a member from the Council’s offices or other premises except for the purpose of attending formal meetings.**

4.4 Where a breach is found, the Decision Notice will be published on the Council's website.

4.5 The Committee reports and minutes shall be available for public inspection for 6 years after the Hearing unless parts of the Hearing were held in private in which case those parts will not be available for public inspection.

4.6 The Monitoring Officer will consider the allegation within an average of 20 working days (30 working days during the purdah period of six weeks before an election).

4.7 The Monitoring Officer will report back to the Audit Committee quarterly regarding complaints (anonymised) and their resolution/ decision.

Agreed at Audit Committee 28th Sept 2012

Appendix 2

Summary update: Councillor Complaints

Audit Committee

25 January 2018

Case Reference	Date Received	Complaint Summary	Paragraphs allegedly breached	Independent Person consulted?	Conclusion	Date Closed
JD5.649	30/12/2016	Neutrality of Chair cttee		Yes	No action to be taken	27/3/17
JD5.650	22/2/17	Actions at Full Council	Articles 3,9,10,14 & 17 of ECHR (1998) and Code of Conduct	Yes	No action to be taken	27/3/17
JD5.651	24/2/17	Actions at Full Council		Yes	No action to be taken	27/3/17
JD5.652	24/2/17	Actions at Full Council		Yes	No action to be taken	27/3/17
JD5.653	2/3/17	Manner and content of objection submitted to Planning application		Yes	Other action - apology	7/4/17
JD5.679	3/7/17	Not responding to correspondence		No	No action to be taken	9/10/17

<i>JD5.698</i>	<i>3/7/17</i>	<i>Remarks on Social Media</i>		<i>No</i>	<i>Complaint resolved through mediation</i>	<i>4/12/17</i>
<i>JD5.680</i>	<i>18/7/17</i>	<i>Comments at Planning committee</i>		<i>No</i>	<i>No action to be taken</i>	<i>9/10/17</i>

Summary of Complaint	Date of decision	Method of resolution	Case Ref
Breach of confidentiality	24/04/18	Independent investigation no further action	RL01.28
Breach of confidentiality	24/04/18	Independent investigation No further actions taken	RL01.39
Failure to treat other Councillors with respect	24/04/18	Independent investigation No further action taken	RL01.33
Failure to treat another Councillor with respect	22/10/18	Initial assessment -No further action	RL01.26
Inappropriate comments made to a member of the public	24/10/18	No jurisdiction to hear the complaint (action not taken in capacity as a member of the Council)	RL01.27
Inappropriate comments made by a councillor	24/06/19	Initial assessment No breach/No further action	RL01.21
Failure to respond to correspondence	30/08/19	Informal resolution - Written apology	RL01.36
Breach of confidentiality	25/10/19	Informal Resolution A formal written apology and training on Exempt information	RL01.40
Breach of confidentiality	25/10/19	Informal resolution A formal written apology and training on Data protection and information security	RL01.20
Inappropriate email sent to complainant	03/04/20	No further action	RL01.38
Disclosure of personal information and misrepresentation	26/06/20	Initial assessment no further action	RL01.30
Failure to treat another Cllr with respect	03/07/20	Informal resolution -- written apology and training to be undertaken	RL01.22
Member using office for political advantage	03/08/20	Initial assessment - No further action	RL01.29

failure to respond appropriately to a complaint made by a Member of the public. Bias.	04/08/20	No further action	RL01.37
Failure to respond appropriately to a complaint made by a Member of the public. Bias.	04/08/20	No Further Action	RL01.31
Conflict of interest, failure to disclose pecuniary and non pecuniary interest	04/08/20	No Further Action	RL01.25
Failure to treat a member of the public with respect	04/08/20	No Further Action	RL01.34
Inappropriate comments made to a member of staff	20/08/20	Informal resolution - Written apology	RL01.41
Failure to treat Complainant with respect/insulting language used towards complainant	24/08/20	No further action taken	RL01.19
Inappropriate comments made to a member of staff	21/09/20	Informal resolution - Written apology	RL01.24
Abuse of role as Member of the council	N/K (2018)	Initial assessment ;No further action taken	RL01.23
Failure to behave with integrity (accepting hospitality)	N/K (2018)	No further action	RL01.35