



City of Westminster

Committee Agenda

Title: **Standards Committee**

Meeting Date: **Thursday 5th July, 2018**

Time: **7.00 pm**

Venue: **Room 3.4, 3rd Floor, 5 Strand, London, WC2 5HR**

Members:

Councillors:

Judith Warner (Chairman)
David Boothroyd
Danny Chalkley
Louise Hyams
Patricia McAllister
Robert Rigby

Also Invited: Baroness Julia Neuberger and Sir Stephen Lamport



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Toby Howes, Senior Committee and Governance Officer.

**Tel: 020 7641 8470; Email: thowes@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the the Director of Law in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

The Senior Committee and Governance Services Officer to report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive any declarations by Members and Officers of the existence and nature of any personal or prejudicial interests to matters on the agenda.

3. MINUTES

To sign the minutes of the meeting held on 15 March 2018.

(Pages 1 - 10)

4. MEMBER DEVELOPMENT CHARTER

Report of the Member Services Manager.

(Pages 11 - 28)

5. GUIDANCE ON USE OF SOCIAL MEDIA BY MEMBERS

Report of the Head of Committee and Governance Services.

(Pages 29 - 38)

6. WORK OPTIONS AND WORK PROGRAMME

Report of the Head of Committee and Governance Services.

(Pages 39 - 44)

7. ANY OTHER BUSINESS THE CHAIRMAN CONSIDERS URGENT

**Stuart Love
Chief Executive
27 June 2018**



CITY OF WESTMINSTER

MINUTES

Standards Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Standards Committee** held on **Thursday 15th March, 2018**, Room 3.4, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Judith Warner (Chairman), David Boothroyd, Ruth Bush, Melvyn Caplan, Brian Connell and Louise Hyams

Also Present: Sir Stephen Lamport and Baroness Neuberger.

1 MEMBERSHIP

There were no changes.

2 DECLARATION OF INTERESTS

There were none.

3 MINUTES

RESOLVED: That the minutes of the meeting held on 7 December 2017 be approved and signed by the Chairman as a true and correct record of the proceedings.

4 MEMBER COMPLAINTS - ANNUAL REPORT AND RESPONSE TO CONSULTATION ON STANDARDS IN PUBLIC LIFE (SEE REPORT OF THE DIRECTOR OF LAW)

4.1 Tasnim Shawkat, Director of Law, introduced the report and set out the current position in respect of the three complaints. Concern was expressed that no timeframe was given for the completion of investigation. Tasnim responded by saying that her aim was to complete investigations within 28 days but at all times keep the parties informed. It was noted that a framework setting out the role of the Independent Person in investigations had been produced.

4.2 Tasnim Shawkat confirmed that sometimes the complexity of complaints requires that some investigations will take longer. She confirmed that she

was absolutely committed to having complaints dealt with as quickly as possible and as required keeping the various parties informed of progress. In some cases she advised that it may be necessary to allow more time both following the event that led to the complaint and at the investigation stage. Accordingly, some degree of flexibility was required.

- 4.3 Tasnim Shawkat then introduced the consultation which was being carried out by the Committee on Standards in Public Life of local government ethical standards. It was noted that it was open to anyone to contribute as part of the consultation.
- 4.4 The Committee considered each of the questions asked by the consultation and agreed that a smaller panel of Members, including at least one of the Independent Panel Members consulted to produce on behalf of the Committee the final response to the consultation. (Note by the Head of Committee and Governance Services). The final version of the response sent on behalf of the Committee is attached and includes on behalf of the Committee reference to the comments made by the Committee. A report setting out the findings of the review of the Committee on Standards in Public Life will be submitted when available.

Resolved:

1. That the “Arrangements for dealing with complaints alleging a breach of the Members’ Code of Conduct” be amended as shown in paragraph 3.2 of the report and paragraph 4.3 (f) of Appendix 1 of the report;
2. That the final response to the consultation be sent by the Director of Law on behalf of the Committee, having consulted the Chairman, Councillors Boothroyd and Caplan and both Independent Persons.

5 RECORDING OF MEMBER TRAINING (SEE REPORT OF THE HEAD OF COMMITTEE AND GOVERNANCE SERVICES)

Resolved:

That the Council be recommended to approve additions to Register of Interest form to be completed by all Members and Co-opted Members, as follows:

New Section 10 – Please list, including dates where possible, of all training undertaken to prepare you for your role as a Councillor or to develop his/her in this role.

6 MEMBER INDUCTION PROGRAMME (SEE REPORT OF THE MEMBER SERVICES MANAGER)

Resolved: That the report be noted.

7 WORK PROGRAMME AND ACTION TRACKER (SEE REPORT OF THE HEAD OF COMMITTEE AND GOVERNANCE SERVICES)

Resolved: That the report be noted.

The Meeting ended at 8.39 pm.

CHAIRMAN: _____ **DATE** _____

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Review of Local Government Ethical Standards: Stakeholder Consultation

The Committee on Standards in Public Life is undertaking a review of local government ethical standards.

Robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government.

As part of this review, the Committee is holding a public stakeholder consultation. The consultation is open from 12:00 on Monday 29 January 2018 and closes at 17:00 on Friday 18 May 2018.

Terms of reference

The terms of reference for the review are to:

1. Examine the structures, processes and practices in local government in England for:
 - a. Maintaining codes of conduct for local councillors;
 - b. Investigating alleged breaches fairly and with due process;
 - c. Enforcing codes and imposing sanctions for misconduct;
 - d. Declaring interests and managing conflicts of interest; and
 - e. Whistleblowing.
2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
3. Make any recommendations for how they can be improved; and
4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

The review will consider all levels of local government in England, including town and parish councils, principal authorities, combined authorities (including Metro Mayors) and the Greater London Authority (including the Mayor of London).

Local government ethical standards are a devolved issue. The Committee's remit does not enable it to consider ethical standards issues in devolved nations in the UK except with the agreement of the relevant devolved administrations. However, we welcome any evidence relating to local government ethical standards in the devolved nations of the UK, particularly examples of best practice, for comparative purposes.

Submissions will be published online alongside our final report, with any contact information (for example, email addresses) removed.

The Committee will publish anonymised submissions (where the name of the respondent and any references to named individuals or local authorities are removed) where a respondent makes a reasonable request to do so.

Consultation questions

The Committee invites responses to the following consultation questions.

Please note that not all questions will be relevant to all respondents and that submissions do not need to respond to every question. Respondents may wish to give evidence about only one local authority, several local authorities, or local government in England as a whole. Please do let us know whether your evidence is specific to one particular authority or is a more general comment on local government in England.

Whilst we understand submissions may be grounded in personal experience, please note that the review is not an opportunity to have specific grievances considered.

a. Are the existing structures, processes and practices in place working to ensure high standards of conduct by local councillors? If not, please say why.

Much of the new system is better. It was not well understood. There should be a requirement to have a Standards Committee, which should be chaired by an Independent Person. Consideration to the relevant number of Independent Persons needs to be given but there should be at least 2 or 3, with one being the Chairman.

b. What, if any, are the most significant gaps in the current ethical standards regime for local government?

Consideration must be given to ensuring that abuse given via social media is also regarded as misconduct, as should be cyber-bullying and online activity generally. The advice previously provided by the Standards Board for England is missed and an alternative source for this would be welcomed. A great deal of learning was gained by sharing this information.

Codes of conduct

c. Are local authority adopted codes of conduct for councillors clear and easily understood? Do the codes cover an appropriate range of behaviours? What examples of good practice, including induction processes, exist?

Important that they are updated regularly. May be useful to have a requirement that each authorities full Council endorse their Code annually. This should be followed by a requirement for training to be offered annually.

d. A local authority has a statutory duty to ensure that its adopted code of conduct for councillors is consistent with the Seven Principles of Public Life and that it includes appropriate provision (as decided by the local authority) for registering and declaring councillors' interests. Are these requirements appropriate as they stand? If not, please say why.

The Nolan Principles are very good and should continue to be embedded as a requirement in the Code.

Investigations and decisions on allegations

e. Are allegations of councillor misconduct investigated and decided fairly and with due process?

- i. What processes do local authorities have in place for investigating and deciding upon allegations? Do these processes meet requirements for due process? Should any additional safeguards be put in place to ensure due process?**

It is vitally important that those making complaints are satisfied that their complaint is considered fully and to some extent externally from the Council. All Monitoring Officers should be allowed if they consider it necessary to seek external legal assistance.

- ii. Is the current requirement that the views of an Independent Person must be sought and taken into account before deciding on an allegation sufficient to ensure the objectivity and fairness of the decision process? Should this requirement be strengthened? If so, how?**

Too many it would appear very limited involvement. May be the requirement should include provision for the Independent Person's views to be published as part of the decision. However, see (iii) below.

- iii. Monitoring Officers are often involved in the process of investigating and deciding upon code breaches. Could Monitoring Officers be subject to conflicts of interest or undue pressure when doing so? How could Monitoring Officers be protected from this risk?**

A better system is to have a fairly small (say 3) Committees/Sub-Committee, to include at least a majority of Independent Members. Such a system – similar to the previous regime, would give the public much greater confidence that the process was independent.

Sanctions

f. Are existing sanctions for councillor misconduct sufficient?

- i. What sanctions do local authorities use when councillors are found to have breached the code of conduct? Are these sanctions sufficient to deter breaches and, where relevant, to enforce compliance?**
- ii. Should local authorities be given the ability to use additional sanctions? If so, what should these be?**

Sanctions are fine. The withdrawal of Special Responsibility Allowances are automatic when a removal from a relevant post has been applied by the appointing body or person. In certain circumstances the suspension of the Basic Allowance should be allowable, as a sanction.

Declaring interests and conflicts of interest

g. Are existing arrangements to declare councillors' interests and manage conflicts of interest satisfactory? If not please say why.

- i. A local councillor is under a legal duty to register any pecuniary interests (or those of their spouse or partner), and cannot participate in discussion or votes that engage a disclosable pecuniary interest, nor take any further steps in relation to that matter, although local authorities can grant dispensations under certain circumstances. Are these statutory duties appropriate as they stand?**

Yes.

- ii. What arrangements do local authorities have in place to declare councillors' interests, and manage conflicts of interest that go beyond the statutory requirements? Are these satisfactory? If not, please say why.**

The Council has some additional requirements relating to these. On balance, a set of legal requirements, which go further than the current statutory requirements would assist. A set of requirements, standard across the sector would seem sensible.

Whistleblowing

h. What arrangements are in place for whistleblowing, by the public, councillors, and officials? Are these satisfactory?

The Council has a whistleblowing policy.

Improving standards

i. What steps could local authorities take to improve local government ethical standards?

The Council has recently decided to publish details of training undertaken by Members relating to their Councillor duties. This follows the introduction of a Member Development Programme. The Development Programme will lead to better informed Councillors. Members will need to attend and to some extent this is a matter for the parties but the recording and publication of attendance will provide some important data for the public.

j. What steps could *central government* take to improve local government ethical standards?

Make the legislation changes required to bring the improvements suggested below into force.

Intimidation of local councillors

k. What is the nature, scale, and extent of intimidation towards local councillors?

i. What measures could be put in place to prevent and address this intimidation?

The Council's experience of this is that it has been largely online of a political nature – not thankfully violent.

Who can respond?

Anyone with an interest may make a submission. The Committee welcomes submissions from members of the public.

However, the consultation is aimed particularly at the following stakeholders, both individually and corporately:

- Local authorities and standards committees;
- Local authority members (for example, Parish Councillors, District Councillors);
- Local authority officials (for example, Monitoring Officers);
- Independent Persons appointed under section 28(7) of the Localism Act 2011;
- Think tanks with an interest or expertise in local government;
- Academics with interest or expertise in local government; and
- Representative bodies or groups related to local government.

How to make a submission

Submissions can be sent either in electronic format or in hard copy.

Submissions must:

- State clearly who the submission is from, i.e. whether from yourself or sent on behalf of an organisation;
- Include a brief introduction about yourself/your organisation and your reason for submitting evidence;
- Be in doc, docx, rtf, txt, ooxml or odt format, not PDF;
- Be concise – we recommend no more than 2,000 words in length; and
- Contain a contact email address if you are submitting by email.

Submissions should:

- Have numbered paragraphs; and
- Comprise a single document. If there are any annexes or appendices, these should be included in the same document.

It would be helpful if your submission included any factual information you have to offer from which the Committee might be able to draw conclusions, and any recommendations for action which you would like the Committee to consider.

The Committee may choose not to accept a submission as evidence, or not to publish a submission even if it is accepted as evidence. This may occur where a submission is very long or contains material which is inappropriate.

Submissions sent to the Committee after the deadline of 17:00 on Friday 18 May 2018 may not be considered.

Submissions can be sent:

1. Via email to: public@public-standards.gov.uk
2. Via post to:
Review of Local Government Ethical Standards
Committee on Standards in Public Life
GC:07
1 Horse Guards Road
London
SW1A 2HQ

If you have any questions, please contact the Committee's Secretariat by email (public@public-standards.gov.uk) or phone (0207 271 2948).



Committee Report

Date: 5 July 2018

Classification: For General Release

Title: Member Development Charter

Report of: Head of Committee and Governance Services

Financial Summary: There are no financial implications

Report Author and Contact Details: Janis Best
Member Services Manager
Tel: 7641 3255; jbest@westminster.gov.uk

1. Executive Summary

- 1.1 The Local Government Association (LGA) has reviewed its Member Development Charter to make sure that current and future challenges are reflected. The LGA is strongly encouraging local areas to adopt the Member Development Charter and Charter Plus as part of a programme of continuing Member development.
- 1.2 The Chairman has asked that this report be submitted to enable the Committee to give initial consideration to it in the context of its duty to monitor the Member Development Programme.

2. Recommendations

- 2.1 That the Committee note that the responsibility for Member Development sits with the Leader of the Council.
- 2.2 That the Committee give consideration to the attached information relating to the LGA Member Development Charter in line with the Committee's responsibility to monitor the Member Development Programme.

3. Background Information

- 3.1 In November 2017 the Cabinet Member for Finance and Corporate Services formally approved the introduction of a Member Development Programme to be launched in particular from the Induction Programme following the 2018 local elections.
- 3.2 The Member Development Programme forms a programme of 9 sessions per annum, the final details of which are currently being planned.
- 3.3 It should be noted that any decision to seek the Charter is that of the Leader of the Council.

- 3.4 Officers are of the view that the targets set out to achieve the Member Development Charter status are useful milestones for the Council as it begins to launch its Member Development Programme.
- 3.5 Since the last Committee the Member Induction Programme has started and four sessions have already been held. A full update on the sessions will be provided to the Committee in December. The dates in the Council diary for the upcoming Member Development sessions are: Thursday 6 September, Thursday 4 October, Thursday 22 November, Thursday 10 January 2019, Thursday 31 January, Wednesday 13 March and Thursday 11 April.
4. **Financial Implications:** The cost of delivering the Member Development Programme is expected to be met from within existing resources.
5. **Legal Implications:** None.
6. **Other Implications:** None.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact:
Janis Best, Member Services Manager
Tel: 7641 3255; msteward@westminster.gov.uk**

The Member Development Charter and Charter Plus

Page 13
Supporting continuing professional
development for councillors



Produced in conjunction with the following organisations



Foreword



The environment in which we work is ever changing and if we're to continue to meet our residents' expectations we've got to keep pace with it. That means recognising that the role of the councillor is different to what it was five, 10, even 20 years ago.

We're wardens of places, leaders who represent the interest of our residents, protectors who mitigate the impact of funding constraints, facilitators who help partners and communities work together and develop new possibilities for their local areas.

Our roles are being redefined and we need to make sure we have the skills and expertise to continue delivering for our communities.

The Member Development Charter and Charter Plus has provided councils with a robust framework and has encouraged member development across the sector. This year we've reviewed the charter to make sure we're capturing current and future challenges so that councillors are able to shape debate whilst continuing to fulfil their role as the community representatives.

I would strongly encourage local areas to adopt the Member Development Charter and Charter Plus as a guide and a benchmark as part of your improvement journey. Every profession has continuing professional development at the heart of their improvement and so should we. The Member Development Charter and Charter Plus supports this continuing professional development for councillors by being a contract between the council and its councillors that commits to invest in councillors' growth and development.

Lord Gary Porter
LGA Chairman

Guidelines

There are three essential criteria to achieving the charter:

1. There is a clear commitment to councillor development and support
2. The council has a strategic approach to councillor development
3. Learning and development is effective in building councillor capacity.

Within each of these there are a number elements and requirements to demonstrate that the criteria are being met. These do not dictate what should be in the strategy, the nature of the content or the delivery mechanisms that should be used. The emphasis is on ensuring that all councillors are appropriately developed and supported so that they can be effective in their roles.

The following lists are intended to indicate the sorts of evidence that can be used to show that the council's approach to member development meets the charter criteria. Note that:

- There is no need to show all the evidence listed.
- This does not preclude the use of other evidence that may not be listed. The emphasis is on a local approach to a national framework.
- Some are likely to be stronger indicators than others.
- Some pieces of evidence may be applicable to more than one element and criteria.

Member Development Charter and Charter Plus: examples of evidence

Criterion 1. There is a clear commitment to councillor development and support

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
1.1.	Political and managerial leadership is committed to the development of councillors	<ul style="list-style-type: none"> • Clear commitment from the top political and managerial leadership • Established cross party councillor development task group (CDTG) that meets regularly • There is a clear councillor development strategy which is embedded into practice and regularly reviewed • Named councillor(s) and officer(s) responsible for councillor development 	<ul style="list-style-type: none"> • Clear commitment from top political and managerial leadership to share development opportunities across local government tiers (including with parish and town councils) • Of a strategic approach to forward planning of councillor development 	<ul style="list-style-type: none"> • Signed commitment to achieving the charter • Councillors are included in any liP Award questioning process • Strategies are in place to support councillor development • Cross party councillor development task group showing active involvement of councillors in the learning and development process

Criterion 1. There is a clear commitment to councillor development and support

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
1.2	The council actively encourages citizenship and publicises the role of councillors as community leaders as part of promoting local democracy so as to encourage under-represented groups to become a councillor	<ul style="list-style-type: none"> The council holds a range of activities and events to encourage people to become councillors 	<ul style="list-style-type: none"> The council takes action to encourage people to become councillors, particularly from under-represented groups and evaluates the impact and success of the activities Council provides information on the electoral process The council builds links with local businesses and employers to promote the role of the councillor 	<ul style="list-style-type: none"> Local democracy week action plan, programme of activities and review Youth council Supports the LGA “Be a Councillor” campaign Citizenship links with local schools, colleges and universities Presentations at community forum events, and targeting under-represented groups, to promote the role of councillors Prospective councillor events, materials, role descriptions – recruitment packs ‘Day in the life of a councillor’ feature in newsletters

Criterion 1. There is a clear commitment to councillor development and support

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
1.3	The council is committed to ensuring equal access to learning and development for all councillors	<ul style="list-style-type: none"> • Statistical analysis of cultural and personal circumstances • Timing of councillor development takes account of cultural and personal circumstances • All councillors have equal access to councillor development • The development programme includes a range of delivery methods to meet the different learning styles of councillors • Councillors are regularly updated on councillor development activities 	<ul style="list-style-type: none"> • Impact of analysis of access is monitored, reviewed and actioned 	<ul style="list-style-type: none"> • Statistical evidence of attendance • A range of learning and development options to meet individual needs are provided and promoted • A range of communication methods eg internet/ intranet/ social media is used to inform of development opportunities • Councillors confirm that action is taken to respond and to accommodate diversity of need • The councillor development plan evidences flexibility and consideration of the timing of development events
1.4	The council has a designated budget for councillor development which is adequate to meet priority development needs	<ul style="list-style-type: none"> • Budget is explicit and clearly identified and monitored 	<ul style="list-style-type: none"> • The budget is properly reviewed, set and prioritised by the cross party councillor development task group 	<ul style="list-style-type: none"> • Budget reports • Information that informs councillors of the existence of the budget • Minutes of meetings that shows councillors' involvement in setting and monitoring the budget • Councillors confirm that the budget is sufficient to meet priority current and future development needs

Criterion 1. There is a clear commitment to councillor development and support

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
1.5	Designated officer/s of the council have responsibility for coordinating councillor development	<ul style="list-style-type: none"> • Appropriate and adequate officer resources are in place to support councillor development 	<ul style="list-style-type: none"> • Councillor development and support staff have their own skills development programme • Councillor development and support staff are involved in regional and national learning networks to support CPD 	<ul style="list-style-type: none"> • Officer/s job descriptions • Named officer/s in councillors' handbook or other information source that is distributed to councillors and officers • Councillors are able to name the officer who supports their learning and development • Those responsible for planning learning and development activities for councillors are able to demonstrate their understanding of learning and development in a political context • Cross party member development task group terms of reference and active involvement of councillors in the learning and development process demonstrated

Criterion 2. The council has a strategic approach to councillor development

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
2.1	The council has a councillor development strategy in place	<ul style="list-style-type: none"> The strategy is developed and monitored by the cross party member development task group Strategy identifies priority development needs and makes stated and clear links with council's corporate/strategic objectives The strategy is regularly reviewed (at least once every three years) by the cross party member development task group The strategy includes an induction process that is evaluated after each election 	<ul style="list-style-type: none"> The cross party member development task group leads the evaluation of the strategy and implements improvements 	<ul style="list-style-type: none"> A strategy is in place Notes of member development meetings showing monitoring and evaluation of the strategy Member development task group demonstrates their involvement in formulating the strategy Overview and scrutiny review of the effectiveness of the strategy Those involved in formulating the strategy can demonstrate how it links to the corporate/strategic objectives and the rationale behind stated priorities
2.2	The council has a structured process for regularly assessing councillors' individual learning and development needs based on focused objectives	<ul style="list-style-type: none"> A process exists to identify individual development needs in the form of a Training Needs Analysis (TNA) or Personal Development Plans (PDPs) and is working effectively 	<ul style="list-style-type: none"> All councillors are offered PDPs and more than half of councillors take them up Council has a process for individual councillor reviews to reflect on strengths and support progression 	<ul style="list-style-type: none"> Councillor role descriptions Training needs analysis Personal development plans Use of the LGA Political Skills Framework

Criterion 2. The council has a strategic approach to councillor development

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
2.3	The various councillor roles are clearly defined and outline how they contribute to the achievement of community, political and council objectives	<ul style="list-style-type: none"> • Councillors demonstrate an understanding of the skills and knowledge required in their ward and council wide roles • Councillor role descriptions exist and are maintained for all key roles including the ward councillor • Councillors are clear about what the council is trying to achieve and the key role they play in this as councillors 	<ul style="list-style-type: none"> • Role descriptions are used for the recruitment and selection of candidates and to identify and prioritise development needs • Role descriptions are used to support succession planning • Evidence that councillors are clear about: <ul style="list-style-type: none"> ◦ the role of partner bodies ◦ the role of other stakeholders ◦ their own role on partner bodies ◦ their own role in relation to other stakeholder bodies 	<ul style="list-style-type: none"> • Systems are in place to identify individual development and support needs • Learning styles and training needs analysis • Personal Development Plans link to function and corporate objectives • Councillors are able to describe how learning and development activities have helped them to carry out their role and contribute to the achievement of the council's objectives

Criterion 2. The council has a strategic approach to councillor development

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
2.4.	<p>The council has a structured process for assessing current and future leadership and executive team development needs</p>	<ul style="list-style-type: none"> • Structured process to assess current and future leadership development needs • A development plan is in place that supports the top political and management teams in learning about each other and working effectively together • Leadership development is used to support future succession planning 	<ul style="list-style-type: none"> • Leaders, cabinet members and chairs have identified and undertaken development appropriate to their responsible area • A programme to develop the next generation of leaders is in place as part of the council's approach to succession planning 	<ul style="list-style-type: none"> • Process in place to identify leadership requirements • Leadership Development Plans • 360 Degree Leadership Audits • Political leadership development programmes eg LGA Leadership Academy • Events that support councillor/officer team building • Joint events with executive and senior management • Succession planning strategies • Community leadership development programmes • The political leadership can describe actions taken to develop political leadership capacity • The political and managerial leadership can give examples of how they work together as a team

Criterion 2. The council has a strategic approach to councillor development

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
2.5	There is a corporate councillor learning and development plan in place	<ul style="list-style-type: none"> • Councillor learning and development plan links to council's corporate objectives and the development of councillors • The councillor learning and development plan includes individuals, committees and political leadership needs 	<ul style="list-style-type: none"> • The councillor development plan clearly prioritises learning and development that supports the corporate objectives 	<ul style="list-style-type: none"> • Corporate councillor learning and development plan • The cross party councillor development task group are able to explain how learning and development activities are prioritised

Criterion 3. Learning and development is effective in building capacity

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
3.1	Investment in learning and development is regularly evaluated in terms of the cost benefit and impact	<ul style="list-style-type: none"> • Evaluation strategy is in place to analyse the cost and benefits of councillor development • Political and managerial leadership display a good understanding of both the costs and benefits of development activities • Councillors can describe why they did certain activities, what they learnt and what difference it has made to them carrying out their various roles as councillors 	<ul style="list-style-type: none"> • Evaluation strategy is in place to analyse the impact of councillor development activities • Some form of impact assessment at the corporate and community level exists and is used to evaluate the impact of development (eg feedback from partners is actively sought) • Case studies of how learning and development has impacted on individual and corporate performance 	<ul style="list-style-type: none"> • Evaluation strategy is in place and is effective • Analysis of costs and benefits to the council from councillor learning and development • Case studies of how learning and development has impacted on individual and corporate performance • Notes of meetings, focus groups, questionnaires or interviews involving councillors evaluating the impact of their development on overall performance • Political and managerial leadership display a good understanding of both the costs and benefits of development activities • Political and managerial leadership can provide examples and evidence of the impact and benefits of councillor development

Criterion 3. Learning and development is effective in building capacity

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
3.2	Learning is shared with other councillors and where appropriate, with officers and stakeholders to encourage capacity building in the council and a learning organisation culture	<ul style="list-style-type: none"> Knowledge and learning is shared with councillors' peers, officers and others 	<ul style="list-style-type: none"> There is an effective process in place for disseminating, sharing and exchanging knowledge and learning 	<ul style="list-style-type: none"> Examples of reports, briefing sessions, and information exchange systems used to capture and disseminate learning programmes of joint learning exchanges Councillor formal/informal mentoring arrangements Hosting case study visits Developing councillor champions for topic areas Councillors can give examples of how they have supported and learned from the development of others

Criterion 3. Learning and development is effective in building capacity

	Elements	Requirements for Charter	Requirements for Charter Plus	Examples of evidence
3.3	The council demonstrates a commitment to an effective councillor learning and development programme by implementing improvements to learning and development activities as they are identified	<ul style="list-style-type: none"> • Continuous improvement in the approach to developing councillors is identified and implemented 	<ul style="list-style-type: none"> • There are links to an evaluation strategy • Evaluation outcomes inform change and drive continuous improvement • A quality assurance process is in place 	<ul style="list-style-type: none"> • Written reviews of learning and development activities with recommendations for change • Notes of meetings, reports, personal statements providing examples of improvements to learning activities • Changes to development programmes and a rationale for the changes made • Councillors can describe what has been done to improve the development activities • Quality assurance process is in place and is effective



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REF 11.31



Committee Report

Date:	4 July 2018
Classification:	For General Release
Title:	Guidance on use of Social Media by Members
Report of:	Head of Committee and Governance Services
Financial Summary:	There are no financial implications arising from this report
Report Author and Contact Details:	Mick Steward, Head of Committee and Governance Services Tel: 7641 3134; msteward@westminster.gov.uk

1. Executive Summary

- 1.1 The Committee is asked to discuss a report produced by Wycombe District Council on Adoption of Guidance on use of Social Media by Members that was considered by its Standards Committee on 10 October 2017.
- 1.2 The guidance is set out in detail in Appendix 1 of the Wycombe District Council report.

2. Recommendations

- 2.1 To note and consider the Wycombe District Council's report on Adoption of Guidance on use of Social Media by Members.

3. Background Information

- 3.1 The Committee has previously raised the issue of Members use of social media as a matter for further discussion.
- 3.2 The Standards Committee of Wycombe District Council considered a report on Adoption of Guidance on use of Social Media by Members at its meeting on 10 October 2017.
- 3.3 The guidance was approved by the District Council's Standards Committee, subject to a minor amendment, and was incorporated within its Member Code of Conduct.
- 3.4 The Committee is invited to consider and comment on the report produced by Wycombe District Council on social media guidelines for Members.

4. Financial Implications

- 4.1 There are no financial implications.

5. Legal Implications

5.1 There are no legal implications arising from this report.

If you have any questions about this report, or wish to inspect one of the background papers, please contact:
Mick Steward, Head of Committee and Governance Services
Tel: 7641 3134; msteward@westminster.gov.uk

Background Papers:

Wycombe District Council Standards Committee 10 October 2017

- . Adoption of Guidance on use of Social Media by Members
- Appendix 1 – Social Media Guidelines for Members

Social Media Guidelines for Members

Social media guidelines for members

The Council encourages Members' use of new technology, including social media. This guidance is intended to help you to use social media in a way that avoids legal and reputational risk.

This guidance sets out what is and is not acceptable usage of social media at Wycombe District Council and complements the general rules under the Code of Conduct for Members.

The Monitoring Officer and the Communications team are happy to help Members by providing additional advice and guidance as appropriate. Training is also available to individual Members or Groups through social media surgery sessions arranged through the Communications team.

What is social media?

- Social media describes a range of website and online tools which allow people to interact. This includes blogs and postings on a wide range of social media platforms including (but not limited to) Facebook, Twitter, LinkedIn, Instagram and Snapchat.
- Social media is all about sharing information and people use social media platforms to give opinions, create interest groups and build online communities and networks which encourage participation and engagement.

Social Media and Members

It is not a requirement for Members to have a Facebook or Twitter account or to use other forms of social media to fulfil their role as a councillor. Social media can help you to:

- increase your local profile as an active and engaged councillor
- perform better as a community leader by reaching out to local residents
- keep in touch with or obtain local views and opinions
- be more approachable
- campaign on local issues

A useful rule of thumb when using social media is that if you would not give out a piece of information or make a comment to a room full of people, then don't say it on social media.

- Remember that, whenever you act or appear to act in your official capacity on social media, you must comply with the Wycombe District Council Members' Code of Conduct. The overarching rules are that you should not bring Wycombe District Council into disrepute, and must respect confidentiality.

If you have any questions or concerns you should speak to the Communications team in the first instance.

Things to bear in mind

- Any communication is capable of being misinterpreted and this includes social media. There is something about the immediacy of social media and the lack of face to face contact which seems to magnify the problem;
- Things happen quickly on social media and sometimes people express emotional reactions in a knee jerk way. Comments can be misinterpreted or misrepresented particularly with regard to something that might be perceived as being more controversial than it was expected to be;
- Remember that information and comments that you and others make can be broadcast to a large number of people more quickly than other media, which is a double edged sword;
- Even if you withdraw a comment, someone may have taken a screenshot;
- The same rules apply to social media that govern the rest of your behaviour as a councillor – but you need to take extra care given their immediacy and ease of dissemination on social media;
- Although the best use of social media is conversational in tone, publishing to the web is still publishing. What you've said on the web is recorded and it is permanent so make sure that your online content and comment is accurate, informative and thought through. Think of it as speaking in public. Think before you commit each word;
- This doesn't mean that Members cannot, in the appropriate context, communicate politically but you should be careful not to say anything that you wouldn't be prepared to stand by under scrutiny or that you would not feel comfortable repeating or justifying, for example, at a public meeting;
- Be clear if you are expressing personal views. Consider adding this in your profile description.

Some legal issues:

- **Libel** – If you publish an untrue statement about a person which is damaging to their reputation, they may consider it as defamatory and consider legal action. The same thing may happen if, for example, someone else publishes something defamatory on your website; you know about it and don't take swift action to remove it. A successful legal claim could result in the award of damages against you.
- **Copyright** – Placing images or text on your site from a copyrighted source (for example extracts from publications or photos), without obtaining permission, is likely to breach copyright laws. Therefore, don't publish anything you are unsure about, or obtain prior permission. Again, a successful claim for breach of copyright would be likely to lead to an award of damages against you.
- **Data Protection** – Do not publish the personal data of individuals unless you have their express permission. Personal information in an

email or personal exchange should not be presumed to imply any consent to pass it on to others. If you place personal information on a public forum you should expect it to be published by others.

- **Bias and Predetermination** – if you are involved in making planning, licensing or other quasi-judicial decisions, do not say anything through social media (or indeed anywhere) that suggests you have made your mind up on an issue that is due to be formally decided. While your likely view on a particular application may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh all the evidence, and were genuinely persuadable to a different view, otherwise the decision may be later challenged as invalid. If a person has suffered some sort of detriment as a result of such an invalid decision, they may have a claim against the Council for damages.
- **RIPA (Regulation of Investigatory Powers Act 2000)** - where social media sites (SMS) are used for investigatory purposes anyone investigating on behalf of a Council should be mindful of Guidance issued by the OSC (Office of Surveillance Commissioners - the regulator of RIPA) in 2014. Usually investigations will be carried out by Council officers, but Members also need to be aware of legal restrictions in this area in case they are inclined to try to find online information which might be relevant to the Council's investigatory work. In particular, where access controls are applied to data, the author is deemed to have a reasonable expectation of privacy. Where data is "open source", repeated viewing may still constitute directed surveillance which could lead to a risk of a claim under the Human Rights Act 1998, and this should be borne in mind. In addition, a formal authorisation for the use and conduct of a Covert Human Intelligence Source is necessary if a relationship is established or maintained by a public authority or someone acting on its behalf (i.e. the activity is more than mere reading the site's content). A member (or officer) of the Council should not adopt the identity of a person known, or likely to be known, to the subject of interest or users of the site without authorization, and without the consent (explicit) of the person whose identity is used, and without considering the protection of that person. If advice is needed please consult Legal Services.

Social Media and the Code of Conduct for Members generally:

- Aspects of the Code of Conduct for Members will apply to your online activity in the same way as they do to any other communication you use. The key to whether your online activity is subject to the Code is whether you are, or appear to be, acting in your capacity as a councillor rather than as a private individual. (For example, if you want to make it clear that you are not expressing views in your capacity as a Member, you may choose to add phrases such as: “speaking entirely personally...” “the views expressed here are my personal views”).
- Although you may be clear in your mind that you are acting in a private capacity it may be less clear to others, so to avoid doubt, it is better to spell out clearly whether you are stating personal, party or WDC corporate positions or views.
- One way of avoiding any confusion, and avoiding some of the potential problems related to the Code of Conduct, may be to consider keeping your online accounts as a councillor separate from those where you communicate in a personal capacity. You should include this information in your profile.
- This is an individual decision for each member and some Members may find the convenience of having one account outweighs the advantages of separate accounts. The council’s Communications Team can help you with more specific advice if needed.

Relevant Elements of the Members’ Code of Conduct:

- **Treat others with respect** - do not use social media to make personal attacks or indulge in rude, disrespectful or offensive comments.
- **Comply with equality laws** – do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti-faith.
- **Never bully or harass anyone** – do not say anything, particularly if it is part of a series of similar comments about a person or on a theme that might be construed as bullying or intimidation.
- **Do not bring the council into disrepute** – you should not publish anything that could reasonably be perceived as reflecting badly upon or lowering the reputation of you or the Council.
- **Do not disclose confidential information** - you must not, in your use of social media, just as in any other circumstances, disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature. Apply exactly the same standards to your social media communications as you would to statements made in a more formal context.

Staying out of Trouble - Some Do's and Don'ts

Do:

- set and check you have the appropriate privacy settings for your blog or networking site –especially if you have a private, non-political blog. Do you want anyone to see it, or selected people? Remember that sites like Facebook often change the parameters of settings.
- keep an eye out for defamatory or obscene posts from others on your blog or page and remove them as soon as possible to avoid the perception that you condone such views. Be aware that the higher your profile as an elected member, the more likely it is you will be seen as acting in your official capacity when you blog or network.
- consider keeping your personal and elected member profile on social networking sites separate.
- maintain appropriate professional boundaries.
- ensure you use council facilities appropriately; if you use a council provided blog site or social networking area, any posts you make will be viewed as being made in your official capacity.
- be aware that you will be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected member.
- feel able to make political points, but be careful about being too specific or personal if referring to individuals. General comments about another party or comments on policy or position are less likely to be viewed as a personal attack.

Don't:

- post social media content in haste, particularly in circumstances where your judgement might be impaired; for example if you are angered by a comment, tired or have consumed alcohol.
- never post comments that you would not be prepared to make on paper or face to face.
- use council facilities for personal or political blogs.
- request or accept a Council employee or contractor providing services to the council as a “friend” on a social networking site where this suggests close personal association. For the avoidance of doubt, this does not apply to sites which are intended as a neutral, professional connections registry (such as LinkedIn).
- use social media in any way to attack, insult, abuse, defame or otherwise make negative, offensive or discriminatory comments about council staff, service users, their family or friends, colleagues, other professionals, other organisations, or the Council.
- publish confidential information that you may have learned or had access to as part of your role as an elected member. This includes personal information about service users, their families or friends, contractors, council staff as well as council related information.
- represent your personal views, or those of any political party or interest group you belong to, as being those of the council, on any social medium.
- browse, download, upload or distribute any material that could be considered inappropriate, offensive, defamatory, illegal or discriminatory.
- make conspicuous or excessive use of social media technology during the course of a Council or committee meeting so that you give the impression to the public of not being respectful of the proceedings and, more seriously, taking decisions that are not based on full engagement with the facts and arguments.

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Committee Report

Date:	5 July 2018
Classification:	For General Release
Title:	Work Options and Work Programme
Report of:	Head of Committee and Governance Services
Financial Summary:	There are no financial implications arising from this report
Report Author and Contact Details:	Mick Steward, Head of Committee and Governance Services Tel: 7641 3134; msteward@westminster.gov.uk

1. Executive Summary

- 1.1 Members are asked to consider and note the Work Options and Work Programme and identify any further items.
- 1.2 An Action Tracker will be produced to enable the Committee to monitor its previous decisions/action requests.

2. Recommendations

- 2.1 That the Work Options and draft Work Programme set out below be noted.
- 2.2 That, having regard to the Committee's Terms of Reference attached as appendix 1 of this report, the Committee indicate any items it wishes to be added to its Work Programme.

3. Background Information

- 3.1 The production of a work programme is to enable the Committee to review and update its forthcoming work plan at each of its meetings. The Work Options and current Work Programme set out below is submitted for consideration and updating.
- 3.2 In order to ensure the Committee undertakes its work programme, at the request of the Chairman, 3 meetings per annum have been programmed.
- 3.3 The Action Tracker will be attached to future versions of this report.

4. Financial Implications

- 4.1 There are no financial implications.

5. Legal Implications

5.1 There are no legal implications arising from this report.

6. Work Options

6.1 Consultations

Disqualification Criteria for Councillors and Mayors – Department of Communities and Local Government 2017

Review of Local Government Ethical Standards – Committee for Standards in Public Life 2018 (the Committee has previously responded to this)

6.2 Protocols / Reviews

Gifts and Hospitality Protocol

Members Rights of Access to Information

Declarations and Register of Interests – Guidance

Member / Officer Protocol

Review of Arrangements for dealing with complaints against Councillors

Practical guidance for Members handling confidential information

Guidance on use of Social Media by Members

Review of Registration of Interests

Arrangements for dealing with complaints against Councillors

Outside Bodies – Governance

6.3 Member Development and Training

Member Induction Programme

Member Development Programme

Update on Training for Members on Quasi-Judicial Bodies

6.4 Complaints against Councillors

Annual Review of Complaints against Councillors

7. Draft Work Programme

Date	Items	Lead Officer
5 July 2018	LGA Member Governance Charter	Tasnim Shawkat
6 December 2018	Update on Member Development Programme and Review of Induction Programme	Janis Best
21 March 2019	Annual Report on Complaints to the Monitoring Officer	Tasnim Shawkat

**If you have any questions about this report, or wish to inspect one of the background papers, please contact:
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Background Papers: None.

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STANDARDS COMMITTEE TERMS OF REFERENCE

CONSTITUTION

6 Members of the Council, 4 Majority Party Members and 2 Minority Party Member.

TERMS OF REFERENCE

- (1) To promote and maintain high standards of conduct by the Members and Co-opted Members of the City Council.
- (2) To advise the City Council on the adoption or revision of a Code of Conduct for Members.
- (3) Advising, training or arranging to train Members and Co-opted Members on matters relating to the City Council's Code of Conduct for Members.
- (4) To assist Members and Co-opted Members observe the City Council's Code of Conduct for Members.
- (5) To monitor the operation of Code of Conduct for Members.
- (6) Consider reports referred to the Committee by ethical standards officers or the Monitoring Officer of investigations into alleged breaches of the City Council's Code of Conduct for Members.
- (7) Where necessary, to conduct hearings into allegations of breaches of the said code, and interview officers, Members and others as required.
- (8) Determining whether allegations of breaches of the said code are made out and determining what action, if any, to take in relation hereto including, where it is determined that a breach has occurred, deciding what sanctions, if any, should be applied in relation to the Member or Member concerned (and for the avoidance of doubt, the Committee shall only have power to impose any sanction authorised by law).
- (9) Consider any complaints in respect of Members referred to the Committee under the City Council's "Whistleblowing" procedure and determining the action to be taken, if any.
- (10) To the extent allowed by the Law, granting dispensations in relation to Member and co-opted Member interests as referred to in the Members Code of Conduct.
- (11) To consider, advise and, if appropriate, take action upon other Member conduct issues not otherwise dealt with under these terms of reference.

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