

Agenda

Standards and Ethics Committee

Wednesday, 17 January 2024, 10.00 am
Lakeview Room, County Hall, Worcester

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DISCLOSING INTERESTS

There are now 2 types of interests:
'Disclosable pecuniary interests' and **'other disclosable interests'**

WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3rd party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

NB Your DPIs include the interests of your spouse/partner as well as you

WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
 - you must **not participate** and you **must withdraw**.

NB It is a criminal offence to participate in matters in which you have a DPI

WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
 - You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests** **OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
 - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Standards and Ethics Committee

Wednesday, 17 January 2024, 10.00 am, Lakeview Room, County Hall, Worcester, WR5 2NP

Membership: Cllr Bob Brookes (Chairman), Cllr Dan Boatright-Greene,
Cllr David Chambers, Cllr Laura Gretton, Cllr Steve Mackay,
Cllr Dan Morehead, Cllr Mike Rouse and Cllr Tom Wells

Independent Members (Non-voting): Dr M Mylechreest Dr P Whiteman
and vacancy

Agenda

Item No	Subject	Page No
1	Apologies and Named Substitutes	
2	Declarations of Interest	
3	Public Participation Members of the public wishing to take part should notify the Assistant Director for Legal and Governance in writing or by e-mail indicating both the nature and content of their proposed participation no later than 9.00am on the working day before the meeting (in this case, 16 January 2024). Enquiries about this can be made through the telephone number/e-mail address listed in this agenda and on the website.	
4	Confirmation of Minutes To confirm the Minutes of the meeting held on 18 October 2023. (previously circulated)	
5	Review of Member/ Officer Relations Protocol	1 - 2
6	Work Programme	3 - 4

Agenda produced and published by Hazel Best, Assistant Director for Legal and Governance, County Hall, Spetchley Road, Worcester WR5 2NP

To obtain further information or a copy of this agenda contact Simon Lewis, Committee Officer on 01905 846621, slewis@worcestershire.gov.uk

All the above reports and supporting information can be accessed via the Council's website

Date of Issue: Tuesday, 9 January 2024

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STANDARDS AND ETHICS COMMITTEE

17 JANUARY 2024

REVIEW OF MEMBER/OFFICER RELATIONS PROTOCOL

Recommendation

- 1. The Assistant Director for Legal and Governance recommends that the committee notes the progress on the review of the Member/ Officer protocol.**

Background

2. The purpose of the Member / Officer Protocol is to guide Members and Officers of the Council in their relations with one another. The intention is that it supports the establishment of good working relationships between Members and Officers as they work together and describes their different but complementary roles within the Council. A strong, constructive, and trusting relationship between Members and Officers is essential to the effective and efficient working of the Council. It also sets out the behaviours and treatment that each can expect from the other and thereby expands upon the Councillors Code of Conduct.
3. Good working relationships have a significant impact on how councils perform in delivering public services to their residents and communities. This is critical in ensuring that public money is spent effectively.
4. The Protocol for Member and Officer Relations is contained within appendix 14 of the Council's Constitution. It is an adjunct to the Councillors' Code of Conduct and is an important contributor to the working culture within the Council. It sets out the differing roles of members and officers, what they can expect from each other and provides further explanation and guidance on appropriate behaviours.
5. To ensure best practice the current protocol is being assessed against the protocols operated by other local authorities. The Monitoring Officer will consult with the Group Leaders and the Council's Chief Officers (Senior Leadership Team and Chief Officer Group) There are no particular areas of concern to highlight within the existing Protocol and there have been no legislative changes or policy changes within the Authority that would impact on the Protocol. A "light touch review" will be conducted to ensure that it aligns with the new member code of conduct.
6. Following this work a revised Member/ Officer protocol will be drafted and presented at the April committee for a recommendation that the protocol be referred to the next Council meeting (May) for approval. Highlighted below are the key areas of focus of the review:
 - Principles underlying Member – Officer Relations - This will also be a good opportunity to include and emphasise the importance of the Nolan Principles (Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty,

Leadership), due to their importance to anyone who holds a position as a public officer.

- Roles of Members and Officers – This section could be strengthened only briefly summarises the role of members/officers and it is felt this could be strengthened by providing a table highlighting key aspects, specific roles, responsibilities, and processes. This is considered beneficial as it provides indepth information as to the structure of a Local Authority.
- Relationship between Members and Officers
- Access to Information.

Supporting Information

Appendix One

[APPENDIX 12 January 2020 Member officer relations vf.pdf \(modern.gov.co.uk\)](#)

Contact Points

Specific Contact Points for this report

Hazel Best, Assistant Director for Legal and Governance

Tel: 01905 765609

Email: hbest@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) there are no background papers relating to the subject matter of this report.

STANDARDS AND ETHICS COMMITTEE

24 JANUARY 2024

WORK PROGRAMME

Recommendation

- 1. The Committee is asked to note its future work programme and consider whether there are any matters it would wish to be incorporated.**

Work Programme

April 2024

Annual report on Code of Conduct complaints

Review of Code of Conduct Procedure for Assessment, Investigation and Hearing of Complaints

Review of Member/ Officer Relations Protocol

July 2024

Review of Code of Conduct training for members

October 2024

Contact Points

Simon Lewis, Committee Officer
Tel: 01905 846621
Email: slewis@worcestershire.gov.uk

Background Papers

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