

EMPLOYMENT AND MEMBER STANDARDS PANEL

TUESDAY, 10 SEPTEMBER 2019

PRESENT: Councillors Christine Bateson, Samantha Rayner (Chairman),
Lynne Jones, Del Campo and David Coppinger

Officers: Nikki Craig, Karen Shepherd, Mary Severin and David Cook.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Dudley, Cllr Hilton attended as a substitute and from Cllr Werner, Cllr Baldwin attended as a substitute.

DECLARATIONS OF INTEREST

There were no declarations of interest received.

MINUTES

Resolved unanimously: that the minutes of the meeting held on 9 July be approved subject to Cllr Del Campo be recorded as Cllr Catherine Del Campo in line with the other councillors.

REPORT ON THE COMMITTEE ON STANDARDS IN PUBLIC LIFE - BEST PRACTICE

The Panel considered the report regarding the best practice for councillor standards in public life.

The Monitoring Officer informed members that in January 2019 the Committee on Standards in Public Life published a report on the review carried out of the current national standard arrangements for Councillors. The report contained a set of best practice arrangements and suggested that each local authority compare its current arrangements against the list. These are set out in the Appendix to this report.

The report recommended that the Panel noted the report and recommended that the Monitoring Officer, in consultation with the Chairman of the Panel, makes suggested changes to the Council's Code of Conduct and complaints process. These changes would then be brought to another Panel meeting prior to any changes to the constitution.

Cllr Hilton asked if there were more complaints then there used to be and questioned the statements that with regards to Disclosable Pecuniary Interests there could be criminal offences. The Panel were informed that there had only been one Cllr nationally prosecuted under the Localism Act pecuniary interest offence, a Cllr Flower from Dorset. With regards to complaints this was dealt with in the next agenda item, however over the last 18 month there had been an increase in complaints mainly due to the local elections and an increase in new Cllrs who may not be aware of the guidelines about social media.

Cllr Jones mentioned that with regards to social media it was very easy for a Cllr to be involved in a conversation they had no intention of doing or being accused of not engaging.

Cllr Del Campo questioned that for code of conduct complaints when were they published and asked about the review process and member involvement. The Panel were informed that before a decision was made everything was treated as confidential and the only sanctions

under the code was to publish a decision notice on the website. With regards to reviewing complaints as Members owned the councils code of conduct it would be for Members to decide if they were going to be part of the process.

Cllr Bateson asked who our Independent Person was and was informed he was Mr Peter Frank Hills.

Cllr Del Campo suggested that the nature of the consultation on any complaints should be included within the report to show that there was no political bias.

Cllr Jones mentioned that she had already raised concern about members being involved in the evaluation process unless there was representation from different parties. We needed to ensure there would be no bias.

Cllr Baldwin mentioned that a cllr may have a history of complaints made against them that were not investigated after the initial stage, knowing a history built up a pattern that would help with the decision making process. The Panel were informed that there may be an instance where a Cllr had made comments on social media prior to being elected and thus they should not be taken into account when they became a Cllr, each case should be taken on their own merits.

Cllr Hilton said that Cllr needed to be fair and leave any bias behind when on appeals panels. Cllr Baldwin also felt that the process had to be seen to be fair.

Cllr Del Campo said it was important to increase confidence in our standards but an increased confidence in the system could also see an increase in complaints made. The Panel were informed that it was important to have confidence in our standards and systems but we also needed to have an acceptable fresh hold as a standards complaint can be time-consuming and upsetting for the Cllr.

Resolved unanimously: That the Employment and Member Standard Panel:

- i) Notes the report of the Committee on Standards in Public Life.**
- ii) Delegates to the Monitoring Officer, in consultation with the Chairman of the Employment and Member Standards Panel, to draft changes to the Council's Code of Conduct and complaints process. The draft changes will be brought back to the Panel with a further recommendation to formalise them into the Constitution via a report to full Council.**

UPDATE ON CODE OF COMPLAINTS AND FEEDBACK

The Panel considered the report that provided information about Code of Conduct complaints for the last year, as well as an update on current Code of Conduct complaints.

The Panel were informed that there were currently 9 code of conduct complaints under investigation, the majority of them related to comments on social media. There had been poor relationships between some members that had resulted in complaints.

Cllr Coppinger asked why a cllr had been named within the appendices whilst others had not and asked if complaints were also passed to the group leaders. In response the Panel were informed that the Cllr had been named as a decision had been made and published on the RBWM website. Party leaders were informed of complaints when consent was given.

The Chairman mentioned that as there seemed to be an issue with Datchet Parish Council could there be any mediation and she noted that last year only three of the complaints investigated were seen as breaches of the code. The Panel were informed that there had been a number of issues with Datchet Parish Council that would be brought to the standards panel.

Cllr Hilton felt that making a complaint should not be too easy as there should be a minimal level of information provided, however there was a balance that it also should not be too difficult to complain.

Cllr Hilton also suggested that we should consider training and have a guide for social media. Members were informed that any ideas for training should go to the Service Lead for Governance and that there was guidance available for members on the use of social media.

Cllr Jones mentioned that as that as a group leader she tried to encourage her members to bring complaints to her first to see if they can be resolved before becoming formal complaints.

Resolved unanimously: that the Employment and Member Standards Panel:

- I. Notes the report and considers any issues arising.**
- II. Resolves that a report with an update on Code of Conduct complaints is brought to the Panel every six months.**

STAFF SURVEY 2019

The Panel considered the report that detailed the results of the 2019 staff survey.

Members were informed that a temperature check survey was carried out biannually with the full survey running on alternative years. In July 2019 a temperature check survey was conducted. The questions asked were the same as those asked at the last temperature check survey in 2017 as the full survey questions had also remained static.

Staff members could undertake the survey online or on paper and there had been a 60.95% response rate compared to 52.38% for the full survey in 2018. Page 26 of the agenda pack, paragraph 2.3 detailed the six statements employees were asked to rate between strongly agree to strongly disagree, they were:

- My work gives me a sense of personal achievement
- I am given opportunities for personal and professional development
- My manager visibly demonstrates the CREATE values
- The senior leadership team have a plan that I believe in
- I feel proud to work for the council
- The council provides a great service to our residents

Overall results were positive as shown in image 1 and table 1 on agenda pack page 27. Table 2 on page 28 showed a year on year comparison. Whilst the full survey questions were greater in number, they had been grouped in the theme of the temperature check so that comparisons could be made. In all cases, there had been a positive increase in percentage points.

Although overall the survey results were positive there were areas that required improvement with the lowest score remaining around leadership. This has been a focus for 2019 with better visibility of the senior leadership team and further improving communication on the direction of the council including actions detailed in paragraph 3.2 that included:

- Communicating messages from Corporate Leadership Team meetings
- Continued work with Employee Ambassadors to engage with staff
- All staff meetings, held on a bi-annual basis

Other areas that required improvement was personal development that, whilst much improved, scored within the amber range, that meant a focus on improving training and

development opportunities for employees and better utilisation of the apprenticeship levy, cross team working and opportunities for mentoring.

Work was done at comparing the results with those of Optalis and Achieving for Children but the question sets and format were very different, so doing a direct comparison was not possible.

A number of future actions had been identified including a middle managers forum where those mid level employees had the chance to network and share ideas. The corporate leadership team were to be more visible starting with them facilitating all staff sessions from October onwards to review values and behaviours and look at general experience of working for the council.

Members were informed that the next full survey was scheduled for July 2020.

Cllr Jones mentioned that the report showed that there had been a marked increase in staff voicing complaints about working location and office space and she felt that this should have improved as most office moves had been completed and how did we know it was the recent moves that caused concern. Members were informed that although the survey was confidential they did know the service area that they came from and thus could tell that the concerns came from areas that had recently had to undergo a number of office moves and thus the results were expected this year.

Cllr Bateson asked if the mentors came from the same department and was informed that this was not always the case and mentoring from different areas provided useful insights into how to manage teams.

Cllr Hilton asked if there was any granularity between service areas and if there were differences between services. The Panel was informed that at head of services areas there was granularity but across all services the themes were consistent.

Cllr Del Campo raised concern about the results regarding the senior leadership team and was informed that there was now a new managing director in place with a new senior management restructure being implemented.

Cllr Copping mentioned that looking at comparative data throughout the years it was good to see a continuous improvement.

Cllr Baldwin mentioned that the report only showed percentages and not absolute numbers and although it was compulsory to answer every question on line this would not be the case with paper copies.

Resolved unanimously: that the Employment Panel notes the report and:

- **Reviewed the results of the 2019 Staff Survey Temperature Check.**
- **Noted the proposed next steps to address any areas for improvement.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

Resolved Unanimously: that the Part II minutes of the meeting held on 9 July 2019 be approved.

The meeting, which began at 6.30 pm, finished at 7.30 pm

CHAIRMAN.....

DATE.....