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MEETING

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**EMPLOYMENT AND MEMBER  
STANDARDS PANEL**

will meet on

**TUESDAY, 10TH SEPTEMBER, 2019**

**At 6.30 pm**

in the

**ASCOT AND BRAY - TOWN HALL, MAIDENHEAD**

TO: MEMBERS OF THE EMPLOYMENT AND MEMBER STANDARDS PANEL

COUNCILLORS CHRISTINE BATESON, SIMON DUDLEY, SAMANTHA RAYNER (CHAIRMAN), LYNNE JONES, DEL CAMPO, SHAMSUL SHELM (VICE-CHAIRMAN), SIMON WERNER AND DAVID COPPINGER

SUBSTITUTE MEMBERS

COUNCILLORS DAVID HILTON, JOHN STORY, JOHN BALDWIN, DAVID CANNON, STUART CARROLL, PHIL HASELER, GEOFF HILL AND JOSHUA REYNOLDS

Karen Shepherd, Service Lead- Governance - Issued: Monday, 2 September 2019

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **David Cook** 01628 796560

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## **AGENDA**

### **PART I**

<b><u>ITEM</u></b>	<b><u>SUBJECT</u></b>	<b><u>PAGE NO</u></b>
1.	<b><u>APOLOGIES FOR ABSENCE</u></b>  To receive any apologies for absence	-
2.	<b><u>DECLARATIONS OF INTEREST</u></b>  To receive any declarations of interest	5 - 6
3.	<b><u>MINUTES</u></b>  To consider the minutes of the meeting held on 9 July 2019.	7 - 8
4.	<b><u>REPORT ON THE COMMITTEE ON STANDARDS IN PUBLIC LIFE - BEST PRACTICE</u></b>  To consider the report.	9 - 16
5.	<b><u>UPDATE ON CODE OF COMPLAINTS AND FEEDBACK</u></b>  To consider the report.	17 - 24
6.	<b><u>STAFF SURVEY 2019</u></b>  To consider the report.	25 - 38
7.	<b><u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u></b>  To consider passing the following resolution:-  "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 items 8 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"	-

**PART II - PRIVATE MEETING**

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
8.	<u>MINUTES</u>  To consider the Part II minutes of the meeting held on 9 July 2019.	39 - 42



## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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# Agenda Item 3

## EMPLOYMENT AND MEMBER STANDARDS PANEL

TUESDAY, 9 JULY 2019

PRESENT: Councillors Christine Bateson, Samantha Rayner (Chairman), David Hilton, John Story, Joshua Reynolds, Lynne Jones, Del Campo and Shamsul Shelim

Officers: Duncan Sharkey, Nikki Craig and David Cook.

### APOLOGIES FOR ABSENCE

Apologies were received from Cllr Dudley, Cllr Coppinger and Cllr Werner. Councillors Hilton, Story and Reynolds attended as substitutes.

### DECLARATIONS OF INTEREST

Cllr Story declared a personal interest as his wife worked for RBWM, the monitoring officer had informed him that he could stay and participate in the meeting. Officers declared personal interests in item 8 as the report considered potential staff changes.

### MINUTES

**Resolved unanimously: that the Part I minutes of the meeting on 19 March 2019 be approved.**

In response to questions the Panel were informed that there would be an action plan arising from the staff survey and member engagement that would be brought to the Panel.

### TERMS OF REFERENCE

The Head of HR and Corporate Projects informed Members that as this was the first meeting of the municipal year the Panel Terms of reference had been included as an agenda item.

There were two main purposes of the Panel one covering officers and employees and the other covering Member standards.

In relation to the officers or employees of the Council there were eleven areas under the Panels remit covering such things as to approve significant revisions to staffing, to approve new or significant changes to employment policies and a number of staff relation / pay and rewards issues.

With regards to relation to the Members of the Council there were six areas under the Panels remit mainly covering areas under the Members Code of Conduct such as to promote and maintain high standards of conduct by Members, to monitor the operation of the code and to present a report to Council regarding Member standards.

The Panel noted the terms of reference.

### 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.**

The meeting, which began at 6.30 pm, finished at 7.40 pm

CHAIRMAN.....

DATE.....



Report Title:	<b>Report on the Committee on Standards in Public Life – Best Practice</b>
Contains Confidential or Exempt Information?	No - Part I.
Member Reporting	Councillor Shamsul Shelim, Lead Member for HR, Legal and IT
Meeting and Date:	Employment and Member Standards Panel 10 <sup>th</sup> September 2019
Responsible Officer(s):	Duncan Sharkey, Managing Director Mary Severin, Monitoring Officer
Wards affected:	None

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## REPORT SUMMARY (

1. In January 2019 the Committee on Standards in Public Life (CSPL) published a report on the review carried out of the current national standard arrangements for Councillors. The report concluded that the vast majority of Local Government Members and Officers wished to maintain the highest standards of conduct by Members.
2. The CPSL report contained a set of Best Practice arrangements and suggested that each local authority compare its current arrangements against the Best Practice list. These are set out in the Appendix to this report.
3. This report recommends that the Employment and Member Standards Panel notes the CSPL report and recommends 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 will then be brought to another Panel meeting for a discussion and decision to recommend formalising those changes into the Constitution.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That the Employment and Member Standard Panel:

- i) **Notes the report of the Committee on Standards in Public Life which can be found at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/777315/6.4896\\_CO\\_CSPL\\_Command\\_Paper\\_on\\_Local\\_Government\\_Standards\\_v4\\_WEB.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/777315/6.4896_CO_CSPL_Command_Paper_on_Local_Government_Standards_v4_WEB.PDF)**
- 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.**

## 2. REASONS FOR RECOMMENDATIONS AND OPTIONS CONSIDERED

- 2.1 The Committee on Standards in Public Life report concluded that the vast majority of Local Government Members wished to maintain the highest standards of conduct, and supported a system which was fair and transparent. There was notable concern about the majority of cases being based on bullying or harassment or other disruptive behaviour. The CPSL also identified risks around conflicts of interest, gifts and hospitality and expressed concerns about the increasing complexity of decision making which put governance procedures under increasing strain. They considered that the current arrangement for sanctions was inadequate and damaged public confidence in the standards system. They stated that there was a need to have safeguards in place to ensure that decisions are made fairly and impartially and that Councillors are protected against politically-motivated, malicious or unfounded allegations of misconduct. They proposed that changes should be made to law on Disclosable Pecuniary Interests, including a recommendation to the Government to repeal criminal offences relating to them. They supported a localised system for standards, but felt a uniform Code of Conduct provided clarity for both members of the public and Members.
- 2.2 Many of the recommendations are already incorporated into the Council's Code of Conduct and complaints process, for example we have two Independent Persons, the Code of Conduct is published on the Council's website with an online form for complaints, and decision notices are published.. Other recommendations will require legislative changes. However, it is considered the guidance on bullying and intimidation could be improved, and that we introduce a public interest test against which allegations are filtered. To facilitate better transparency, provision should be made for all Code of Conduct decisions, including those rejected at the initial consideration stage, to be in writing demonstrating reasons for the decision. It is also proposed that the process includes consultation of the Chairman of the Employment and Member Standards Panel by the Monitoring Officer, as well as an Independent Person, when making decisions at the initial stages of the complaints process.

### Options

**Table 1: Options arising from this report**

Option	Comments
The Employment and Member Standards Panel to note the report and best practice arrangements from the Committee for Standards in Public Life and authorise the MO to incorporate draft changes to the current Code of Conduct and complaints process in consultation with the Chairman <b>This is the recommended option</b>	This will ensure our Code of Conduct and complaints process complies with the Committee for Standards in Public Life recommended requirements
The Employment and Member Standards Panel to not note the report and best practice	This will fail to ensure our Code of Conduct and complaints process complies with the Committee for

Option	Comments
arrangements from the Committee for Standards in Public Life and authorise the MO to incorporate draft changes to the current Code of Conduct and complaints process in consultation with the Chairman	Standards in Public Life recommended requirements, thereby undermining public confidence in the council's standards arrangements

### 3. KEY IMPLICATIONS

**Table 2: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Public confidence in the Council's Standards arrangements	Little public confidence in the Council's Standards arrangements	Transparency and clear expectations from the public and Members with regard to the Council's Standards arrangements	The number of complaints reduce by 10% due to clarity and better understanding of the Council's Standards arrangements	The number of complaints reduce by 20% due to clarity and better understanding of the Council's Standards arrangements	September 2020

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

None

### 5. LEGAL IMPLICATIONS

Localism Act 2011

### 6. RISK MANAGEMENT

**Table 3: Impact of risk and mitigation**

Risks	Uncontrolled risk	Controls	Controlled risk
That the current level of complaints increases due to lack of understanding of what is required by Members	Medium	Changes to the Code of Conduct and guidance on behaviours	Low
Poor public confidence in	Medium	Better transparency in decision making	Low

<b>Risks</b>	<b>Uncontrolled risk</b>	<b>Controls</b>	<b>Controlled risk</b>
the standards system			

## 7. POTENTIAL IMPACTS

No impact on equalities and no personal data has been used in this report  
No potential impact in relation to climate change or sustainability.

## 8. CONSULTATION

None required

## 9. TIMETABLE FOR IMPLEMENTATION

10. If the recommendations are approved, a report detailing proposed changes to the Code of Conduct would be presented to the Panel at its scheduled meeting on 12 November 2019, or if not ready by then, the meeting on 14<sup>th</sup> January 2020. A further report recommending constitutional changes would then be presented to full Council following that meeting.

## 11. APPENDICES

Appendix listing the Best Practice Arrangements from A Review by the Committee on Standards in Public Life”, Committee on Standards in Public Life in paper and electronic form.

## 12. BACKGROUND DOCUMENTS

“[Local Government Standards: A Review by the Committee on Standards in Public Life](#)” Committee on Standards in Public Life

:

- ....CONSULTATION (MANDATORY)

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Cllr Shelim	Lead Member for Legal, HR and IT.....		
Duncan Sharkey	Managing Director		
Russell O’Keefe	Executive Director		
Andy Jeffs	Executive Director		
Rob Stubbs	Section 151 Officer		
Elaine Browne	Interim Head of Law and Governance		
Nikki Craig	Head of HR and Corporate Projects		
Louisa Dean	Communications		
Kevin McDaniel	Director of Children’s Services		

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Hilary Hall	Deputy Director of Commissioning and Strategy, Interim DASS		
Karen Shepherd	Service Lead – Governance	22/8/19	22/8/19

## REPORT HISTORY

<b>Decision type:</b> For information and for delegation to the Monitoring Officer in consultation with the Chair to draft proposed changes to the Council's Code of Conduct and complaints process	<b>Urgency item?</b> No	<b>To Follow item?</b> None
Report Author: Mary Severin, Monitoring Officer mary.severin@rbwm.gov.uk		

## **Committee for Standards in Public Life - List of Best Practice Arrangements**

Our best practice recommendations are directed to local authorities, and we expect that any local authority can and should implement them. We intend to review the implementation of our best practice in 2020.

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring Councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by Councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both Councillors and the public, in a prominent position on a Council's website and available in Council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV (a data record format).

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the Responsible Officer is minded to dismiss as being without merit, vexatious or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a Parish Councillor towards a Clerk should be made by the Chair or by the Parish Council as a whole, rather than the Clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to Parish Councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior Officers should meet regularly with political Group Leaders or Group Whips to discuss standards issues.

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Report Title:	<b>Update on Code of Complaints and Feedback</b>
Contains Confidential or Exempt Information?	No – Part 1
Member reporting:	Councillor Shamsul Shelim, Lead Member for HR, Legal and IT
Meeting and Date:	Employment and Member Standards Panel, 10 <sup>th</sup> September 2019
Responsible Officer(s):	Duncan Sharkey, Managing Director Mary Severin, Monitoring Officer
Wards affected:	None

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## REPORT SUMMARY)

1. The purpose of this report is to give the Panel information about Code of Conduct complaints in the last year, as well as an update on current Code of Conduct complaints. Appendix A provides a list of past complaints; Appendix B on current complaints which have been anonymised.
2. A verbal report will be given on specific patterns/trends or other matters that the Panel may wish to consider.

## 1. DETAILS OF RECOMMENDATIONS

### RECOMMENDATION: That the Employment and Member Standards Panel:

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

## 2. REASON FOR RECOMMENDATION AND OPTIONS CONSIDERED

- 2.1 It is felt a general discussion about cases may highlight patterns in complaints which can be overcome, since each Code of Conduct complaint entails a relatively high amount of officer time to deal with.
- 2.2 There is also a risk, in high profile complaints matters that there may be a perceived corporate failure. It is therefore important that the Council maintains an ethical culture in ensuring complaints are dealt with appropriately, and that a report to the Panel will go some way to ensuring that this ethical culture is maintained.
- 2.3 Since the changes brought about by the Localism Act 2011, standards for Members have been dealt with at local level rather than nationally. In addition, in the past few years the Panel has not been formally notified of the Council's Code of Conduct complaints history because the complaints process in the Constitution has meant officers deal with the majority of complaints. The incorporation of Member Standards oversight by this Panel (following the changes to the Code of Conduct agreed by full Council in September 2018)

will facilitated an opportunity for better transparency of the complaints regime which will, in turn, ensure enhanced confidence from Members and the general public that the Council's high standards of Member conduct are upheld.

### Options

**Table 1: Options arising from this report**

Option	Comments
To note the complaints history from July 2018 to present date and facilitate general discussion on cases. A routine code of conduct complaints update report should be brought to the panel every six months <b>This is the recommended option</b>	To give an update to the Panel, and demonstrate transparency and an ethical culture in maintaining high standards of conduct by Members
To not note the complaints history from July 2018 to present date and facilitate general discussion on cases. To not agree that a routine code of conduct complaints update report should be brought to the panel every six months	This will fail to demonstrate transparency and an ethical culture in maintaining high standards of conduct by Members

### 3. KEY IMPLICATIONS

**Table 1: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
To note the complaints history and debate pattern/trends with a view to reducing complaints	No consideration of complaints and patterns, poor transparency in the Council's standards	Reduce the number of complaints by training or other changes, better understanding of the complaints history	Number of complaints reduced by 10%. Public assured of high ethical culture of the Council	Number of complaints reduced by 50%, high ethical culture of the council established	September 2020

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

None

### 5. LEGAL IMPLICATIONS

Localism Act 2011

## 6. RISK MANAGEMENT

None

## 7. POTENTIAL IMPACTS

There are no impacts on equalities or climate change/sustainability. No personal data has been processed..

## 8. CONSULTATION

- None required

## 9. TIMETABLE FOR IMPLEMENTATION

If approved, an update report would be presented to the Panel in March and September each year

## 10. APPENDICES

10.1 This report is supported by two appendices:

- Appendix 1: Summary of complaints and past decisions since February 2018 in paper and electronic form
- Appendix 2: Current complaints in paper and electronic form

## BACKGROUND DOCUMENTS

None

### CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Shamsul Shelim	Lead Member for HR, Legal and IT		
Duncan Sharkey	Managing Director		
Russell O'Keefe	Executive Director		
Andy Jeffs	Executive Director		
Rob Stubbs	Section 151 Officer		
Elaine Browne	Interim Head of Law and Governance		
Nikki Craig	Head of HR and Corporate Projects		
Louisa Dean	Communications		
Kevin McDaniel	Director of Children's Services		
Hilary Hall	Deputy Director of Commissioning and Strategy		
Karen Shepherd	Service Lead – Governance	22/8/19	22/8/19

## REPORT HISTORY

<b>Decision type:</b> For information and to request further update reports every 6 months	<b>Urgency item?</b> No	<b>To Follow item?</b> No
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Report Author: Mary Severin, Monitoring Officer. <a href="mailto:Mary.severin@rbwm.gov.uk">Mary.severin@rbwm.gov.uk</a>
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## History of Code of Conduct Complaints since February 2018

## Appendix 1

Date	Complaint	What was complained about	Completed & Decision
15/10/18	Complaint against Cllr. W. Da Costa by three Councillors. Received 15 <sup>th</sup> October 2018	That Cllr. W. Da Costa disclosed confidential information in the last Council meeting about asbestos in a named road	No breach December 2018
02/01/19	Complaint from Chairman of Panel about two Members	Based on an altercation between the two Subject Members at a Panel meeting	Complaint withdrawn Subject Members no longer Councillors by time of decision
15/02/19	Complaint against RBWM Councillor	That Subject Member did not allow complainant Councillor to speak at Council meeting and should have gone through Mayor	Withdrawn
21/09/18 - 2/10/18	Complaint against Parish Cllr Monica Davies by a member of the public and two Datchet Parish Councillors, received in parts from 21 <sup>st</sup> September to 2 <sup>nd</sup> October.	Third complaint identical to the last two. About derogatory remarks and false accusations against people.	No breach
16/08/18	Complaint against Cllr. Yong by member of the public received 13/7/18 but not clarified until 16 <sup>th</sup> August 2018	Complaint was that Cllr. Yong had intimidated him and made Environmental Health overturn a decision	No breach

03/08/18	Complaint against Cllrs. E. Wilson, Pryer, M. Airey, Bowden, Quick, Alexander, N. Airey, Bhatti by West Windsor Residents Association. Separate but similar complaint in addition to first against Cllr. E. Wilson, as he had published similar statements on his own, received 3 <sup>rd</sup> August 2018	Letter to press to say WWRA did not support the Budget when it was voted on in the January Council meeting. Cllr. E. Wilson separately complained about, though similar issues.	No breach October 2018
21/07/18	Complaint against Cllr. Da Costa by Councillor, received 21/7/18 but delayed.	Second posting of untrue statement	Breach September 2018
	Against Parish Cllr. Monica Davies by various Datchet Parish Councillors and members of the public	False accusations against fellow councillors, derogatory remarks	Dec 2017 (first complaint) breach, June 2018 (second complaint) breach
	Complaint against Cllr. Dudley by two Councillors	That he misquoted what was said about the word 'insane' in the same meeting, that he exacerbated the issue and called for Cllr Hill to resign	No breach July 2018
	Cllr. W. Da Costa by a Councillor	For quoting false and offensive information in Social Media	Breach June 2018
	Complaint against Cllr. Paul Lion by member of the public	For sending an angry email to a member of the public	No breach June 2018
	Complaint against Cllr. Dudley by member of the public	With regard to the Anthony Stansfield letter sent in January 2018	No breach May 2018
	Complaint against Cllr. Saunders by two Councillors	That Cllr. Hill was misquoted in the use of the word 'insane' at a Council meeting	No breach May 2018

	Complaint against Cllrs. Coppinger, E. Wilson, Bhatti, M. Airey, Pryer, Bicknell, S. Rayner, Dudley by Councillors	Issue of leaflet with incorrect information during time of Bray PC election	No breach April 2018
	Complaint against Cllr. Hill by a Councillor	The use of the word 'insane' to describe the Budget	No breach April 2018
	Complaint against Cllr. Coppinger by member	Naming a resident in a public meeting, ignoring Monitoring Officer's direction at the Council meeting to keep to the	No breach Feb 2018

## List of Current Code of Conduct Complaints

## Appendix 2

Date	Complaint	What was complained about	Current position
15/03/19	Complaint against two Datchet Parish Councillors	Bullying, intimidation, disrespect	Investigation ongoing
18/03/19	Complaint against various Datchet Parish Councillors	Bullying, intimidation, disrespect	Investigation ongoing. Incorporated into other Datchet PC complaint as issues similar
03/05/19	Complaint against RBWM Councillor	Misusing Council resources, confidentiality	Investigation on going
09/07/19	complaint against RBWM Councillor	Disrespect, bullying and intimidation re comments on social media	Social media comments
15/07/19	Complaint against RBWM Councillor	Accountability, Openess, high standards intimidation disrespect re comments on social media.	Social media comments
06/08/19	Complaint against RBWM Councillor	Disrespect, bullying and intimidation	Social media comments
18/08/19	Complaint against RBWM Councillor	Disrespect, bullying and intimidation	Social media comments
19/08/19	Complaint against RBWM Councillor	Disrespect bullying and intimidadation	Social media comments
28/07/19	Complaint against 3 RBWM Councillors	Disrepsect	Social media comments



Report Title:	<b>Staff Survey 2019</b>
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Cllr Shelim, Lead Member for HR, Legal and IT
Meeting and Date:	Employment and Member Standards Panel, 10 September 2019
Responsible Officer(s):	Nikki Craig, Head of HR and Corporate Projects
Wards affected:	None

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## REPORT SUMMARY

1. The 2019 Staff Survey Temperature Check launched 4 June 2019 and ran to 24 June 2019. The purpose of the survey is to allow staff the opportunity to feedback and also understand what they are happy about and where there is room for improvement. The questions were designed to follow the Times Best Employers format and directly map to previous years surveys to allow for comparison and trend analysis.
2. The survey received a response rate of 60.95% compared to 52.38% in the 2018 full staff survey.
3. The purpose of this report is to present Employment and Member Standards Panel with the results of the Staff Survey and explain next steps to address any areas for improvement.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Employment Panel notes the report and:

- i) Reviews the results of the 2019 Staff Survey Temperature Check
- ii) Note the proposed next steps to address any areas for improvement

## 2. BACKGROUND

- 2.1. The Staff Survey Temperature check is run biannually, with a full Staff Survey running on alternate years. These surveys are an opportunity for staff to feedback to the Corporate Leadership team on what is going well in the Council and how service, leadership and work life could be improved. The question set for the temperature checks remains static every year and is mapped to the full staff survey, this allows for direct comparison and to see where the council is improving on staff engagement and where we still need to focus attention on improving.
- 2.2. The response rate for the 2019 Staff Survey Temperature Check was 60.95%, which is a significant improvement on the previous year of 52.38%.

Responses were undertaken anonymously online or via a paper survey which could be mailed internally to Human Resources.

2.3 The following statements were offered to staff who rated them on the 5 point scale between strongly agree to strongly disagree:

- 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

2.4 Staff were then asked the following two free text questions which allowed them to offer verbatim comments on their experience of working for the Council.

- What makes you happy at work?
- What would make the Council a better place to work?

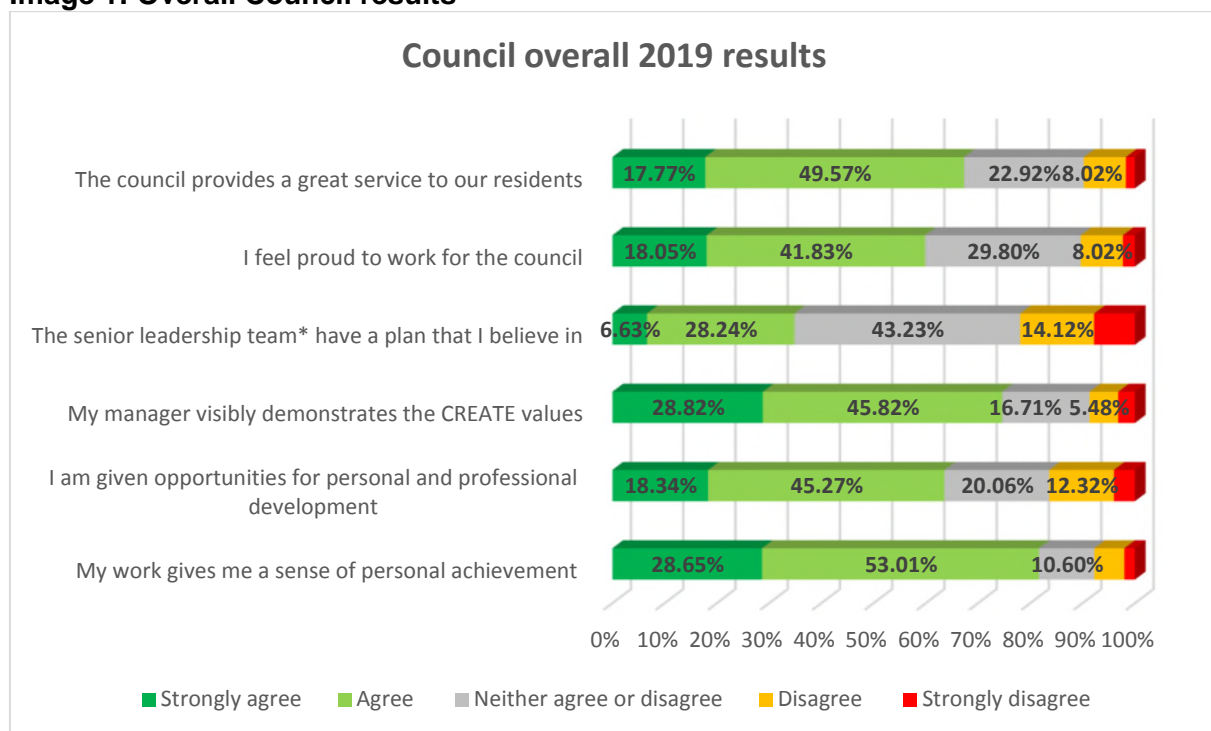
2.5 Several areas show a highly engaged workforce, specifically with regards to managers and the service that is delivered by the council. These elements can be focused upon to be promoted within the organisation

2.6 Areas which show a lower positive response score and higher neutrality will be reviewed at a council wide and directorate level for action, with a focus on improvement.

### **3. Results**

3.1 The results of the 2019 Staff Survey show areas where staff are very positive but also some areas for improvement. Overall the results were positive, showing marked improvements from previous year's surveys. Specifically, staff were very positive about the Council's service to residents and achieve a sense of personal achievement from their work. See Image 1 for full results.

**Image 1: Overall Council results**



**Table 1: 2019 Staff Survey Temperature Check Results**

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree
The council provides a great service to our residents	17.77%	49.57%	22.92%	8.02%	1.72%
I feel proud to work for the council	18.05%	41.83%	29.80%	8.02%	2.29%
The senior leadership team* have a plan that I believe in	6.63%	28.24%	43.23%	14.12%	7.78%
My manager visibly demonstrates the CREATE values	28.82%	45.82%	16.71%	5.48%	3.17%
I am given opportunities for personal and professional development	18.34%	45.27%	20.06%	12.32%	4.01%
My work gives me a sense of personal achievement	28.65%	53.01%	10.60%	5.73%	2.01%

\*Senior Leadership Team is defined as Directors, Deputy Directors and Heads of Service.

- 3.1** We can see a marked improvement in results from the previous two surveys both in terms of response rates and also in positive responses from respondents. Overall, the positive response score has increased by 7.65 percentage points. This score is based on those answering Agree or Strongly Agree across the entire survey.

**Table 2: Comparison of previous 3 years survey results**

		2019 Temperature Check		2018 Full Survey	2017 Temperature Check
My work gives me a sense of personal achievement	Strongly agree	28.65%	↑ +10.87	15.87%	21.96%
	Agree	53.01%		54.92%	46.11%
	Neither agree or disagree	10.60%		12.38%	14.57%
	Disagree	7.73%		12.38%	10.18%
	Strongly disagree	2.01%		4.44%	7.19%
I am given opportunities for personal and professional development	Strongly agree	18.34%	↑ +7.69	10.53%	12.60%
	Agree	45.27%		45.39%	38.80%
	Neither agree or disagree	20.06%		25.27%	20.80%
	Disagree	12.32%		12.15%	16.40%
	Strongly disagree	4.01%		6.73%	11.40%
My manager visibly demonstrates the CREATE values	Strongly agree	28.82%	↑ +5.85	25.50%	21.33%
	Agree	45.82%		43.29%	40.04%
	Neither agree or disagree	16.72%		20.47%	21.13%
	Disagree	5.48%		4.70%	10.06%
	Strongly disagree	3.17%		6.04%	7.44%
The senior leadership team have a plan that I believe in	Strongly agree	6.63%	↑ +5.86	4.10%	5.84%
	Agree	28.24%		24.91%	15.49%
	Neither agree or disagree	43.23%		37.88%	38.03%
	Disagree	14.12%		28.18%	21.33%
	Strongly disagree	7.78%		10.92%	19.32%
I feel proud to work for the council	Strongly agree	18.05%	↑ +6.88	13.14%	9.20%
	Agree	41.83%		39.86%	26.40%
	Neither agree or disagree	29.80%		30.93%	34.80%
	Disagree	8.02%		9.62%	16.80%
	Strongly disagree	2.29%		6.19%	12.80%
The council provides a great service to our residents	Strongly agree	17.77%	↑ +8.7	9.76%	7.62%
	Agree	49.57%		49.48%	30.46%
	Neither agree or disagree	22.92%		27.53%	34.47%
	Disagree	8.02%		11.15%	17.23%
	Strongly disagree	1.72%		2.09%	10.22%

Over 70% positive
37% - 69% positive
Less than 36% positive

## Leadership

- 3.2 While there is still low positive responses (34.87%) to the statement '*The Senior Leadership Team have a plan that I believe in*' we can see 13.84 percentage point increase from 2017 which shows us that the leadership is generally making improvements in visibility and communicating the Council's vision and strategic direction to staff. However, a key focus for improvement in 2019 will be the promotion of senior leadership visibility and further improving communication of the direction of the Council. Some activities will include:
- 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

## Service to residents

- 3.3 The response to the statement '*I feel proud to work for the council*' received a positive response of 59.88% in this year's survey, which is an increase of 24.28 percentage points when directly compared to the 2017 Temperature Check survey. While it is acknowledged that this result still requires more

improvement, such a positive increase indicates that staff are feeling more comfortable with the direction of the council and feel that the council is delivering positively. Similarly, the response to the statement *'My work gives me a sense of personal achievement'* has increased over a two year period by over 13 percentage points. This indicates a marked increase in how staff feel the council are performing for residents and a pride in the service that we deliver and in their own personal contribution to this service.

- 3.4 To further improve this positive response more actions will be taken to promote good work undertaken by the council and highlight the achievements of individual officers over the coming year.

### **Personal development and training**

- 3.5 Over the past two years we have seen an improvement in response to the statement *'I am given an opportunity for personal and professional development'* which has increased by 12.21 percentage points, however this is at a lower rate of improvement than other statements so a key focus for the forthcoming year will be on improving opportunities for training and development for staff. This will include better utilisation of the apprenticeship levy and training opportunities, cross team working and opportunities for mentoring.

### **Verbatim comments**

- 3.6 In the interests of preserving confidentiality and increasing staff confidence in responding to the anonymous staff survey, the verbatim are not shared in entirety. They are presented in themes and discussed as part of the action planning process.
- 3.7 Similar themes run through the verbatim comment responses of the 2017, 2018 and 2019 surveys:
- Senior leadership visibility
  - Communication
  - IT systems
  - Work environment.
  - Workload
- 3.8 There was a marked increase in staff voicing complaints about working location and office space, this is to be expected due to the office moves many staff faced over the last year. This hopefully should improve in the coming year with the accommodation project coming to a close and teams being more settled in their space.
- 3.9 As always, staff overwhelmingly praised their colleagues through verbatim comments, as well as the service that we deliver to residents. This is a theme which runs through every survey conducted in the last three years and is matched by the scores in the survey. The council will continue to recognise staff members for their excellent service and team work and hope to continue this trend next year through initiative such as instant rewards and showcasing teams and individual staff members in communications
- 3.10 Staff have indicated through verbatim comments that one area for improvement could be working better with other teams across the council.

Some action will be taken to address this over the coming year with initiatives such as:

- The Middle Managers Forum, where mid-level staff members across the Council have an opportunity to network with each other and share ideas.
- A new mentoring programme to be launched in January 2020 to allow for cross departmental working and exposure to managers and leaders in different areas.
- Opportunities for shadowing, particularly among our apprenticeship cohort.

### **Comparisons to Partner Organisations.**

3.10 Both of the Council's main partner organisations, Achieving for Children and Optalis, have conducted staff surveys in 2018. The question sets and format of these surveys was very different so no direct comparison can be achieved in an accurate fashion. However, we can see similar themes:

- Staff are highly engaged in their roles and enjoy the job they do.
- Staff respect their colleagues and feel that they as a team deliver a good service to their customers.
- Staff would like better communication from senior leadership on the vision of the organisation.
- Access to training and development opportunities can be improved.

### **Communication and future actions**

3.11 The staff survey results were released to all staff on 17 July 2019. In order for staff to fully engage in improving the staff survey results and the culture of the Council, all staff will be invited to events to discuss staff survey results and their general experience of experience of working for the council and what makes them happy at work or could be improved. These events will be run as small sessions (c.20 staff members) and led by Corporate Leadership Team members. These sessions are to run from late September 2019 – January 2020, with all staff being given an opportunity to feedback, though it will not be mandatory.

3.13 From these sessions, the survey results and general working experience of staff can be discussed and a new staff survey action plan and updated RBWM People Plan can be developed.

3.14 Additionally, it is acknowledged that the Councils values (CREATE) which have been place for over seven years, potentially are in need of a refresh and relaunched to staff. As part of these session, new values will be formulated with the staff ambassadors leading their development. These values will be agreed and relaunched in early 2020.

### **Future Staff Surveys**

3.15 The next staff survey is scheduled for July 2020, results will be communicated to Employment Panel following this.

#### 4. KEY IMPLICATIONS

- 4.1 The staff survey or staff survey temperature check is run annually to understand the general feeling of the council's staff and where there are areas for improvement. It is also an opportunity for staff to feedback on any issue they would like to raise in a controlled and anonymous method. Success for the forthcoming year, will be improving the positive response score of the overall survey and also an improvement on the response rate to the survey.

**Table 2: Key Implications**

<b>Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date of delivery</b>
Increased response rate to 2020 survey	60.95%	63%	65%	70%	July 2020
Increased positive responses to 2020 survey	No increase	+2 percentage points	+4 percentage points	+6 percentage points	July 2020

#### 4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 None

#### 5. LEGAL IMPLICATIONS

- 5.1 None

#### 6. RISK MANAGEMENT

**Table 3: Impact of risk and mitigation**

<b>Risks</b>	<b>Uncontrolled risk</b>	<b>Controls</b>	<b>Controlled risk</b>
Staff engagement levels reduce	Medium	Focus groups and action plan being developed	Low

#### 7. POTENTIAL IMPACTS

- 7.1 None

#### 8. CONSULTATION

- 8.1 The following forums were consulted with regard to the staff survey results

- Corporate Leadership was shown the overall staff survey results on 10 July and also their individual service area / directorate results.
- Employee ambassadors were shown staff survey results on 15 July 2019 to give their view of the results and input into the process for improve results and creating of action plans.
- Results were published to staff on 19 July 2019 via Borough Bulletin and available on SharePoint.

## 9. TIMETABLE FOR IMPLEMENTATION

9.1 The full implementation stages are set out in table 5.

**Table 5: Implementation timetable**

Date	Details
10 September 2019	Results shared with Employment Panel
September 19 – January 2020	Staff engaged with via focus groups
February 2020	New values and action plan announced.

## 10. APPENDICES

10.1 This report is supported by 1 appendices:

- RBWM People Plan – Action Plan

## 11. BACKGROUND DOCUMENTS

11.1 None

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Shelim	Lead Member for Human Resources and Corporate Projects		
Duncan Sharkey	Managing Director	15 Aug 2019	
Russell O’Keefe	Executive Director	15 Aug 2019	
Andy Jeffs	Executive Director	15 Aug 2019	
Rob Stubbs	Section 151 Officer	15 Aug 2019	
Elaine Browne	Interim Head of Law and Governance	15 Aug 2019	
Nikki Craig	Head of HR and Corporate Projects	12 Aug 2019	



<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
Louisa Dean	Communications	15 Aug 2019	
Kevin McDaniel	Director of Children's Services	15 Aug 2019	
Hilary Hall	Deputy Director of Commissioning and Strategy	15 Aug 2019	
	Other e.g. external		

## REPORT HISTORY

<b>Decision type:</b> For information	<b>Urgency item?</b> No	<b>To Follow item?</b>
Report Author: Elizabeth Moore, Learning and Development Manager		

## Appendix 1: Action plan

Action plan will be reviewed annually with measurable targets put in place for delivery. Action plan is monitored by Human Resources.

Area of focus		Action	Target date	Result	Owner	Status
Healthy workforce	1	All managers complete Mental Health First Aid training.	1 September 2018	Managers equipped to support employees.	Public Health	Complete 2018, will review 2020
	2	All new policies to undergo a mental health impact screening.	Ongoing	Policies developed which fully support employees and their mental health.	Public Health / Human Resources	Screening tool rolled out
	3	Mental health champions to promote positive mental health in the workplace and be a point of contact for employees with questions.	Ongoing	Reduced stigma associated with talking about mental health in the workplace.	Public Health / Human Resources	Champions to be relaunched 2020
	4	Stress Awareness and Resilience training will be provided to the workforce and targeted at line managers.	1 September 2018	Employees are aware of when to notice the signs of stress in themselves and their colleagues.	Learning and Development	Complete – Mental Health Awareness training rolls out to all staff and mandatory for 2019 / 2020
	5	Implement an early intervention approach for absences including early referral to occupational health.	Ongoing	Reduction in absence levels.	Human Resources	
	6	Identify and promote health awareness resources for the workforce in the current Healthy Working area on the intranet.	1 April 2020	Employees understand where resources are available.	Public Health	

Area of focus		Action	Target date	Result	Owner	Status
Resilient workforce	6	The workforce is encouraged to feedback on any change proposal.	Ongoing	Employees feel they are involved in change as opposed to having change 'done' to them.	Senior Leadership Team / Communications and Marketing	
	7	Employees to undertake mental health awareness training annually.	1 April 2020	Employees are equipped with skills to deal with pressure and understand what to do if they require help.	Learning and Development	Training launched
	8	Mindfulness workshops offered to employees.	1 September 2021	Employees understand relaxation techniques.	Learning and Development	
	9	Flexible working policy promoted to the workforce and managers trained to deal with flexible working requests.	1 April 2018	Managers feel comfortable dealing with flexible working requests and all requests are handled fairly.	Human Resources / Communications and Marketing	Complete via Borough Bulletin
	10	Employee benefits such as Yoga promoted.	Ongoing	Employees have access to a range of benefits.	Human Resources / Communications and Marketing	Promoted via SharePoint and Borough Bulletin
Safe workforce	11	Health and safety policies are promoted throughout the organisation	Ongoing	Employees understand health and safety requirements	Health and Safety / Communications and Marketing	Promoted via SharePoint and Borough Bulletin
	12	All employees complete Health and Safety Level 1 training Bi-annually.	1 April 2021	Employees understand health and safety requirements	Health and Safety / Learning and Development	
	13	All managers complete Health and Safety Level 3 training bi annually.	1 September 2021	Managers understand health and safety requirements	Health and Safety / Learning and Development	
Engaged workforce	14	Staff survey undertaken and action plan	1 July 2020	Employees given the opportunity to feedback any	Learning and	Complete in July 2019

Area of focus		Action	Target date	Result	Owner	Status
		developed in consultation with transformation champions.		concerns and improve communication with senior leadership team.	Development	
	15	Effective communications campaign showcasing the council's impact on the local community and how we are providing excellent services.	Ongoing	Employees are proud to work for the council and of its work.	Communications and Marketing	
	16	Line managers trained and encouraged to give employees feedback for excellent performance and to support if performance is falling below expectations.	1 April 2020	Employees feel that their hard work is recognised.	Learning and Development	
Skilled and capable workforce	17	Training needs analysis conducted in consultation with the workforce.	1 January 2019	Employees feel that they have input into their learning and development.	Learning and Development	Completed annually, will be completed again in April 2020
	18	Learning and Development programme developed.	1 April 2019	Employees have access to learning and development opportunities.	Learning and Development	Completed annually, will be completed again in April 2020
	19	Programme of information technology training implemented.	1 April 2020	Employees have the necessary skills and resources to complete their roles.	Learning and Development	eLearning has been purchased and will be rolled out in line with the TNA
	20	Programme of soft skills training implemented.	1 April 2020	Employees have the necessary skills and resources to	Learning and Development	Programme is planned and will be rolled out in

Area of focus		Action	Target date	Result	Owner	Status
				complete their roles.		line with the TNA
	21	Full evaluation of the training programme which takes into account full organisation impact of training.	1 June 2020	Learning and development programme is continually reviewed and improved.	Learning and Development	
	22	High potential talent exercise undertaken to highlight high potential within the organisation.	1 April 2020	Employees are developed and retained.	Learning and Development	
	23	Full succession planning exercise to be undertaken to ensure that all roles in the organisation have a succession plan.	1 April 2020	Employees can see clear career progression within the organisation.	Learning and Development	

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