

EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Monitoring Officer's Report on Potential Changes to Parts 5a And 5G of the Constitution
Meeting of:	Standards committee
Date:	20 th March 2017
Is this an Executive Decision:	NO
Is this a Key Decision:	NO
Is the report Confidential:	NO
If so, please state relevant paragraph from Schedule 12A LGA 1972:	n/a
<p>Essential Signatories:</p> <p>ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE</p> <p>Monitoring Officer: Angela Wakefield</p> <p>Date Signature</p> <p>Chief Finance Officer: Sal Khan</p> <p>Date Signature</p>	

1. Purpose of the Report

- 1.1 To seek the views of the Standards Committee on possible changes to Parts 5A and 5G of the Constitution.

2. Background

- 2.1 The Standards Committee is responsible for ensuring that Borough and Parish/Town Councillors in East Staffordshire are aware of the standards of conduct expected of them and that they observe those standards.

3. Contribution to Corporate Priorities

- 3.1 There is no Corporate Plan target relating to the subject of this Report. However, good governance arrangements are fundamental to the well-being of the Council.

4. Part 5A of the Constitution – the Code of Conduct for Councillors (Code of Conduct)

- 4.1 The Council has adopted its Code of Conduct to set out the standards required by Councillors and Co-opted Members of East Staffordshire Borough Council.
- 4.2 A Co-opted Member is someone who is not a member of East Staffordshire Borough Council but is a member of any committee or sub-committee of the Council, or represents the Council on any joint-committee or joint sub-committee of the Council.
- 4.3 Councillors/Co-opted Members must comply with the Code of Conduct whenever they conduct the business of the Council or act as a representative of the Council.
- 4.4 Every civic year, the Mayor and Deputy Mayor of the Borough each appoint a Consort who accompanies him or her to official engagements.
- 4.5 Members of Standards Committee are asked to consider whether the Code of Conduct should be amended to extend to a Consort accompanying the Mayor or Deputy Mayor on official business.
- 4.6 Should Standards Committee resolve that Part 5A of the Constitution should be amended in this manner then that recommendation will be taken to the next meeting of the full Council.

5. Part 5G of the Constitution – the Social Media Policy for Councillors (the Social Media Policy)

- 5.1 The Social Media Policy was adopted by Council on 23rd June on the recommendation of Standards Committee.
- 5.2 Part 5 of the Social Media Policy sets out users' responsibilities and Parts 6 to 9 give guidance on anonymous postings; safety; information protection; and elections respectively. Part 10 sets out best practice; and Part 11 outlines the consequences of breaches of the policy.

- 5.3 The Monitoring Officer is aware that there have been suggestions that the Social Media Policy should be amended to prohibit the use of “Councillor” or “Cllr” in the user’s name on any social media account and Standards Committee is asked to consider whether to recommend such an amendment.
- 5.4 Should Standards Committee resolve that Part 5G of the Constitution should be amended in this manner then that recommendation will be taken to the next meeting of the full Council.

6. Financial Considerations

This section has been approved by the following member of Financial Management Unit:

- 6.1 There are no financial issues arising from this Report.

7. Risk Assessment and Management

- 7.1 The main risks to this Report and the Council achieving its objectives are as follows.

- 7.2 Positive (Opportunities/Benefits):

7.2.1 The maintenance of the Council’s credibility and good governance by a high standard of ethical behaviour.

- 7.3 Negative (Threats)

7.3.1 Loss of credibility and reputational damage if standards fall.

- 7.4 The risks are referred to in the Risk Register.

8. Legal Considerations

This section has been approved by the following member of the Legal Team: Angela Wakefield.

- 8.1 There are no significant legal issues arising from this Report. The matters covered by this Report are generally requirements of the Local Government Act 2000 and the Localism Act 2011.

9. Equality and Health

- 9.1 **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.

- 9.2 **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed. An equality and health impact assessment is not required.

10. Human Rights

- 10.1 There are no Human Rights issues arising from this Report.

11. Sustainability (including climate change & change adaptation measures)

11.1 Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

11.2 Please detail any positive/negative aspects:

Positive (Opportunities/Benefits)

11.2.1 None

Negative (threats)

11.2.2 None

12. Recommendations

12.1 To decide whether to recommend an amendment of Part 5A, as set out at paragraph 4 of this report, to the Council for approval.

12.2 To decide whether to recommend an amendment of Part 5G, as set out at paragraph 5 of this report, to the Council for approval.

12.3

13. Background papers

13.1 None.

14. Appendices

14.1 The Code of Conduct for Councillors

14.2 The Social Media Policy for Councillors.