

**To the Chair and Members of the
AUDIT COMMITTEE**

ETHICAL GOVERNANCE POLICIES AND PROCEDURES

EXECUTIVE SUMMARY

1. Following the disbandment of the Council's Standards Committee in June 2014 and the transferring across of its functions in relation to ethical standards to the Audit Committee, this report summarises, for information, the Council's key policy documents and procedures relating to ethical governance.

RECOMMENDATIONS

2. The Audit Committee is asked to:
 - a) Note the contents of this report and agree to receive an annual report by the Monitoring Officer on ethical governance activities, including details of complaint handling activity in relation to alleged breaches of the Member Code of Conduct and disclosures made by members of staff under the Council's Whistleblowing Policy; and
 - b) Note that the Council's Whistleblowing Policy is to be reviewed during the current Municipal Year and will be the subject of a future report for consideration by this Committee.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. The Council is committed to maintaining the highest standards of governance including the elimination of fraud and corruption and to ensuring that all activities are conducted ethically, honestly, openly and accountably so as to protect public safety and public money. In addition, the Council expects the highest standards of conduct and integrity from all that have dealings with it including staff, councillors, suppliers, partners, volunteers and the public. Policies and procedures are in place to outline the standards required and enable any person to raise genuine concerns they may have about the conduct of anybody acting for or on behalf of the Council. The ethical governance policies form part of the Council's overall corporate governance framework.

BACKGROUND

4. At the Annual Meeting of Council held on 13th June 2014, it was agreed to disband the Standards Committee and transfer its former functions in relation to ethical governance across to the Audit Committee, given that this

Committee already had responsibility for corporate governance, which also incorporates ethical governance. In light of these changes, this report summarises for information purposes the key ethical governance policies and protocols that now fall within the remit of the Audit Committee, and for which this Committee now has responsibility in terms of monitoring their effectiveness and ensuring that these remain robust and fit for purpose. These are detailed below.

5. As has been past practice with the Council's former Standards Committee, it is proposed that the Monitoring Officer presents an annual report to the Audit Committee at its last meeting in the Municipal Year on ethical governance activities, which will principally cover complaint handling activity in relation to allegations of Member misconduct and whistleblowing disclosure statistics.

Members' Code of Conduct (Section 2, Part 5 of Council Constitution)

6. In July 2012, the Council adopted a revised Code of Conduct for Members based on the seven Nolan Principles of Conduct in Public Life and containing new provisions with regard to registering and declaring Disclosable Pecuniary Interests, which replaced the former Personal and Prejudicial Interests. The Code also requires declarations of gifts and hospitality to be made in writing to the Monitoring Officer where the value is in excess of £50.
7. The vast majority of complaints of alleged breaches of the Code (either by Borough or Parish Councillors) are dealt with by the Monitoring Officer under delegated powers in consultation with the Council's Independent Persons. The Independent Person is a person appointed under the Localism Act 2011 to assist the Monitoring Officer in dealing with complaints against Members. The Council's current Independent Persons are Messrs Philip Beavers and Ian Daines, whose Terms of Office were extended for a further period of 4 years at the Council AGM held in May 2013. However, it should be noted that in the event of any serious allegation being made and an investigation being carried out, this would be referred to the Audit Committee's Hearings Sub-Committee to ultimately determine.
8. The content of the Council's Member Code of Conduct is based on statutory guidance as to what should be included, and it is not envisaged that any changes will be needed in the foreseeable future, unless any arise from new legal requirements.

Whistleblowing Policy

9. The Council has a Whistleblowing Policy in place which is aimed at encouraging employees with serious concerns about any aspect of the Council's work to come forward and voice those concerns without fear of reprisals. It is intended to encourage and enable staff to raise serious concerns within the Council rather than overlooking a problem or blowing the whistle outside.
10. In accordance with the Council's Whistleblowing Policy, Directors are responsible for completing an annual return detailing any whistleblowing concerns within their Directorate, which is forwarded to the Monitoring Officer. The Monitoring Officer has overall responsibility for the maintenance

and operation of the Policy, which includes keeping a record of all whistleblowing cases. A summary of these cases will, in future, be reported to the Audit Committee as part of the Monitoring Officer's annual report on ethical governance activities.

11. As the Whistleblowing Policy was last reviewed in 2010/11, it is intended that a review of this Policy will be undertaken during the next 12 months to ensure that it remains fit for purpose. The outcome of this review, including any recommended changes to the Policy, will be brought to a future meeting of this Committee for its consideration.

Protocol on Member/Employee Relations (Section 4, Part 5 of Council Constitution)

12. The Protocol on Member/Employee Relations forms part of the Council's Constitution and applies to Elected Members, the Mayor, Co-opted Members and employees of the Authority. The Protocol seeks to reflect the principles underlying the respective Codes of Conduct which apply to Members and employees, detailed in Part 5 of the Constitution.
13. The purpose of the Protocol is to provide guidance on Member-Employee relations and promote mutual respect between Members and employees, clarifying their respective roles and responsibilities and expected standards of behaviour.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

14. Not applicable – this report is primarily for noting.

IMPACT ON THE COUNCIL'S KEY PRIORITIES

15.

Priority	Implications
We will provide strong leadership and governance, working in partnership.	The work undertaken by the Audit Committee helps to ensure openness, transparency and probity in the way that the Council conducts its business. This, in turn, helps to increase the public's confidence in local governance and in the high ethical standards of their local representatives.

RISKS AND ASSUMPTIONS

16. There are no identified risks associated with this report.

LEGAL IMPLICATIONS

17. There are no specific legal implications associated with this report. The various policies and procedures outlined in this report refer to specific legislation where relevant.

FINANCIAL IMPLICATIONS

18. There are no specific financial implications arising from this report.

EQUALITY IMPLICATIONS

19. There are no specific equality implications arising from this report.

BACKGROUND PAPERS

20. Part 5 of Council Constitution -
<http://www.doncaster.gov.uk/Images/Part%20537-102173.pdf>

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