

Title of Report	Mandatory Training Update
For Consideration By	Standards Committee
Meeting Date	February 2023
Classification	Open
<u>Ward(s) Affected</u>	N/A
<u>Director</u>	Director of Legal, Democratic & Electoral Services and Monitoring Officer

1. Introduction

1.1. The purpose of this report is to:

- 1.1.1. Advise the Standards Committee of the outcome of a review undertaken by the Monitoring Officer with regards to the mandatory training introduced by the Councillor Code of Conduct adopted at Full Council in January 2022, which became effective following the elections in May 2022.
- 1.1.2. Advise the Standards Committee of proposed changes to the mandatory training that the Monitoring Officer intends to make.

2. Recommendations

2.1. **That the Standards Committee note the changes which the Monitoring Officer intends to make to section 11 of the Code of Conduct as regards to mandatory training.**

3. Background

- 3.1. Members of the Standard Committee will recall that the revised Councillor Code of Conduct, which became effective following the elections in May 2022, introduced an element of mandatory training for Members.
- 3.2. The relevant section, section 11, of the Code of Conduct is reproduced below for ease of reference.

11. Training

As a Councillor:

11.1 I attend any training that may be prescribed by the Monitoring Officer as being essential to my role.

In order to ensure that Councillors are properly equipped to carry out their role and are knowledgeable about the obligations that are placed upon the Council in respect of certain functions and decision-making processes, it has been determined that the following training should be mandatory either for all Councillors or for a limited class of Councillors as follows:

- *Safeguarding children and corporate parenting - all Councillors - annually*
- *Safeguarding adults - all Councillors - annually*
- *Equalities, Diversity and Inclusivity - all Councillors - annually*
- *Bullying, harassment and sexual harassment - all Councillors - annually*
- *Data Protection and Freedom of Information / Environmental Information Regulations - all Councillors - annually*
- *Councillors' Code of Conduct - all Councillors - annually*
- *Local government finance & budget setting - all Councillors - annually*
- *Dealing with the media / social media - all Councillors - annually*
- *Town and Country Planning - members of the Planning Sub-Committee - annually*
- *Licensing - members of the Licensing Committee and its Sub-Committees - annually*
- *Recruitment and Selection - members of the Appointments Committee and its Sub-Committees - upon first appointment to the Appointments Committee*

The Monitoring Officer may from time to time review and amend the list of mandatory training and update this Code accordingly and advise Members of any changes.

- 3.3. As it is now approaching a year since the new Code of Conduct came into effect, the Monitoring Officer has conducted a review of how the mandatory training element is operating in practice. Training for elected Members is organised via Members' Services.
- 3.4. Member Services has asked all elected members to complete a Google Form indicating which elements of the mandatory training they have undertaken. The form was initially circulated on 29 July 2022, and a reminder was sent out on 23 September 2022. It is understood that the Group Whips have also sent a further two reminders. To date 18 forms have been returned (a return rate of 31%).

Training	Method of delivery	Number of elected members who are required to undertake the training (including any substitutes)	Percentage of relevant elected members <i>(see paragraphs 3.5 - 3.8 below for an explanation as to how these figures have been derived)</i>
Safeguarding children and corporate parenting	Virtual	58	15.3%
Safeguarding adults	Virtual	58	16.9%
Councillors' Code of Conduct	In person	58	100%
Local government finance & budget setting	Virtual	58	8.5%
Town and Country Planning	Virtual	16	100%
Licensing	In person & virtual	14 ¹	92.8%
Recruitment and Selection		2 ²	0

¹ Although the Committee membership is 15, there is 1 vacancy on the Committee because the Conservative Group have not taken up their seat.

³ The Appointments Committee has five members, of whom two are new appointments in 2022/2023 and therefore required to undertake the training. Of those two new appointments, one was only appointed in January 2023. In addition, the Appointments Committee has not been required to sit since the Code of Conduct became effective.

- 3.5. With regards to the percentage figure for the Safeguarding children & corporate parenting; safeguarding adults; and local government finance and budget training, these have been derived from the self-certification forms returned to Member Services. It is therefore possible that the actual number of members who have completed the training may be higher - whether through attendance at the session itself or subsequent viewing of the recorded training. However, at this stage Officers do not have any confirmatory evidence.
- 3.6. With regards to the Code of Conduct training, this was conducted in person and upon completion of that training members were asked to sign declarations confirming their adherence to the Code which were countersigned by the Monitoring Officer.
- 3.7. The percentage figure for the Planning Sub-Committee has been derived from:
 - 3.7.1. The self-certification forms returned to Member Services;
 - 3.7.2. Records maintained by the Head of Planning and Building Control
- 3.8. The percentage figure for the Licensing Committee has been derived from:
 - 3.8.1. The self-certification forms returned to Member Services;
 - 3.8.2. The minutes of the meeting of the Committee held on 31 May 2022 as a training session was held at the conclusion of the meeting; and
 - 3.8.3. Records maintained by the Governance Service and the Legal Officer who advises the Licensing Committee.

Three members of the Licensing Committee are in the final stages of their training and this should be completed by the end of February; therefore these members have been included in the percentage calculation. For completeness until such time as the training has been completed those members have not and will not sit on Licensing Sub-Committees.
- 3.9. With regards to mandatory training for Equalities, Diversity and Inclusion; Bullying, harassment & sexual harassment; Data Protection, Freedom of Information & Environmental Information Regulations; and Dealing with the media / social media, it has not yet been possible for this training to be offered due to the extremely limited number of dates which are available within the Council's annual calendar.

- 3.10. Members have not provided any direct feedback as regards the mandatory training elements. However, comments have been received about the calendar being very busy.

Amendments to training mandated by the Monitoring Officer

- 3.11. Given the constraints that exist with the Council calendar, it is considered that a change is required to the training for Equalities, Diversity and Inclusion; Bullying, harassment & sexual harassment; Data Protection, Freedom of Information & Environmental Information Regulations; and Dealing with the media / social media so that the requirement is biennial rather than annual. This is not intended to detract from the importance of such training, but is a practical and pragmatic step if we are to avoid elected members falling into breach of the Code inadvertently.
- 3.12. Upon further reflection, it is considered that training in respect of local government finance and budget setting should be mandated for all members following their election to the Council (whether at the quadrennial elections or any intervening by-elections) with updates being provided through an appropriate delivery mechanism as and when required by the s151 Officer, for example if amendments are made to the Council's Budget and Policy Framework which relate to the budget or if there are any significant s151 reports / audit reports issued in respect of any local authority. The rationale for this is that main legislative provisions governing local government finance are not often amended. However, from the perspective of good governance it is important that Members understand the principles of local government finance and that training is offered when changes are effected or if there are lessons to be learned from the experiences of other local authorities.
- 3.13. An amendment is also proposed, for clarification, as regards the Appointments Committee to make clear that training is required to be undertaken upon a member being first appointed to the Committee prior to that member attending a meeting of the Committee, or its Sub-Committees.
- 3.14. I therefore propose to make amendments to section 11 of the Councillor Code of Conduct accordingly.

4. **Comments of the Group Director of Finance and Corporate Resources.**

- 4.1. There are no financial implications arising directly from this report. Any costs that arise from the need for all Councillors to undertake mandatory training are met from existing budgets.

5. **Comments of the Director of Legal, Democratic and Electoral Services**

- 5.1. Under section 27 Localism Act 2011, the Council has a duty to promote and maintain high standards of conduct by members and co-opted members of

the Council and must adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.

- 5.2. Section 28 of the Localism Act requires that the Code is, when viewed as a whole, consistent with the seven principles of public life and must include provisions as regards the disclosure of pecuniary interests and interests other than pecuniary interests. However, save for these overarching requirements, there are no statutory requirements or limitations as to the content of the Code. Section 28 also provides that the Council may revise its Code of Conduct or replace it.
- 5.3. The Monitoring Officer has been authorised, via the adoption of the Code in January 2022, to make changes to the requirements as regards mandatory training. This report is therefore presented to the Standards Committee for noting purposes rather than decision.

Appendices

None

Background documents

None

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