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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 09 December 2020

To: **Members of the Ethical Governance and
Personnel Committee**

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE** as a virtual meeting via Zoom on **THURSDAY, 17 DECEMBER 2020** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Manager

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE - 17 DECEMBER 2020

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS
2. MINUTES OF PREVIOUS MEETING (Pages 1 - 4)
To confirm the minutes of the previous meeting.
3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES
To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. DECLARATIONS OF INTEREST
To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**
5. QUESTIONS
To hear any questions received in accordance with Council Procedure Rule 12.
6. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY
7. DATES OF FUTURE MEETINGS
Two of the meeting dates agreed at the previous meeting need to be changed due to clashes with other meetings. It is therefore proposed that the meeting scheduled for 17 March be moved to 24 March and the meeting scheduled for 7 July be moved to 30 June.
8. MODEL CODE OF CONDUCT UPDATE
To receive an update on the LGA's new model code of conduct and to consider the process for adoption of our own code.
9. MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED
To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 10 of Schedule 12A of the 1972 Act.
10. COMPLAINTS UPDATE
A verbal update in relation to complaint 2020/09 will be provided.
11. COMPLAINT 2020/23 (Pages 5 - 10)
Fact finding report attached.
12. COMPLAINT 2020/24 (Pages 11 - 18)
Two fact finding reports attached.
13. COMPLAINTS 2020/20, 21 & 22 (Pages 19 - 24)
Fact finding report attached.

Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

1 OCTOBER 2020 AT 6.30 PM

PRESENT: Cllr R Webber-Jones - Chairman
Cllr MB Cartwright – Vice-Chairman
Cllr DC Bill MBE, Cllr CW Boothby (for Cllr RG Allen), Cllr MA Cook, Cllr A Furlong,
Cllr LJP O'Shea, Cllr A Pendlebury (for Cllr E Hollick) and Cllr MC Sheppard-Bools (for
Cllr L Hodgkins)

Also in attendance: Gordon Grimes, Independent Person

Officers in attendance: Julie Kenny, Rebecca Owen and Julie Stay

486 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Allen, Hodgkins and Hollick, with the following substitutions authorised in accordance with council procedure rule 10:

Councillor Boothby for Councillor Allen
Councillor Pendlebury for Councillor Hollick
Councillor Sheppard-Bools for Councillor Hodgkins.

487 MINUTES OF PREVIOUS MEETING

It was moved by Councillor Cartwright, seconded by Councillor Bill and

RESOLVED – the minutes of the meeting held on 30 January 2020 be confirmed as a correct record.

488 DECLARATIONS OF INTEREST

Councillor Cartwright stated that he had been advised by a third party that he should declare a personal interest in item 13, and whilst he did not believe he had an interest or bias he declared that he would leave the meeting for that item.

489 STATUTORY SAFETY COMMITTEE MINUTES

Members received the minutes of the Statutory Safety Committee. In response to questions from members, it was reported that guidelines in relation to staff working in the offices were under continuous review and home working risk assessments were being undertaken.

490 HEALTH & SAFETY MANAGEMENT SYSTEM AND POLICY

Consideration was given to a report which sought approval of the revised Health, Safety and Welfare Management System and Policy. During discussion, the following points were made:

- The report policy included responsibility for the health and safety of contractors
- Performance indicators were periodically reported to the Strategic Leadership Team and the Statutory Safety Committee

- It was mandatory for refuse and recycling collectors to wear gloves as part of their PPE and a reminder would be sent out to staff.

Members felt it would be helpful to receive an annual health and safety performance report to this committee.

It was moved by Councillor Cartwright, seconded by Councillor Pendlebury and

RESOLVED –

- (i) The revised Health, Safety and Welfare Management System be approved;
- (ii) The revised Health, Safety and Welfare Policy and statement be approved;
- (iii) An annual health and safety performance report be brought to the Ethical Governance & Personnel Committee.

491 CORPORATE COMPLAINTS 2019-20

Members received the annual report in relation to corporate complaints. It was moved by Councillor O'Shea, seconded by Councillor Furlong and

RESOLVED –

- (i) The report be endorsed;
- (ii) The reduction in the number of complaints be noted;
- (iii) It be noted that there was no fault found by the Local Government & Social Care Ombudsman for any complaint during 2019/20.

492 COMPLAINTS UPDATE

It was noted that whilst there was no outstanding business for the committee, there were some code of conduct complaints in their early stages which may progress to the committee.

493 DATES OF FUTURE MEETINGS

It was moved by Councillor Webber-Jones, seconded by Councillor Bill and

RESOLVED – dates of future meetings be approved as follows:

25 November 2020
20 January 2021
17 March 2021
12 May 2021
7 July 2021
1 September 2021
27 October 2021.

494 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Webber-Jones seconded by Councillor Sheppard-Bools, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 1, 2 and 10 of Part I of Schedule 12A of that Act.

495 OVERVIEW OF COMPLAINT 2018/14

Councillor Boothby entered the meeting at 7.07pm.

In response to a request at a previous meeting, members received an overview of the handling of complaint 2018/14. A member suggested that the new code of conduct could provide better guidance on when to take part in a meeting if a member had taken part in lobbying. In relation to revising the procedure for code of conduct complaints, it was suggested that the chairman and Monitoring Officer should discuss and bring a report to a future meeting.

It was moved by Councillor Furlong, seconded by Councillor Sheppard-Bools and

RESOLVED –

- (i) The report be noted;
- (ii) A report reviewing the procedure be brought to a future meeting following discussion between the chairman and Monitoring Officer.

496 COMPLAINT 2020-09

Councillor Cartwright left the meeting at this juncture.

Members received a fact finding report in relation to complaint 2020/09. Members were concerned that the report had come to the committee given that it was in relation to an election pledge and in response the Monitoring Officer explained that under the current procedures she did not have discretion to make a decision without bringing the matter to committee, and there was no other course of action available.

It was moved by Councillor Bill, seconded by Councillor Furlong and

RESOLVED – no further action be taken in relation to the complaint.

(The Meeting closed at 7.42 pm)

CHAIRMAN

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