

**TO: EXECUTIVE
14TH DECEMBER 2021**

MEMBER'S EQUALITIES WORKING GROUP RECOMMENDATIONS

1 PURPOSE OF REPORT

- 1.1 The purpose of the report is to seek agreement to adopt the recommendations and Mayor's Charter developed by the Member's Equalities Working Group to ensure the highest standards of councillor behaviour and advance equality, diversity and inclusion.

2 RECOMMENDATIONS:

- 2.1 **The Executive are asked to consider the recommendations of the Member's Equalities Working Group at Annex A and Mayor's Charter at Annex B for onward recommendation that they are adopted by the Council.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The Council's endorsement and support for the recommendations will enable the working group to implement, monitor and report the progress made in delivering the recommendations.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Councillors are committed to continuing to strive for the highest standards of behaviour therefore doing nothing is not an option that would be considered. The council has worked positively and proactively on a cross party basis to address the issues raised in the Member's Pulse Survey and develop recommendations to further enhance working relationships.

5 SUPPORTING INFORMATION

Background

- 5.1 The Member's Equalities Working Group was established in January 2021 to lead and champion member's contribution to advancing equalities and celebrating diversity within the community and within member's work in the Council.
- 5.2 The Member's Equalities Working Group commissioned Public Perspectives (the council's independent provider of consultation and engagement services) in March to run a Member's and Member-Officer pulse survey to understand their perceptions of how well member's work together and to understand the relationship between Members and Officers.
- 5.3 The survey has raised awareness and opened discussion with a view to developing and implementing actions to further strengthen Member and Member-Officer working relationships, leading to positive outcomes for the local area, residents, and businesses.

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Survey results

- 5.4 Overall, 35 of the 42 councillors participated in the survey and 52 of the 55 officers invited participated. The survey covered topics including wellbeing, being treated fairly and communication and engagement. The results report is attached at Annex C.
- 5.5 The survey highlighted members and officers presenting mixed, differing and sometimes polarised views about the subject matter. In general, the survey demonstrated positive working relationships between members, and particularly between members and officers. However, there are examples of inappropriate and negative behaviour that is sometimes perceived as bullying and harassment amongst members and between members and officers. Although this is exhibited by a very small minority of individuals, it can sometimes be seen by other members and officers.
- 5.6 The survey report makes it clear that some of this behaviour could be described as simply *'the nature of politics'* or being *'robust'*. However, it can also *'cross the line'*, be considered *'unprofessional and inappropriate'* and move into perceived *'bullying'* between members. It can also sometimes spill over into inappropriate behaviour from members to officers.
- 5.7 Whilst this is not necessarily systemic or widespread, it does have a notable impact on the wellbeing, ability to perform and morale of members and officers that experience or witness such behaviour. The survey suggests a perception amongst both members and officers that such behaviour is *'not always or sufficiently addressed'*, either through self-regulation, informally or formally by the council or members.
- 5.8 Members and Officers said there are opportunities for further training, development and support to promote *'professional, respectful, effective, constructive and collaborative'* working relationships between members, and members and officers.

Acting on the survey results

- 5.9 To discuss the survey results and agree how to create a political working environment with the very highest standards of behaviour, three 'Inclusive Conversations' workshops were held and facilitated by an external independent Equality Diversity and Inclusion provider during July with excellent attendance levels.
- 5.10 The Member's Equalities Working Group have developed the recommendations at Annex A based on the key issues that the Working Group members have discussed over the past six months and the views of members expressed at the three Inclusive Conversations workshops. The workshops gave all member's the opportunity to reflect on how to ensure the highest standards of member behaviour and contribute to deciding what action should be taken and the development of the recommendations. The Executive are asked to consider the recommendations for onward recommendation that they are adopted by the Council.
- 5.11 The first recommendation in Annex A focusses on the development of a Mayor's Charter, the text of which is at Annex B. The Charter sets out the

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standards of behaviour expected of all members it is proposed that the charter be adopted through a motion at full council.

6 Consultation and Other Considerations

Legal Advice

- 6.1 The Borough Solicitor in his capacity as the Council's Monitoring Officer supports the recommendations set out in this report. High Standards of behaviour amongst elected officials is a cornerstone of good governance. Whilst historically the Council has benefitted from relatively low levels of complaints there remains a need to improve compliance with its Code of Conduct. An educative approach to standards based on a Mayor's charter will supplement the deterrent aspects of the Code. With regard to recommendation 6, the Code of Conduct Working Group will be convened in the coming weeks to review the Council's existing Code of Conduct and consider whether any amendments should be made to more closely reflect the provisions of the LGA Model Code which was published in December 2020 for consideration by Local Authorities. It is proposed that compliance with the Human Rights Act and Public Interest Disclosure Act are incorporated into that review with input from the Borough Solicitor and Deputy Leader. Any recommendations will subsequently be included in a wider review of the constitution (including the Member-Officer protocol) which will be reported to Councillors later this year.

Financial Advice

- 6.2 There are no immediate financial implications arising from the contents of the report. The costs of implementing the recommendations will be met from within existing budgets.

Equalities Impact Assessment

- 6.3 The recommendations support the council's equalities objectives and Public Sector Equalities Duty obligations. Equality Impact Assessments will be undertaken where appropriate in developing the individual recommendations.

Strategic Risk Management Issues

- 6.4 There are risks that one or more of the recommendations not being developed or fully implemented. The members working group will closely monitor and manage the implementation of the recommendations.

Climate Change Implications

- 6.5 The recommendations above are expected to have no adverse impact on emissions of CO₂. The reasons the Council believes that this will have no impact on emissions are that council's objectives seek to reduce inequalities and advance equality of opportunity.

Background documents

Member's 'Pulse' Survey 2021 – Public Perspectives

Supporting officers

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Annex A, Member’s Equalities Working Group Recommendations

<p>Recommendation 1</p> <p>A BFC Mayor’s charter is developed, and a motion is taken to full Council for its adoption. The charter will be based on the text contained within the joint statement on conduct of political party members, published by the Jo Cox Foundation</p>
<p>Recommendation 2</p> <p>Executive Members, committee chairs and vice chairs should be trained on the contents of the charter and how to apply them in their role. Executive Members, committee chairs and vice chairs should also receive mandatory EDI training as a condition of selection.</p>
<p>Recommendation 3</p> <p>Trained Committee chairs and vice chairs should represent a confidential cadre of first point of contact for councillors to discuss issues of concern, reflecting the ethos of restorative justice.</p>
<p>Recommendation 4</p> <p>All agendas should commence with a statement reminding all attendees of the requirement for respectful behaviour.</p>
<p>Recommendation 5</p> <p>The “<i>Speak Up</i>” model of intervention, that seeks to challenge inappropriate behaviour at source should be reinforced, with councillors encouraged to use this style of communication, thus developing a culture where challenging unacceptable behaviour is accepted and expected.</p>
<p>Recommendation 6</p> <p>The existing councillor complaints procedure should be reviewed by the Deputy Leader & Borough Solicitor to ensure that it is compliant with the following statutory provisions:</p> <ul style="list-style-type: none"> • <i>Human Rights Act 1998 (decision making process)</i> • <i>Public Interest Disclosure Act 1998 (protecting Whistle-blowers)</i> <p>The outcome of this review should inform the Code of Conduct Working Group’s review of the Council’s Code of Conduct following the publication of the LGA Model Code of Conduct for Councillors. The Member-Officer protocol should also be reviewed as part of this work.</p>

Annex B - BFC Mayor's Charter

Statement of minimum standards of behaviour expected from all Councillors at all times.

The Seven Principles of Public Life (the Nolan Principles) - selflessness, integrity, objectivity, accountability, openness, honesty, and leadership - have long been the basis for ensuring high standards in public life. These are the basis for the behaviours this Council and all its Councillors will adopt.

Our Councillors will:

- encourage and foster constructive democratic debate and tolerance of other points of view
- promote and defend the dignity of others, treating all with courtesy and respect
- not engage in bullying, harassment, or victimisation, nor unlawfully discriminate against another member or group
- challenge unacceptable behaviour whenever it occurs.

Any behaviour that falls short of that included in the above statement will be dealt with under the Council's Standards and Code of Conduct processes. If any breach appears to break the criminal law, it will be referred to the police.