

# **Governance Committee Agenda**

**31 October 2022 at 2pm**

**Marconi Room, Civic Centre, Duke Street,  
Chelmsford, CM1 1JE**

## **Membership**

Councillor H. Ayres (Chair)

## **and Councillors**

K. Bentley, N.A. Dudley, D.G. Jones, M.S. Steel, A.G. Thorpe-Apps  
and N.M. Walsh

## **Parish Council Representatives**

**Councillor V. Chiswell (Great Baddow Parish Council)**  
**Councillor P.S. Jackson (Great Waltham Parish Council)**  
**J. Saltmarsh**

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523

email [daniel.bird@chelmsford.gov.uk](mailto:daniel.bird@chelmsford.gov.uk)

# Governance Committee

31 October 2022

## AGENDA

1. Apologies for Absence

2. Minutes

To consider the minutes of the meeting held on 20 September 2022

3. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Chair's Announcements

5. Monitoring Officer Report

6. Information Governance Update

7. Complaints to the Local Government and Social Care Ombudsman – Annual Review

8. Interim Polling District Review

9. Senior Responsible Officer's report in relation to the Council's RIPA arrangements

10. Annual Whistleblowing Report

11. Dispensation Policy

12. Update on Register of Interests at City and Parish Level

13. Work Programme

14. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

## MINUTES OF THE GOVERNANCE COMMITTEE

20 September 2022 at 1pm

Present:

Councillor H. Ayres (Chair)

Councillors K. Bentley, D.G. Jones, J.M.C. Raven, M.T. Steel and N.M. Walsh

Also in attendance –

Parish Councillors V Chiswell and P Jackson

Independent Person –  
Mrs C Gosling

The Chair agreed to adjourn the meeting at the scheduled 1pm start time for 10 minutes to ensure everyone was present. The meeting then started at 1.10pm

### 1. Apologies for Absence

Apologies for absence were received from Councillors Dudley and Thorpe-Apps. Cllr Raven substituted for Cllr Thorpe Apps. Apologies were also received from the Independent Person, Mrs Mills and June Saltmarsh.

### 2. Minutes

The minutes of the meeting on 15 June 2022 were confirmed as a correct record.

### 3. Declarations of Interest

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

### 4. Chair's Announcements

No Announcements were made.

## 5. Standards Complaints 24-27/21 Investigation and Hearing Report

The Committee considered a report asking them to determine the complaints made against Councillor Daden by way of a hearing, pursuant to the procedure detailed at Part 5.1.2 Annex 5 of the Constitution. The Chair explained the processes under the hearing procedure at Part 5.1.2 Annex 5 of the Constitution. Those present were informed that after hearing the necessary information, the Committee would consider the information in private and determine whether the code had been breached. The Committee noted that the following elements of the complaint were to be considered;

- 1) Complaints 24&26/21 both related to a leaflet produced by the Councillor which one of the complainants alleged was disrespectful (24/21) and the other that it was an improper use of the Councillor's position for personal advantage/breach of Nolan Principles (26/21). The investigators views were that these allegations were finely balanced, but considered the Councillor was acting in private capacity and as such could not have breached the code of conduct.
- 2) Complaint 25/21 related to Facebook posts by the Councillor which were alleged to breach the Nolan principles. The investigator concluded that again the Councillor was acting in private capacity and that no breach of the code could have been made.
- 3) Complaint 27/21 related to the Councillors ward newsletter which was alleged to have brought the Council into disrepute. The investigator concluded that the Councillor had been acting in official capacity and that there could have been a breach of the code of conduct.

At this point in the hearing, Councillor Daden was asked to outline her position. Cllr Daden provided some background information about the content of the newsletter and other elements of the complaint. The Committee was provided with Cllr Daden's view that the Covid vaccine was the most dangerous product ever and that the hearing was the saddest one ever. Cllr Daden stated that the mention of the parish complaints earlier in the year in the report was completely irrelevant. Cllr Daden also stated that it was unfair to include the complaints in the report that the investigator did not feel were justified. Cllr Daden also informed the Committee that the vaccine issue had simply been a difference of opinion and it was her judgment as to whether to lobby on certain issues. Cllr Daden asked the Committee to dismiss the case in its entirety, as the complaint may have been politically motivated and the process destroyed freedom of speech. Cllr Daden also asked for mediation with all parties instead of the hearing and that the Monitoring Officer should not be involved in the process.

In response to some of the points raised, the Chair clarified that there is a set process in the Constitution that needs to be followed when considering complaints. The Chair also stated full confidence in the Council's Monitoring Officer, who was not biased in any way and as in all other complaints, their input would be valued during the

deliberation stage. The Monitoring Officer also clarified that they were not the decision maker and it was the Committee themselves who would decide the outcome.

At this point of the hearing, the Committee received the report of the Investigator, Mrs Koon Koon. The Committee heard the in depth overview and details were all included in the published report and the report detailed the decision making for each of the complaints. The Committee was informed that there had been two areas of focus for each complaint, firstly, whether Councillor Daden had been acting in their capacity as a Councillor and secondly whether the Code of Conduct had been breached. It was noted that two elements for the capacity question were relevant in the Code of Conduct, paragraphs 5.1.1.1.2 and 5.1.1.15.

The Investigator took the Committee through each complaint and explained the process. It was noted that 24 & 25/21 were considered together they both related to the leaflet and there was no need to meet with the complainant. For complaint 27/21 the Investigator did meet with the complainant as it was felt beneficial but Cllr Daden politely declined to meet with the investigator. It was also noted for clarification, that the draft report was not sent to Cllr Daden at the same time as the complainants and this had been an oversight. It was noted however that this was then sent at a later date but still with sufficient time for comments to be made by Cllr Daden who did not suffer any prejudice as a result of this.

The Investigator informed the Committee that for complaints 24 & 26/21 it was their view that these were sent in a private capacity. It was noted however that the logo and name could appear misleading. It was noted that this had been finely balanced and in the report the investigator recommended taking steps to ensure clarity as to the leaflet being sent in a private capacity. The Investigator also stated that complaint 25/21, was also in a private capacity and therefore the code was not engaged.

The Investigator stated their view that complaint 27/21 did reach the threshold of being in Cllr Daden's capacity as a local Councillor. It was noted that the first newsletter actively promoted a medicine at the end after referring to various elements of council business or local news and the second one only referred to the medicine. The Investigator referred to their interview with the complainant, which was detailed in Appendix 5, where they stated they had signed up to the newsletter due to Cllr Daden being their local Councillor. The complainant felt that Cllr Daden had possibly been hacked as it was unlike previous versions of the newsletter. The Investigator stated the view that the Code was engaged in this instance as the newsletter had been used for discharging Cllr Daden's functions as a ward Councillor previously. Further, it was felt this amounted to a breach of the Code of Conduct under 5.1.1.2.1.6 as the mention of the medicine went beyond the role of a local Councillor. The second newsletter also asked residents to assist with promoting the medicine themselves. The investigator stated it was acceptable for Cllr Daden to have her own opinion, but it was not her role to provide unsolicited medical advice or personal views on the matter to local residents. The investigator noted it was a divisive topic and the use of the newsletter to promote personal views could impact public trust in Cllr Daden therefore having the potential to bring the Council into disrepute.

In response to questions from Councillor Daden, the Investigator stated that;

- It was not in the investigators remit to talk about specific medicines.
- The report only looked at the complaints and not the topic of Covid vaccinations, the focus was on whether the code was engaged and whether the code had then been broken.
- They did not feel the complaint had been politically driven.

At this point, the Chair reminded Cllr Daden, to ask questions related to the investigation. The Chair also stated that the Committee were deciding whether there had been a breach of the code and were not engaging in discussions about certain covid vaccinations.

In response to questions from the Committee, the Investigator stated that:

- They had not taken a view on whether the content of the newsletters was misinformation. Their view was that there had been an unsolicited broadcast of public opinion not related to the Council. They also felt that if Cllr Daden had been asked by a member of the public on the street and then provided her view it would not have been an issue.
- It was natural for Councillors to have opinions, the issue was regarding how the opinion was shared.
- The promotion of a product was outside of the Nolan principles. It was noted the role of a local Councillor, is to promote their ward and to keep constituents informed about Council business.
- It was the complainants view that they signed up to the newsletter to receive information about Council business.
- The medical element was the issue as it was a divisive topic and one not related to any Council business.

At this point of the hearing Councillor Daden was invited to respond to the allegations. Cllr Daden informed the Committee the newsletter started in 2015 and had included information on various topics, probably more local issues than actual Council business. She stated she always respected the Nolan principles and disputed breaking them. She felt it was no different to challenge policies related to Covid to ones related to planning for example. Cllr Daden referred to a personal story on the topic and also referred to a video on the topic that members had been sent a copy of prior to the meeting.

The Chair confirmed the video had been viewed in advance and reminded Cllr Daden that the Committee were not present to discuss Covid vaccinations or related topics.

Cllr Daden stated that she had lobbied about the closure of libraries and did not feel that this was any different. She felt it was dangerous to shut down personal opinions from Councillors.

In response to questions from the Committee, Councillor Daden stated that;

- She had started the newsletter as she felt the Parish magazine was not published often enough.

- Some information in the newsletter was received through her role as a City Councillor. She felt it was her right to express her own opinions in the newsletter as, via not being part of a political party they did not have other routes.
- The video that had been circulated was not from a site recognised, as other sites censor similar material.
- She felt it was clear that the newsletter was not only related to Council business.

At this point, the Monitoring Officer clarified a conversation she had had with Cllr Daden which the Monitoring Officer felt had been taken out of context around capacity. She stated that independent Councillors, could of course have newsletters or website but that a difference for Councillors in political groups would have access to a political website and would also be bound by the political party's disciplinary rules. It was noted that these may prevent Councillors saying certain things publicly. Independent Councillors could create their own website as Cllr Daden had and could also be bound by an independent group disciplinary policy. However, this was not necessarily the case. All councillors were bound by the same code of conduct for councillors in any event.

A member of the Committee provided examples of what they felt would be classed as Council business, such as planning issues or the installation of pylons. The Monitoring Officer agreed that these were relevant to Council business as the Council had discussed them at public meetings and responded to consultation on them. It was noted that Cllr Daden took a different view to that suggested by the committee member as to whether the topic of Covid vaccination related to Council business.

At this point of the hearing, the Investigator was invited to summarise the case. The Committee was reminded of the Investigator's findings, and they confirmed they had nothing further to add.

Invited to summarise the case, Councillor Daden noted that she felt her free speech was being restricted and she had no protection from wrongful allegations. She did not feel she could stay silent and would use her independent platform to continue to do so.

The Monitoring Officer clarified at this point that she stood by her decision to refer the complaints for investigation. That decision was finely balanced but warranted external investigation and a member decision. The Monitoring Officer felt that despite the investigator only considering there was a breach in one of the complaints, it was important for members to take a decision on all four complaints and the chair had agreed with her on that approach to determining the four complaints. The Monitoring Officer pointed out that it was not her role to squash multiple complaints made by the public particularly where the position was unclear and it was right for them to be investigated. The Monitoring Officer also stated that a referral for investigation did not necessarily mean that breaches would be found. The Monitoring Officer declined to leave the meeting and highlighted that this request arises from a misunderstanding by the councillor of the initial assessment process.

The Committee retired to determine the complaints in private at 2.43pm

The meeting resumed in open session at 3.42pm. The Committee confirmed that they had come to the following findings.

Complaints 24 & 26/21 – The committee agreed that the question of whether the councillor was acting in official capacity was finely balanced but agreed with the investigator that the councillor was acting in private capacity so the code could not be engaged and no breach arises as a result.

Complaint 25/21 – The committee agreed that the councillor was acting in private capacity so the code could not be engaged and no breach arises as a result.

Complaint 27/21 – The committee agreed with the Investigator that the councillor was acting in official capacity by a vote of five to one. It was noted that the old Code of Conduct under which this complaint had been made only referred to the Council being brought into disrepute. However, the new Code adopted on 1<sup>st</sup> August is broader and now includes bringing the role of councillor into disrepute as well as the Council itself. The Committee took the view that if the Councillor were to act in a similar manner under the new Code of Conduct, she would likely bring the office of Councillor into disrepute. As such there was no breach of the code of conduct in force at the time the allegation arose.

The Committee also provided the following recommendations for the future to Councillor Daden on the issue:

- Council issues and personal views on lobbying needed to be clearly separated by the councillor to avoid confusion to recipients.
  - The subscribers who received the newsletter, need to be explicitly asked if they wish to also receive information on Cllr Daden's personal views and lobbying efforts.
  - It needed to be clear if members of the public had subscribed only to receive Council related business that the email addresses should not be carried across to the personal newsletter.
  - Agreed the recommendation made by the Investigator in relation to the logo and website when the councillor wished to act in personal capacity.
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- The Committee had been unanimous that the video sent to them was not relevant and should not be shared on the Council's website.

Cllr Daden thanked the Committee for their time and apologised for her conduct during the meeting. The Committee was informed that the recommendations would be taken on board, but that Cllr Daden remained of the view that her request to mediate with the complainants should have been accepted.

( 1.10pm to 3.50pm)

## 6. Urgent Business

There were no items of urgent business.

The meeting closed at 4.56pm.

Chair



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## Chelmsford City Council Governance Committee

31 October 2022

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### Monitoring Officers Report

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Report by:  
Monitoring Officer

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Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,  
[lorraine.browne@chelmsford.gov.uk](mailto:lorraine.browne@chelmsford.gov.uk), 01245 606560

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### Purpose

To update members on recent standards complaints, adoption of the model code of conduct, training and the recruitment of an independent person.

### Recommendations

1. To note the current statistical information as to complaints made and agree this should be published on the Council's website as set out in the Appendix.
  2. To note the position in relation to the adoption of the model code of conduct at parish tier councils
  3. To provide an update on member training where the model code has been adopted.
  4. To note the recruitment of a further Independent Person.
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## 1. Standards Complaints

- 1.1. The Appendix to this report sets out the latest statistical data related to complaints under the Standards regime.
- 1.2. Members will note that there was a significant increase in the level of complaints received during 2021. So far during 2022, 3 complaints have been received which have resulted in no further action.
- 1.3. In relation to outstanding investigations, members will note that there is now one outstanding hearing following investigation that has been rescheduled a number of times due to non-availability of various parties. The hearing has been scheduled for 12<sup>th</sup> December. One other investigation is also now closed following a hearing in September.
- 1.4. Subject to any questions raised, the Committee is asked to confirm that this information should be published as set out in Recommendation 1.

## 2. Adoption of Model code of conduct, training & recruitment of Independent Person

- 2.1 At the time of writing this report the Monitoring Officer has been advised that 6 parish councils have adopted the model code of conduct so far and is aware that other councils will be considering this too in the near future. Further updates will be provided.
- 2.2 The Monitoring Officer has undertaken 4 training sessions in relation to the model code of conduct. This included a session in early October for city councillors who have not yet undertaken the training and was also offered to 3 parish councils that had adopted the model code. Two further sessions have been scheduled for November and a final session in December to which any remaining parish councillors have been invited whether the model code has been adopted or not. These are the final sessions that will be offered prior to the 2023 Elections although the slides have been provided via clerks and a webcast of the training session may also be possible.
- 2.3 Members are asked to note that recruitment to an independent person will shortly be underway. Members will be involved in the recruitment with a view to making a recommendation for appointment at Full Council in February 2023.

## List of Appendices

Appendix 1 – Statistical information regarding complaints made.

Background papers:

Nil

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## Corporate Implications

Legal/Constitutional: These are set out in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: None

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Relevant Policies and Strategies:

Complaints Procedure

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## Standards Enquiries and Investigations Statistics – Localism Act 2011

June 2022 to October 2022

Status of Complaint Categories	Total No.	Case No.	City, Parish tier Councillor	Date Issue First Raised	Alleged Breach or Issue Raised	Current Position
1. No formal complaint or withdrawn	0					
2. No further action required after consultation with one of the Independent Persons	1	3/22	Parish tier councillor	September 2022	3 allegations concerning the register of interests, financial arrangements and conduct towards an officer	Advice provided in relation to interests and councillor given 14 days to update their register of interests. This was completed within the timeframe. No further action necessary in relation to the register of interests or the remaining complaints as the issues had already been dealt with via other action already taken by the Councillor.

<b>Status of Complaint Categories</b>	<b>Total No.</b>	<b>Case No.</b>	<b>City, Parish tier Councillor</b>	<b>Date Issue First Raised</b>	<b>Alleged Breach or Issue Raised</b>	<b>Current Position</b>
<b>3. Not able to legally pursue complaint</b>	0					
<b>4. Complaint on hold</b>	0					
<b>5. Decision as to appropriate action still awaited</b>	0					
<b>6. Complaints being investigated</b>	6	18/21 Now linked with 31-35/21		Apr & Dec 21	Various allegations relating to registration/declaration of interests by 7 councillors	Investigation completed May 22. Complaints relating to 5 councillors dealt with via reminder/warning. Hearing for remaining 2 councillors deferred due to non-availability of different parties. Hearing scheduled for 12 December 2022.
<b>Total</b>	7		7 parish tier complaints			

### Formal Complaint Outcomes

	Case No. and Councillor	Committee Date and Decision	Date Issue First Raised	Current Position
<b>Outcome of Investigations</b>	24-27/21 Cllr Wendy Daden as City Councillor	20/9/22 – members determined that the code of conduct did not apply in 3 of the complaints (2 finely balanced) and therefore no breach could arise. In the 4 <sup>th</sup> complaint members determined that the councillor was acting in official capacity. The Committee concluded that the councillor did not bring the Council into disrepute as alleged (although would likely have brought their role as councillor into disrepute). No breaches of the code of conduct. The model code of conduct now adopted by the council includes bringing the role of councillor into disrepute. Recommendations made by the committee to help avoid confusion as to capacity in future.	October 2021	Complaints concluded. Detailed decision notice provided and matter now closed.
<b>Other Action</b>				



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## Chelmsford City Council Governance Committee

31 October 2022

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### Information Governance Update

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#### Report by:

Data Protection Officer

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#### Officer Contact:

John Breen, Information Governance Manager & DPO,  
[john.breen@chelmsford.gov.uk](mailto:john.breen@chelmsford.gov.uk). 01245 606215

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#### Purpose

To provide an annual update on the Council's approach to the assurance and management of information.

#### Recommendations

1. To note the contents of this report.
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#### Achievements and Further Developments

1. Statutory Requests – information requests comprise of Freedom of Information, Environmental Information Regulation and Data Protection Act Subject Access requests. In 2021/22 the Information Governance team, together with services, processed 785 requests and 90% were answered within statutory timescales. This compares with 796 requests received in 2020/21 where 85% were answered within timescale. A 5% increase in performance during the last year represents a good improvement for the Council and brings us in line with the overall target of 90%. Furthermore, two cases relating to these information requests were referred to the Information Commissioner's Office (ICO) in 2021/22. These cases have now been resolved.

2. Data Breaches – the number of data breaches increased from 22 in 2020/21 to 27 in 2021/22. These breaches are categorised into 17 email breaches, 6 enveloping breaches and 4 other breaches. All data breaches are investigated thoroughly in line with the Council's Data Breach Procedure. These investigations also enable the Council and officers a chance to learn from these breaches. In addition, no cases relating to data breaches were referred to the ICO in 2021/22.
3. Training and Awareness – the 'human factor' is often the weakest link in information security and therefore ensuring staff are appropriately trained is a very important element of compliance for data protection. In 2018/19, general GDPR eLearning training was delivered to all computer-based staff. A year later a new eLearning course was launched and focussed on cyber awareness. In 2021/22 a new eLearning course on cyber awareness and home working was developed to coincide with the organisational shift towards more individuals working from home. The Council achieved a completion rate of 90% which is above the target set at 85% and ranks very highly for district Councils.

A new eLearning course is currently being developed which is due to be sent out to staff and Councillors shortly. The course is mainly based on cyber security and offers very good awareness when individuals are online or using email. Email has been specifically targeted this year due to the increase in email data breaches, as well as results from the organisations phishing simulations in recent years.

4. Cyber Security Review – in February 2021, the Council proactively commissioned a Cyber Security Review which identified the progress the Council has made in recent times, as well as identifying areas most in need of improvement. Since then, we have appointed a vCISO (Virtual Chief Information Security Officer), who is a highly trained Cyber Security expert, to work with the authority for 24 days a year to improve security against cyber threats. They are currently assisting the organisation in:
  - communicating cyber risks and how to mitigate against them to Management Team and Members.
  - ensuring the organisation understands that everyone is responsible for information security, and they are not just seen as an IT or Governance issue. Actions will be developed to help the organisation progress with this.
  - progressing with awarding an incident response retainer, similar to recovery insurance, for when we are compromised.
  - The implementation of Microsoft Sentinel. This system will aggregate logs and events from across all the Council infrastructure in real time to allow us (and any third-party security team) to have an overview of any cyber security events or issues.
5. Policies - In June 2021, Management Team agreed a new Acceptable Use Policy. This combines a number of security policies into one overall policy. More

recently, the Council's Information Governance Policy and Breach Policy and Procedures have been updated. In addition, best practice for consultation has also been developed which includes more consistent approaches for Council services capturing sensitive information.

6. Consents – the General Data Protection Regulations (GDPR) introduced more stringent rules around consents, meaning organisations were required to consider how the consents were obtained in order to determine if they were GDPR compliant. The Council has refined its marketing lists to ensure adequate consents under GDPR are in place and have worked on rebuilding its depleted marketing lists. The number of unique subscribers is now over 60,000 as the number of subscribers increased by nearly 9,000 last year. In addition, in the last year, 519 e-marketing campaigns have been sent out to 2.8 million recipients.
7. Privacy Notices – organisations are required to have privacy notices to inform users how they are going to use their data before receiving it. The Council now has 27 privacy notices in place across a range of different service areas, which are regularly reviewed and updated.
8. Risk Management – information governance risks have been developed and fit the Council's revised risk management criteria. They are an important step in the Council's maturing information governance framework and enable the Council to put more effort and resources into areas which carry a higher risk. An example of this has been the Council investing more resources in data protection training and cyber security initiatives.
9. Phishing – In July 2022, the Council ran a phishing campaign which targeted employees for personal information. In the wider world these types of attacks continue to rise and become more sophisticated as time progresses. The simulation run by the Council was an imitation of a real attack to provide employees and Councillors with more awareness to help them stay one step ahead of real attacks.
10. Contracts – one of the most difficult areas for the Council is ensuring that external suppliers are contractually aware of their legal responsibilities when handling information on our behalf, including whether they are complying with data protection law in delivering services for the Council. All contracts issued, including the standard Terms and Conditions, contain appropriate data protection clauses. Suppliers are required to agree to these terms before we purchase from them. OneCouncil now holds in excess of 130 contract records and is now integral to all sourcing processes dealt with by the Procurement Team.
11. Data Protection Impact Assessments (DPIAs) – DPIAs are useful in helping organisations identify the most effective way to comply with their data protection obligations and meet individuals' expectations of privacy. They are a statutory requirement in certain situations under GDPR and are used by the Council when there is a significant change in the way personal data is processed, such as the purchase of a new IT system. Post GDPR,

Management Team approved DPIA guidance for the Council and a number of DPIAs have now been completed since GDPR came in, including 6 more full assessments last year.

### List of Appendices

Nil

### Background papers:

Nil

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### Corporate Implications

Legal/Constitutional: These are set out in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: None

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Relevant Policies and Strategies:

These are set out in this report

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## Chelmsford City Council Governance Committee

31 October 2022

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### Complaints to the Local Government and Social Care Ombudsman – Annual Review

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#### Report by:

Director of Connected Chelmsford

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#### Officer Contact:

Daniel Bird, Democracy Team Manager, [Daniel.bird@chelmsford.gov.uk](mailto:Daniel.bird@chelmsford.gov.uk), 01245 606523

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#### Purpose

This report provides information on complaints dealt with by the Local Government and Social Care Ombudsman about the City Council in 2021-2022 and the Annual Letter from the Commission dated 20 July 2022.

#### Recommendations

Subject to any comments members might have, the report be noted.

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### 1. Introduction

1.1 The Local Government and Social Care Ombudsman (LGO) investigates complaints about councils and certain other bodies. The LGO's aims are to promote good service delivery and customer care. It investigates complaints about most council matters including and in particular, as far as this Council is concerned, housing and planning functions.

1.2 The service it provides is independent, impartial and free. The LGO looks at the process of decision making, rather than the decision itself and cannot investigate complaints where there are other means of obtaining redress such as via planning appeals or through the courts. The process requires people to use a council's

complaints procedures first before complaining to the LGO if they are dissatisfied with the response.

1.3 The duty of the LGO is to establish whether there has been maladministration or fault and, if so, whether it led to injustice. Maladministration means that a matter was not dealt with properly, for example because procedures were not correctly followed. Injustice means that the maladministration led to the complainant being unfairly treated.

1.4 A significant proportion of complaints to the LGO are not formally investigated as they are referred to local authorities to deal with through their local complaint arrangements if those have not been followed. Similarly, many complaints are not formally determined by the LGO because the complaint is settled during the course of the investigation ('local settlements') by being referred back to the local authority. The LGO encourages such local settlements whenever possible.

1.5 Each year, the LGO writes to each authority to summarise the work of the Commission in relation to that authority and its performance generally in comparison with other authorities. The letter and the information on complaints against the Council is submitted to this Committee for its consideration and comments. The letter for 2021-22 is at **Appendix 1** to this report.

## 2. Complaints Received in 2021-22

2.1 Year on year the number of enquiries and complaints fluctuates and, in 2021-22, 15 enquiries and complaints relating to this Council were received by the Commission, much higher than the six received in 2020-21 but on a par with the 13 in 2018-19. The number of complaints received does not necessarily tally with the number of complaints decided as the receipt and investigation of complaints can cover two annual periods.

2.2 In comparison with previous years, the number of complaints received last year reflected a general downward trend over the past few years. Whilst the Ombudsman continued to receive and investigate reports during the Covid-19 crisis, it is likely that the significant reduction in the number of complaints nationally in 2020-21 can be attributed in part to pandemic.

<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>
16	11	18	13	13	6	14

2.3 During 2021-22, the Commission made decisions on five complaints about the Council.

- Two were about matters the Ombudsman could not investigate (one was the subject of court proceedings and another about a member of staff)
- Seven were adjudged not to be warranted and closed after initial enquiries

- Five were regarded as premature and advice was given to pursue the complaint first with the Council rather than go directly to the Ombudsman

2.4 The data provided by the Ombudsman is based in information held by that office and will not necessarily match that held by the Council. For example, the Ombudsman's numbers include enquiries from people signposted back to the Council after contacting the LGO, some of whom may never subsequently contact the Council.

2.5 A summary of those cases on which decisions were made and about which the Council is aware is set out in **Appendix 2**. It is pleasing that no complaints were upheld. Had any been upheld, they would have been the subject of detailed reports to the Governance Committee.

2.6 Seen in the context of complaints against other councils, Chelmsford is neither better nor worse than other authorities of a similar size and with similar responsibilities. Comparative information can be seen by following the link entitled Your Council's Performance on page 2 of the Annual Letter.

### 3. Conclusion

3.1 The Ombudsman's Annual Letter reveals a year-on increase in the number of complaints against the Council in 2021-22 but that none were upheld. The increase is probably a reflection of the return to normal numbers of complaints after the unusually low number made during the first year of the pandemic. The Ombudsman has expressed no concerns about the way in which the Council handles complaints or about its internal processes in general.

#### List of appendices:

Appendix 1A - Letter from Local Government Ombudsman dated 20 July 2022

Appendix 1B – Complaint statistics

Appendix 2 - Cases decided in 2020-21 of which the Council is aware.

#### Background papers:

The appendices to this report

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### Corporate Implications

Legal/Constitutional:

None

Financial:

None as there were no complaints in respect of which the Council had to pay compensation or ex gratia payments

Potential impact on climate change and the environment:

None

Contribution toward achieving a net zero carbon position by 2030:

None

Personnel:

None

Risk Management:

A failure to be aware of or to address complaints could result in unsafe or inadequate services being delivered to the detriment of those receiving them. The Council's reputation could also be damaged

Equality and Diversity:

(For new or revised policies or procedures has an equalities impact assessment been carried out? If not, explain why)

Complaints are monitored by equalities representatives in each service to ensure that there is no disproportionate dissatisfaction by the different equality target groups. This data is considered as part of the assessment process to ensure that there is no discrimination in service delivery.

Health and Safety:

None

Digital:

None

Other:

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Consultees:

None

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Relevant Policies and Strategies:

None are relevant

# Local Government & Social Care OMBUDSMAN

20 July 2022

*By email*

Mr Eveleigh  
Chief Executive  
Chelmsford City Council

Dear Mr Eveleigh

## **Annual Review letter 2022**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

### **Complaint statistics**

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 27 July 2022. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Supporting complaint and service improvement**

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'M King', with a stylized flourish at the end.

Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

Complaints upheld
The Ombudsman carried out no detailed investigations during this period
Compliance with Ombudsman recommendations
No recommendations were due for compliance in this period
Satisfactory remedy provided by the organisation
The Ombudsman did not uphold any detailed investigations during this period

Reference	Authority	Category	Received
21001470	Chelmsford City Council	Planning & Development	04/05/2021
21002642	Chelmsford City Council	Environmental Services & Public Protection & Regulation	25/05/2021
21003107	Chelmsford City Council	Environmental Services & Public Protection & Regulation	02/09/2021
21003907	Chelmsford City Council	Planning & Development	17/06/2021
21004600	Chelmsford City Council	Environmental Services & Public Protection & Regulation	30/06/2021
21006424	Chelmsford City Council	Corporate & Other Services	30/07/2021
21007365	Chelmsford City Council	Housing	17/08/2021
21009978	Chelmsford City Council	Environmental Services & Public Protection & Regulation	08/10/2021
21012676	Chelmsford City Council	Environmental Services & Public Protection & Regulation	25/11/2021
21013197	Chelmsford City Council	Corporate & Other Services	02/12/2021
21015800	Chelmsford City Council	Highways & Transport	27/01/2022
21016899	Chelmsford City Council	Planning & Development	16/02/2022
21017729	Chelmsford City Council	Planning & Development	04/03/2022
21018258	Chelmsford City Council	Planning & Development	13/03/2022
21018296	Chelmsford City Council	Planning & Development	16/03/2022

Reference	Author/Re	Category	Decided	Decision	Decision Reason	Remedy	Reserve inconsistent recommendations
2101473	Chesham City Council	Environmental Services & Public Protection & Regulation	04/05/2022	Checked after initial enquiries	See 5.8 and previous reports		
2101475	Chesham City Council	Planning & Development	15/05/2022	Checked after initial enquiries	Not supported by alleged malpractice history		
2101476	Chesham City Council	Environmental Services & Public Protection & Regulation	05/07/2022	Checked after initial enquiries	Not supported by alleged malpractice history		
2101507	Chesham City Council	Planning & Development	11/10/2022	Checked after initial enquiries	Not supported by alleged malpractice history		
2101507	Chesham City Council	Planning & Development	17/05/2022	Refused back for local consultation	Premature Decision - advice given		
2104602	Chesham City Council	Environmental Services & Public Protection & Regulation	17/05/2022	Checked after initial enquiries	Not supported by alleged malpractice history		
2104643	Chesham City Council	Planning & Development	05/07/2022	Refused back for local consultation	Premature Decision - advice given		
2107385	Chesham City Council	Housing	17/05/2022	Refused back for local consultation	Premature Decision - advice given		
2108019	Chesham City Council	Environmental Services & Public Protection & Regulation	05/10/2022	Refused back for local consultation	Premature Decision - advice given		
2111337	Chesham City Council	Logistics & Other Services	05/12/2022	Checked after initial enquiries	See 5.4 paragraph		
2111360	Chesham City Council	Highways & Transport	27/01/2022	Refused back for local consultation	Premature Decision - advice given		
2111928	Chesham City Council	Planning & Development	16/03/2022	Checked after initial enquiries	Not supported by alleged malpractice history		
2117728	Chesham City Council	Planning & Development	24/03/2022	Checked after initial enquiries	Not supported by alleged malpractice history		
2118228	Chesham City Council	Planning & Development	20/03/2022	Checked after initial enquiries	Not supported by alleged malpractice history		

## Appendix 2

### Complaints decided by the Ombudsman in 2021-22 of which the Council is aware

#### Complaint reference

20014409

#### Category

Environmental Services & Public Protection & Regulation

#### Summary of decision

The Ombudsman could not investigate this complaint about how the Council dealt with matters relating to a fixed penalty notice that the complainant received for an alleged littering offence. This is because the matter had been considered in court and the law prevents the Ombudsman from investigating matters which have been subject to court proceedings.

#### Remedy

N/A

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#### Complaint reference

21001470

#### Category

Planning and Development

#### Summary of decision

Mr X complained about the Council's failure to take enforcement action regarding the use of a building near him. The Ombudsman decided not to investigate this complaint because there was no evidence of fault by the Council.

#### Remedy

N/A

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### Complaint reference

21002642

### Category

Environmental Services & Public Protection & Regulation

### Summary of decision

The Ombudsman decided not to investigate Mr X's complaint about the Council's decision to stop providing additional recycling sacks to local residents. This was because he had not been caused an injustice significant enough to warrant an investigation.

### Remedy

N/A

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### Complaint reference

21003107

### Category

Environmental Services & Public Protection & Regulation

### Summary of decision

The Ombudsman decided not to investigate this complaint about the Council's failure to act against noise nuisance from the bar near Mr A's flat. This was because there was no evidence of fault which would warrant an investigation.

### Remedy

N/A

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### Complaint reference

21003907

### Category

Planning and Development

### Summary of decision

This complaint concerned a planning enforcement matter which the Ombudsman would not consider until the complainant had completed the Council's complaints procedure.

### Remedy

N/A

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### Complaint reference

21004600

### Category

Environmental Services & Public Protection & Regulation

### Summary of decision

The Ombudsman decided not to investigate this complaint about the Council decision to end temporary changes to its taxi licensing policy as fault in the Council's actions was unlikely to be found.

### Remedy

N/A

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### Complaint reference

21016899

### Category

Planning and Development

### Summary of decision

The Ombudsman decided not to investigate this complaint about the Council's decision to grant planning permission for a development on land next to Ms X's home. This was because there was no evidence of fault in how the Council reached its decision.

### Remedy

N/A

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### Complaint reference

21017729

### Category

Planning and Development

### Summary of decision

The Ombudsman decided not to investigate this complaint by Mr X about the Council's handling of his neighbour's planning application. This was because there was not enough evidence of fault causing Mr X significant injustice.

### Remedy

N/A

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### Complaint reference

21018258

### Category

Planning and Development

### Summary of decision

The Ombudsman decided not to investigate Mr X's complaint about the Council's decision not to take enforcement action regarding his neighbour's new windows, or request the neighbour to submit a retrospective planning application for the works. There was not enough evidence of Council fault in its decision-making process to warrant an investigation.

### Remedy

N/A

Note: No details were provided on Complaints Reference 21006424, 21007365, 21007365, 21009978, 21013197, 21015800. It is assumed either that the complainants went directly to the Ombudsman and were advised to contact the Council to enable the complaints to be dealt with through its internal complaints procedure, were matters on which the Ombudsman has no jurisdiction or were matters not worthy of investigation.



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## Chelmsford City Council Governance Committee

31 October 2022

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### Interim Polling District Review

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#### Report by:

Nick Eveleigh, Acting Returning Officer

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#### Officer Contact:

Murphie Manning

Democracy and Elections Manager

[murphie.manning@chelmsford.gov.uk](mailto:murphie.manning@chelmsford.gov.uk)

01245 606 510

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### Purpose

To outline the current polling arrangements within the local authority area and recommend where changes will be required further to the recent Community Governance Review (CGR) to ensure that the arrangements are legally compliant and effective.

### Recommendations

The amendments outlined within this report to be approved and implemented on publication of the full register for future elections, including the reallocation of polling district codes for administrative purposes.

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## 1. Background or Introduction

- 1.1. A polling district and polling place review seeks to establish the best voting arrangements for electors within the local authority area. The statutory requirements of polling districts are set out as follows:

Each parish must be a separate polling district, unless special circumstances apply, and each polling district must have its own polling place. However, this

does not apply if the size (or other circumstances) of a polling district means that the location of the polling stations does not materially affect the convenience of the electors.

- 1.2. A full review of the suitability of polling places and polling districts was completed in 2019, in which, various polling district and polling place changes were implemented. The arrangements agreed in this review remain appropriate in most circumstances, other than where the CGR has imposed boundary changes.
- 1.3. During the consultation the public and local representatives were invited to comment on polling arrangements unrelated to the CGR for consideration e.g. polling place venues, no issues were raised. The next opportunity for further comments to be submitted will be the full polling district and polling place review scheduled for 2023/2024.
- 1.4. The details of this review were sent directly to local councillors, councils, community organisations and charities and was advertised on our website, CityLife and social media pages to engage with the public.
- 1.5. [A map of the proposed changes can be viewed via this link.](#)

## 2. Boundary amendments that are a legal requirement

- 2.1. It is a legislative requirement that each parish should be a separate polling district, if possible. As the recent CGR has reviewed and reorganised some parish boundaries within the City of Chelmsford it is therefore necessary that the polling district boundaries are realigned to reflect this. Proposals A through F in the final recommendations published by the Acting Returning Officer (appendix 2) all relate to this requirement.
- 2.2. The areas in question are the new Chelmsford Garden Community Council area and the small number of properties moving between Great Baddow Parish Council and the unparished area.
- 2.3. During the consultation a local councillor did express concerns that the Local Government Boundary Commission for England (LGBCE) would not process the consequential amendments as requested. Since publication of the initial recommendations these amendments have been approved and the necessary order is being made. The only other response received, from a member of the public, supported the recommendation.

## 3. Boundary amendments that may improve the voting experience

- 3.1. Proposal G concerns Writtle, which is currently divided into Writtle North and Writtle South polling districts which reflected the parish ward boundaries. Due to the location on the polling venues within this area, some electors were required to travel further to their polling place, and in some cases even pass another polling place in order to cast their vote. As the parish wards have now

been removed, there are no longer any restrictions as to where the polling district boundaries are drawn so it is recommended that they are changed to allow electors to vote at their nearest venue.

- 3.2. Proposal H details the creation of a new polling district in Runwell to accommodate the new parish ward that was created during the CGR, St Luke's. The polling district would share the boundary and name with the parish ward and the polling place would be assigned as the Sports and Social Club. This would prevent confusion at local elections where electors within the same polling place would be required to be issued with different ballot papers.
- 3.3. The final proposal, proposal I, combines the current polling districts Broomfield East and Belsteads and names the new polling district Belsteads. Under the previous community governance arrangements these areas were in different parishes but as they will now be in the same parish, both have a low electorate and currently share a polling place, it is recommended that they become one.
- 3.4. There was only one response received in relation to these proposals, from a member of the public, who was in support of them.

#### 4. Conclusion

- 4.1. Further to the recent CGR, an interim polling district review was required to ensure that all of the polling arrangements are compliant and effective. This interim review has sought to resolve this and consider if there were any other improvements that may be made ahead of the next official review.
- 4.2. It is requested that the committee considers the proposals outlined above and makes a decision on the recommendations independently.

#### List of appendices:

Appendix A – Acting Returning Officers final recommendations

Appendix B – Full list of organisations/individuals invited to comment and consultation responses

#### Background papers:

Electoral Commission guidance on polling place and polling district reviews

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#### Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity:

Relevant age, disability and accessibility requirements have been considered in undertaking this review. No changes proposed or existing arrangements will adversely or disproportionately impact on any protected groups.

Health and Safety: None

Digital: None

Other: None

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Consultees:

None

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Relevant Policies and Strategies:

None

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## **Interim Polling District Review 2022 – Acting Returning Officers final recommendations**

A polling district and polling place review seeks to establish the best voting arrangements for electors within the local authority area. The statutory requirements of a review are set out as follows:

Each parish must be a separate polling district, unless special circumstances apply, and each polling district must have its own polling place. However, this does not apply if the size (or other circumstances) of a polling district means that the location of the polling stations does not materially affect the convenience of the electors.

In addition, each polling place must:

- be small enough to indicate to electors in different parts of the district how they can reach the polling station
- be within the district, unless it's necessary to place it wholly or partly outside the district (for example, if there are no accessible polling place in the district)

We also have to comply with certain access requirements. As part of the review, we must seek to ensure that:

- all electors have reasonable facilities for voting as are practicable in the circumstances
- every polling place for which it is responsible is accessible to electors who are disabled, so far as is reasonable and practicable

A full review of the suitability of polling places and polling districts was completed in 2019, in which, various polling district and polling place changes were implemented. The arrangements agreed in this review remain appropriate in most circumstances. The only areas in which I, The Acting Returning Officer identifies that further changes are required relate to a recent community governance review (CGR) and the parish boundary changes that it imposed.

Therefore, I recommend that polling districts and polling places within the following wards remain unchanged:

- Chelmer Village and Beaulieu park
- Galleywood
- Goat Hall
- Great Baddow West
- Marconi
- Moulsham Lodge
- Patching Hall
- St Andrews
- The Lawns
- Trinity
- Waterhouse Farm
- Bichknare and East and West Hanningfield
- Little Baddow, Danbury and Sandon
- South Hanningfield, Stock and Margaretting

- South Woodham – Chetwood and Collingwood
- South Woodham – Elmwood and Woodville
- Chelmsford Rural West

The following recommendations are made in order to ensure that the polling districts within Chelmsford meet the requirement of each parish being a separate polling district:

### **Proposal A**

Polling District affected: Boreham North and Belsteads

City ward: Boreham and The Leighs and Broomfield and the Walthams

Total polling district electorate:

Boreham North: 1,050

Proposed polling district electorate:

Boreham North: 1,034

Boreham North-West: 16

Proposed changes:

The CGR created a new community council called Chelmsford Garden Community to represent a new housing development that sat across multiple existing parish boundaries. The new parish boundary extends into the north-western area of Boreham North polling district.

Therefore, this polling district must be divided to reflect that each parish is a separate polling district. The area currently within Boreham North polling district that will be part of the new council will form a new polling district called Boreham North-West with the polling district code SAD.

Most of the land in this area is agricultural and the main residential area is George Wicks way. This street is easily accessible from the main road and only a short distance from the current polling place for the neighbouring polling district, Belsteads (Essex barn, Channels Golf Club).

With this in mind, the polling place for the new polling district could also be located within this venue, with additional staffing and resource provisions at local elections to minimise the risk of error and elector confusion.

It is my intention to raise this boundary issue with the local government boundary commission in their next review of Chelmsford City Council wards and suggest that this area become part of the Broomfield and the Walthams ward. The arrangements shall be kept under review until this is possible.

### **Proposal B**

Polling District affected: Broomfield North and Little Waltham

City ward: Broomfield and the Walthams

Total polling district electorate:

Broomfield North: 1,467

Little Waltham: 997

Proposed polling district electorate:

Broomfield North: 1,528

Little Waltham: 936\*

Proposed changes:

The new houses built around Petty Croft were split between Broomfield and Little Waltham parishes. It was decided during the CGR that these residents would be better served if the

whole area was contained within one parish, Broomfield. Subsequently, I propose that the properties in this area (south of Woodhouse Lane) are reallocated to the Broomfield North polling district.

The polling place for Broomfield North, inclusive of these new properties would remain at Chelmer Valley High School. The school is a well-located venue for polling and can continue to operate for students throughout the day.

The remaining part of Little Waltham polling district will retain the name Little Waltham and the polling place will remain located at the Little Waltham Memorial Hall.

\*These electorate figures reflect only the changes related to this proposal. There are other proposals that if adopted would alter the figures further.

### **Proposal C**

Polling District affected: Little Waltham and Belsteads

City ward: Broomfield and the Walthams

Total polling district electorate:

Little Waltham: 997

Belsteads: 421

Proposed polling district electorate:

Little Waltham: 968\*

Belsteads: 450\*

Proposed changes:

The CGR created a new community council called Chelmsford Garden Community to represent a new housing development that sat across multiple existing parish boundaries. The new parish boundary extends as far South as Wheelers Hill and Cranham road and East of Essex Regiment Way within the Little Waltham polling district.

Therefore, this polling district must be divided to reflect that each parish is a separate polling district. The area that falls within these roads currently within Little Waltham district will be merged with Belsteads polling district.

Belsteads polling district will continue to be served by Essex Barns, Channels Golf Club for polling. This is a large polling place and will be able to accommodate continued growth in the area.

The remaining part of Little Waltham polling district will retain the name Little Waltham and the polling place will remain located at the Little Waltham Memorial Hall.

\*These electorate figures reflect only the changes related to this proposal. There are other proposals that if adopted would alter the figures further.

### **Proposal D**

Polling District affected: Armistice and Nabbots Farm

City ward: Springfield North

Total polling district electorate:

Armistice: 1,167

Nabbots Farm: 3,281

Proposed polling district electorate:

Armistice: 1,156

Nabbots Farm: 3,292

Proposed changes:

The CGR created a new community council called Chelmsford Garden Community to represent a new housing development that sat across multiple existing parish boundaries. The new parish boundary extends as far as Essex Regiment Way within the Armistice polling district.

Therefore, this polling district must be divided to reflect that each parish is a separate polling district. The area to the west of Essex Regiment Way that falls within Armistice district will therefore be merged with Nabbots Farm polling district. The polling place for Nabbots Farm will remain Springfield Primary School, hosting 2 polling stations. The school remains open to pupils during polling.

It was not deemed necessary for this area to form a new polling district as there are currently only 4 residential properties in the area and no suitable polling place venues. Should this area be developed in the future then the creation of a new polling district will be considered at future reviews.

### **Proposal E**

Polling District affected: Baddow Road and Goldlay

City ward: Great Baddow East and Moulsham and Central

Total polling district electorate:

Baddow road: 2,374

Goldlay: 2,736

Proposed polling district electorate:

Baddow road: 2,361

Goldlay: 2,749

Proposed changes:

As part of the CGR it was identified that Regal Close, despite being in Great Baddow parish was only accessible from the currently unparished city centre (Moulsham and Central ward). It was therefore decided that the street would be removed from Great Baddow parish. To ensure that the parish and polling district boundaries are coterminous, the street must also move polling districts, from Baddow Road to Goldlay.

The polling place for Goldlay will remain Life Church. This venue is accessible and well suited to serve an electorate in a highly populated area and would not be affected by a small increase in electorate.

There is also an area of land that is currently used as a private parking area that has been moved from the unparished area to be included in Great Baddow Parish, therefore it should be removed from the Goldlay polling district to be included in Baddow Road. There are no properties in this area, therefore this would not affect any electors.

It should be noted that based on the current city ward boundaries, electors in this property would be voting in a different ward to the rest of the electors in the polling place at a city council election. We are in consultation with The Local Government Boundary Commission to arrange a minor boundary change to resolve this ahead of the 2023 elections.

### **Proposal F**

Polling District affected: Beehive Lane and Mildmay

City ward: Great Baddow West and Goat Hall

Total polling district electorate:

Beehive Lane: 2,320

Mildmay: 2,895

**Proposed polling district electorate:**

Beehive Lane: 2,318

Mildmay: 2,897

**Proposed changes:**

As part of the CGR it was identified that 30 Petrel way, despite being in Great Baddow parish was only accessible from the currently unparished city centre (Goat Hall ward). It was therefore decided that the property would be removed from Great Baddow parish. To ensure that the parish and polling district boundaries are coterminous, the property must also move polling districts, from Beehive Lane to Mildmay.

As this change only results in an increase in electorate of 2 there is no requirement for the polling place for Mildmay to be relocated from Mildmay Junior School which serves the area well.

It should be noted that based on the current city ward boundaries, electors in this property would be voting in a different ward to the rest of the electors in the polling place at a city council election. We are in consultation with The Local Government Boundary Commission to arrange a minor boundary change to resolve this ahead of the 2023 elections.

There are 3 other polling district boundary changes that I am proposing as a result of the CGR which are not a statutory requirement, but I believe would improve the voting experience for electors in the area once the new parish boundaries are considered:

**Proposal G****Polling District affected:** Writtle North and Writtle South**City ward:** Writtle**Total polling district electorate:**

Writtle North: 1,387

Writtle South: 2,531

**Proposed polling district electorate:**

Writtle East: 1,833

Writtle West: 2,085

**Proposed changes:**

The polling districts within Writtle had been drawn in line with the Writtle North and Writtle South parish wards. However, the location of the only suitable venues for polling within the area meant that some electors were required to travel past another polling place in order to cast their vote.

The CGR has removed the parish wards from the parish of Writtle and as a result of this there is no longer any constraints as to how the area is divided. I propose that the area is divided into Writtle East and West polling districts to reflect the polling place locations. Writtle East will adopt the polling district code of SDA and Writtle West will be SDB.

The boundary would run down the 2 main roads (Lordship road and Margaretting road) and divide the main residential area as reflected in the map published on our website.

The current polling venues are both well suited to host polling, so can remain unchanged. The Beryl Platt centre would be best suited to serve electors in Writtle West and Writtle Village hall could serve electors in Writtle East.

**Proposal H**

Polling District affected: Runwell East

City ward: Rettendon and Runwell

Total polling district electorate:

Runwell East: 1,658

Proposed polling district electorate:

Runwell East: 1,030

St Luke's: 628

Proposed changes:

The CGR created a new parish ward within the parish of Runwell called St Luke's. This was as the responses to the CGR consultation reflected that residents felt that as they were geographically separate from the rest of the parish and that their views could be better represented.

With this in mind, I am proposing that we create a new polling district called St Luke's, following the boundaries of the parish ward and allocate a separate polling place with the polling district code MCD. This would ensure that electors in the area have good access to voting and that elections in the area can be administered accurately and effectively.

The Runwell Sports and Social club is well located on the entrance of the housing development to be accessible for all electors within the new polling district and has well maintained function rooms available for hire. I recommend that this venue be allocated the polling place for the area.

**Proposal I**

Polling District affected: Belsteads and Broomfield East

City ward: Broomfield and the Walthams

Total polling district electorate:

Belsteads: 319

Broomfield East: 644

Proposed polling district electorate:

Belsteads: 963\*

Proposed changes:

The area in which we have created the new Chelmsford Garden Community Council was divided between multiple parishes before the CGR. This meant that in order to ensure each parish was a separate polling district and to administer elections easily we had smaller polling districts in the area.

As the polling districts currently known as Belsteads and Broomfield East will be in the same parish, and same parish ward as a result of the CGR I propose that we merge the 2 polling districts. Both polling districts currently have a low electorate and share a polling place (Essex Barns, Channels Golf Club) due to lack of other available venues.

The new polling district would retain the name of Belsteads and the polling place would remain at Essex Barns, Channels Golf Club.

\*These electorate figures reflect only the changes related to this proposal. There are other proposals that if adopted would alter the figures further.

Parties directly invited to comment
Local Councillors
Parish/Town Councils
Local political parties (via agents)
Local MPs
Maldon District Council
Uttlesford District Council
Essex Police
Chelmsford Sanctus
Chelmsford Interact
Chelmsford Priory
Essex Community Foundation
Chelmsford Mencap

Comments received:

Local resident

Do you support the local returning officers recommendations: "Yes"

Do you wish to provide any specific feedback related to a polling district or polling place/polling station?: "No"

Is there anything else that you wish to comment on?: "No"

Local Councillor

Do you support the local returning officers recommendations: "I support them in part"

Please detail what aspects of the recommendations you do/don't support and a brief explanation as to why. e.g. I support the recommendations other than Proposal X because I think the polling station is too far away from residents in X area: " I have noted that based on the current city ward boundaries, some electors Great Baddow would be voting in a different ward to the rest of the electors in the polling place at a city council election. I have concerns that consultation with The Local Government Boundary Commission to arrange a minor boundary change to resolve this issue ahead of the 2023 elections. will not be completed in time causing confusion. These changes to the Parish Boundaries should therefore be delayed such that the polling boundaries for Parish, City, County and Parliamentary elections are changed together."

Do you wish to provide any specific feedback related to a polling district or polling place/polling station?: "No"

Is there anything else that you wish to comment on?: "No"



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## Chelmsford City Council Governance Committee

31 October 2022

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### Senior Responsible Officer's report in relation to the Council's RIPA arrangements

Report by:

Senior Responsible Officer

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#### Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,  
[lorraine.browne@chelmsford.gov.uk](mailto:lorraine.browne@chelmsford.gov.uk), 01245 606560

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#### Purpose

To update members on the Council's RIPA arrangements.

#### Recommendations

1. To note the annual update for members.
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#### 1. Background

- 1.1. RIPA relates to covert investigatory powers given to local authorities for specific and limited purposes. For local authorities such as Chelmsford City Council only three types of activity may be authorised and this includes

directed surveillance, the use of covert human intelligence source and the acquisition of communications data. These powers are overseen by the Investigatory Powers Commissioners Office (IPCO) who undertakes periodic RIPA inspections. Details of how these types of activity could be authorised by the Council are set out in detail in two policies – the RIPA policy and the RIPA social media policy.

- 1.2. In terms of number of authorisations granted, as has been the case for some years, the Council has not needed to obtain any RIPA approvals during the past year. However, the Council needs to make sure that it remains ready to do so if necessary and that staff are properly trained to ensure investigations continue to be undertaken in a lawful and appropriate way. Ongoing annual reviews of RIPA arrangements are undertaken to support this.
- 1.3. Inspections by the Investigatory Powers Commissioner's Office (IPCO) usually take place every few years. The last inspection took place in 2020 and was reported to the committee at the time. No inspection is currently scheduled.

## 2. Annual Review 2022

2.1 Both the Council's RIPA and RIPA Social Media Policies were reviewed post inspection and again last year. The RIPA policies have been further reviewed but as anticipated no updating has been necessary.

2.2 Training of key personnel is complete although new staff and refresher training is part of ongoing training reviews. RIPA policies together with training needs will continue to be reviewed at least annually together with any ongoing actions through the RIPA officer working group. Part of the annual review process also involves providing an assurance report to the Governance Committee, usually in the autumn.

### List of appendices:

Nil

### Background papers:

Nil

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## Corporate Implications

Legal/Constitutional: These are set out in the RIPA policies referred to in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: none

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Relevant Policies and Strategies:

Current RIPA and RIPA social media policies

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## Chelmsford City Council Governance Committee

31 October 2022

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### Annual Whistleblowing Report

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#### Report by:

Director of Connected Chelmsford

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#### Officer Contact:

Lorraine Browne, Legal and Democratic Services Manager, tel: 01245 606560,  
email: [lorraine.browne@chelmsford.gov.uk](mailto:lorraine.browne@chelmsford.gov.uk)

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#### Purpose

To provide an annual update to members of the Governance Committee on the operation of the Council's Whistleblowing Policy and Procedure.

#### Recommendations

1. To note the contents of the report as regards complaints received.

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### 1. Background

- 1.1. The Council's Whistleblowing Policy and Procedure was first introduced in October 1997. Since that time the policy has been updated and reviewed periodically to ensure it is compliant with any changes in legislation or guidance.
- 1.2. The policy establishes a system whereby employees of the Council, including agency workers, consultants, users of its services, members of the public and Councillors, are able to report suspected wrongdoing. By doing so the Council

publicly declares that, it does not tolerate malpractice or fraudulent activities in the operation of its services.

- 1.3. The Council's Whistleblowing Policy highlights the legal protection for workers who "blow the whistle" (i.e. the 'Whistleblower') and ensure that they do not suffer any recriminations, victimisation or harassment as a result of raising a concern with the Council. An employee who makes a protected disclosure benefits from legal protection if they have a reasonable belief that the issue being raised is in the public interest.
- 1.4. Employees are protected under the Public Interest Disclosure Act 1998 as amended, which means that the Council cannot discriminate against them because they made such a complaint. That protection is not subject to any qualifying period of employment and is referred to as a 'day one' right in employment law. The principles of protection are also applied to non-employees under the Council's Whistleblowing Policy and Procedure.
- 1.5. The Council's appointed Whistleblowing Officer is the Director of Connected Chelmsford. However, the day-to-day management and handling of issues raised is dealt with by the Legal & Democratic Services Manager or, in their absence, the Human Resources Services Manager. Both have delegated authority to receive and investigate complaints under the procedure whilst safeguarding the confidentiality of the complainant as far as is possible. Normally this means the identity of the whistleblower will only be known by the officer managing the complaint and any investigator. All complaints raised are fully considered and dealt with swiftly.
- 1.6. In many cases the issue raised is not strictly a whistleblowing matter but a complaint about a service received from the Council. In those cases the matter is passed to the relevant department to resolve direct with the complainant. This is noted on the papers and is then dealt with outside the Whistleblowing procedure.
- 1.7. As is best practice an annual report is made to the Governance Committee regarding the issues addressed. The last such report was made in 2021 and this report provides the update since that time. As part of this year's review the Council's existing Retention and Destruction Policy has been considered in relation to Whistleblowing complaints. The retention period for ordinary complaints has been applied to Whistleblowing complaints which means that records are kept for 6 years after matters are completed.

## 2. Position Update and Analysis

2.1. The table below provides a history of the number of whistleblowing reported cases received over the previous years:

Year	Number of complaints received
2012 - 2013	6
2013 - 2014	13
2014 - 2015	12
2015 - 2016	10
2016 - 2017	13
2017 - 2018 (to Oct 2017 only)	8
2018-2019 ( to Oct 2018 only)	13
2019 (October 2018 – December 2019)	5
2020 (January - October 2020)	5
2021 (November 2020 to November 2021)	12
2022 (December 2021 to September 2022)	5

2.2. A summary of the complaints received since November 2021 are set out below. Members are reminded that further information cannot be provided due to the confidentiality protection to which whistle blowers are entitled. 1 email contact was not a valid whistleblowing complaint but a request for information. 2 alleged involvement/responsibility by CCC but upon investigation did not directly involve CCC and were the responsibility of a 3<sup>rd</sup> party. Appropriate follow up action with those third parties was taken. The remaining 2 reports alleged wrongdoing by staff. Both reports were investigated and action taken as appropriate. One of the reports also involved a service complaint element which was also dealt with appropriately.

**How they were processed**

No public interest dimension so could not be dealt with as a WB complaint, or was instead assessed and investigated as a service complaint	0
Assessed and investigated as a whistleblowing complaint.	2
Not capable of resolution by the City Council (i.e. outside our jurisdiction)	2

2.3. It is apparent that both staff and members of the public have confidence in the Council and are willing to raise concerns. The electronic facilities for logging complaints through the dedicated whistleblowing mailbox and through website forms remain the preferred method of communication. The publicity arrangements for whistleblowing also appear to be embedded and working well.

2.4. Every effort is made to maintain confidentiality where requested. When this is not possible complainants are advised and provided with the reasons. Complainants' details are not disclosed until they are made aware of how they will be used. This allows officers to follow up on concerns raised and to provide progress updates and feedback when a case is concluded. This approach instils trust and confidence in the arrangements in place and fosters a relationship of openness and accountability.

2.5. The policy forms an essential part of newly appointed staff induction training and contained in the information pack issued. It is easily accessible on the Council's intranet and internet sites. Posters are also placed on staff notice boards to remind them about their responsibilities and the importance of whistleblowing at work. Periodic reminders are also issued to remind and update staff.

2.6. The Council's Whistleblowing Policy and Procedures can be easily accessed through our website.

**3. Conclusion**

3.1. Members of the Governance Committee are asked to note the details as to the complaints received for the latest annual review.

List of appendices: None

Background papers: None

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### Corporate Implications

Legal/Constitutional: The legislative requirements are addressed in the report

Financial: None, although the process enables reporting of potential fraudulent activities and malpractices that may affect the financial position of the Council

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: The process underpins the promotion of a culture of openness and transparency and creates an environment where whistleblowing is encouraged and supported.

Risk Management: The process assists to minimise the risk of malpractice and fraud within the Council

Equality and Diversity: The policy and procedure has not changed so no impact assessment is required

Health and Safety: Establishment of whistleblowing procedures ensures that both Council employees and users of its services are able to confidentially report matters of concern (including those with H&S implications) and for these to be proactively addressed.

Digital: None

Other: None

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### Consultees:

None

**Relevant Policies and Strategies:**

The report takes into account the following policies and strategies of the Council:

- Whistleblowing Policy and Procedure
  - Fraud and Corruption Strategy
  - Anti-bribery Policy
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## Chelmsford City Council Governance Committee

31 October 2022

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### Dispensation Guidance

Report by:  
Monitoring Officer

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#### Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,  
[lorraine.browne@chelmsford.gov.uk](mailto:lorraine.browne@chelmsford.gov.uk), 01245 606560

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#### Purpose

To review and update the Council's Dispensation guidance and arrangements.

#### Recommendations

1. To adopt the updated Dispensation guidance or make appropriate amendments to it as considered necessary.
- 

#### 1. Background

- 1.1. A review of the current city councillor dispensation guidance and application process has been undertaken. In light of the adoption of the Model Code of Conduct it is considered likely that more applications for dispensation may arise and the policy has not been reviewed for some time.

- 1.2. It is recommended that the current policy is updated to give more information and detail about the process and in particular the considerations that might be necessary to take into account in reaching a decision. A form has been included to help ensure sufficient information is provided from the outset and to help avoid delays in the application process.
- 1.3. Parish tier Councils will have their own arrangements to deal with dispensations which are usually either dealt with by the council or by the clerk as is considered most appropriate by the relevant council. Parish tier Councils are welcome to adopt the city council guidance as they feel appropriate.
- 1.4. Members should note that the existing standing dispensations currently contained in Part 5.1.4 of the constitution which relate to housing, schools/education, payments, ceremonial honours, council tax setting and cabinet members attendance at meetings remain unchanged.

#### List of appendices:

Appendix 1 – draft Dispensation Guidance and application form

#### Background papers:

Nil

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### Corporate Implications

Legal/Constitutional: These are set out in the report and policy referred to in the report.

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: none

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Relevant Policies and Strategies:

Existing process for dispensations and standing dispensations within the constitution (Part 5.1.3. & 4)

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## Chelmsford City Council - Dispensation Request Form

Please give full details of the following in support of your application for a dispensation. You should refer to the accompanying guidance relating to dispensations

If you need any help completing this form please contact the Monitoring Officer.

Your name	
Decision-making body in respect of which you require a dispensation	
Details of your membership of that body	
The business for which you require a dispensation (refer to agenda item number if appropriate)	
Details of your interest in that business	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to participate, or participate further, in any discussion of that business by that body	Yes/No
Dispensation requested to participate in any vote, or further vote, taken on that business by that body	Yes/No

<p>Full reasons why you consider a dispensation is necessary (use a continuation sheet if necessary)</p>	
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Signed: ..... Dated: .....

**Please send your completed form to:**

**The Monitoring Officer**

**by email to:           standards@chelmsford.gov.uk**

**You will normally receive notification of the Monitoring Officer's decision within 5 working days of the decision.** Please note that decisions which need to be made by the Governance Committee will usually take 15 working days to be determined

# Guidance and Application in relation to dispensations for City Councillors

## Dispensation process and application form

### 1. Introduction – City Council dispensations

The City Council Governance Committee or the Monitoring Officer is responsible for determining dispensations under Section 33(2) of the Localism Act 2011 in relation to City Councillors. This guidance explains :-

The purpose and effect of dispensations

The procedure for requesting a dispensation together with an application form

The criteria which are applied in determining dispensation requests including the terms of the dispensation

Parish (including town, village and community) Councils are responsible for determining dispensations in relation to parish councillors (including town, village and community councillors) and should have in place appropriate arrangements to determine applications. It is a matter for the parish council to decide whether decisions will be made by the parish council or delegate the decision to their clerk. This guidance may be used in helping parish councils to make such decisions. Similarly, in relation to Essex County Councillors these are dealt with by Essex County Council.

### 2. Purpose and effect of dispensation

In certain circumstances councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited under the Code of Conduct or by law. Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct or the law. However, it should be noted that a dispensation does not authorise a councillor's participation where bias and/or pre-determination arises.

### 3. Process for making requests

Any councillor who wishes to apply for a dispensation must fully complete the attached Dispensation Application form and submit it to the Monitoring Officer at least 15 working days before the meeting for which the dispensation is required. Applications may be accepted within a shorter period in exceptional circumstances.

In order to avoid delay Councillors must ensure that they give full details of the grounds for their request and submit it to the Monitoring Officer as soon as they become aware that a dispensation is necessary.

A request for a dispensation must be made on an individual basis. Group applications are not permitted. However, the Council can put in place and review standing dispensations where it is considered appropriate.

### 4. Statutory grounds for dispensation

Section 31 of the Localism Act provides that the City Council can only grant a dispensation if, after having had regard to all relevant circumstances, the authority:

- (a) Considers that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business
- (b) Considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business
- (c) Considers that granting the dispensation is in the interests of persons living in the authority's area
- (d) If it is an authority operating executive arrangements, considers that without the dispensation each Member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or
- (e) Considers that it is otherwise appropriate to grant a dispensation

### 5. Consideration by Monitoring Officer

The Monitoring Officer will consider requests for a dispensation in the order in which they are received having regard to the legislative requirements and this guidance.

The Monitoring Officer may grant a dispensation in relation to grounds (a) or (d) if they consider it is appropriate to do so.

The Monitoring Officer will notify the councillor of their decision and reasons in writing at the earliest opportunity and in any event within 5 working days of the decision.

If a dispensation is not fully granted by the Monitoring Officer the Councillor may appeal to the Governance Committee and arrangements to consider such an appeal will be made as soon as reasonably practicable.

## 6. Consideration by Governance Committee

The Governance Committee will consider requests for a dispensation referred by the Monitoring Officer in the order in which they were received having regard to the law and this guidance.

The Governance Committee has delegated authority to consider dispensations in relation to grounds (b), (c) or (e) but may grant a dispensation in relation to any of the statutory grounds (eg where an appeal against the Monitoring Officer decision is considered).

Meetings of the Governance Committee will usually be open to the public and any councillor who has submitted a request will have the opportunity to attend and make representations in support of their application.

The Monitoring Officer will notify the Councillor of the Committee's decision and reasons in writing at the earliest opportunity and in any event within 5 working days of the decision.

## 7. Criteria for determination of requests

In reaching a decision on a request for a dispensation the Monitoring Officer or Governance Committee will take into account:-

- (a) Whether the request meets the statutory grounds set out in the Localism Act 2011
- (b) The nature of the Councillor's interest
- (c) The extent to which the request could have been avoided or other arrangements could be made
- (d) The need to maintain public confidence in the conduct of the Council's business
- (e) The extent to which there is some personal benefit by agreeing to a dispensation
- (f) The possible outcome of the proposed vote
- (g) The need for efficient and effective conduct of the Council's business
- (h) Any other relevant circumstances

## 8. Terms of Dispensations

Dispensations may be granted for one meeting or for a period not exceeding 4 years.

A dispensation may allow the Councillor to

Participate or participate further in any discussion of the matter at the meeting(s): and/or

Participate in any vote, or further vote taken on the matter at the meeting(s)

A dispensation may be subject to a specific condition (eg notification of any change in circumstances)

If a dispensation is granted the Councillor may remain in the room where the meeting considering the business is being held.

## 9. Disclosure of Decision

Any councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates

A copy of the dispensation will be kept on the website with the Register of Councillor's interests.



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## Chelmsford City Council Governance Committee

31 October 2022

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### Update on Register of Interests in City and Parish tier Councils

Report by:  
Monitoring Officer

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#### Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,  
[lorraine.browne@chelmsford.gov.uk](mailto:lorraine.browne@chelmsford.gov.uk), 01245 606560

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#### Purpose

To update members on the register of interest forms in City and Parish tier authorities.

#### Recommendations

1. To note update.
- 

#### 1. Background

- 1.1. It is apparent from complaints received as well as existing monitoring arrangements (which include periodic checks and reminders via clerks) that there have been ongoing issues about the completion and updating of the register of interest forms in some authorities at parish tier. To help improve oversight and increase compliance an annual assurance report is being

introduced this year. This is with a view to laying the foundations for further development and improvements after City and Parish elections in May 2023.

1.2. It should also be noted that a number of authorities have either recently adopted or are currently considering whether to adopt the LGA Model Code of Conduct. The adoption of the model code presents a need and opportunity for further training and as the interest provisions are likely to change further reviewing and updating of the register of interest form to meet the requirements of the model code of conduct may be necessary in any event.

1.3. Set out below is the position as at the time of writing the report in relation to the completion of register of interest forms. These have been RAG (red/amber/green) rated.

## 2. Table detailing returned forms

Council	Amount of Cllrs (excl Vacancies)	Amount of submitted ROI Forms
Chelmsford City	57	57
Boreham	9	7 currently serving councillors (1 recently co-opted councillor pending)
Broomfield	13	13 (complete)
Chignal	7	5 of 6 currently serving councillors have completed forms. 1 outstanding
Danbury	15	11 (4 vacancies)
East Hanningfield	7	7 (complete)
Galleywood	9	9 (complete)
Good Easter	7	6 (1 vacancy)
Great & Little Leighs	9	8 of 9 currently serving councillors have provided forms. 1 form outstanding in relation to a councillor who is unable to complete this due to ill health. 1 outstanding
Great Baddow	13	13 (complete)
Great Waltham	11	11 (complete)
Highwood	7	6 (1 outstanding form on its way to CCC)
Little Baddow	9	8 (1 vacancy)
Little Waltham	9	9 (completed)

Margaretting	9	5 of 6 currently serving councillors have completed forms. 1 outstanding
Pleshey	7	7 (complete)
Rettendon	9	9 (complete)
Roxwell	9	5 of 6 currently serving councillors have completed forms. 1 form outstanding
Runwell	13	12 (1 vacancy)
Sandon	7	7 (complete)
South Hanningfield	12	11 (1 vacancy)
South Woodham Ferrers	20	20 (complete)
Springfield	15	15 (complete)
Stock	9	7 (2 vacancies)
West Hanningfield	9	6 (3 vacancies)
Woodham Ferrers & Bicknacre	9	7 (2 vacancies)
Writtle	15	15 (complete)

#### List of appendices:

Nil

#### Background papers:

Nil

#### Corporate Implications

Legal/Constitutional: These are set out in the RIPA policies referred to in the report

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: none

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Relevant Policies and Strategies:

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## Chelmsford City Council Governance Committee

31 October 2022

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### Work Programme

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Report by:  
Monitoring Officer

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Officer Contact:  
Monitoring Officer – Lorraine Browne, 01245 606560,  
[lorraine.browne@chelmsford.gov.uk](mailto:lorraine.browne@chelmsford.gov.uk)

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### Purpose

The purpose of this report is to receive members' comments on the Committee's future work programme.

### Recommendations

1. Members are invited to comment on the Committee's work programme, attached as Appendix 1 to this report, and make any necessary amendments to it.
-

## 1. Background

- 1.1. The Work Programme is reviewed by the Committee at each meeting. The current version is attached at Appendix 1 to this report and includes the proposed work for future meetings, based on the Programme content for recent years.

## 2. Conclusion

- 2.1. Members are invited to comment on the Committee's work programme and make any necessary amendments to it.

### List of appendices:

Appendix 1 – Governance Committee Work Programme

### Background papers:

Nil

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## Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees:

None

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Relevant Policies and Strategies:

Not applicable

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## **Governance Committee Work Programme Appendix 1**

### **31 October 2022**

- Monitoring Officer Report
- Annual Report on Whistleblowing
- Annual Report from Senior Information Risk Owner
- Ombudsman Complaints
- RIPA Annual Review
- Annual report on Register of Interests
- Review of Dispensation Policy
- Interim Polling District Review

### **12 December**

- Hearing 18 & 31-35/21
- Independent Person interviews

### **18 January 2023**

- Monitoring Officer Report
- Review of Standards complaints procedures
- Review of Social media guidance
- Employee Code of Conduct

### **8 March 2023**

- Monitoring Officer Report
- Annual Constitution Report
- Gifts and Hospitality Report

### **Ad hoc reports**

- Politically exempt officer posts

Training