

Sandwell Metropolitan Borough Council

Ethical Standards & Member Development Committee

Annual Report 2025-2026



Chair Foreword

I am pleased to present the Annual Report of the Ethical Standards and Member Development Committee for 2025-2026.

This municipal year, the Committee has built on prior progress by implementing elements of the refreshed Member Development Programme, considering national developments in local government standards and monitoring the behaviour against the Council's code of conduct.

The report highlights some of the work carried out by the Committee throughout the year to ensure that standards remain high and that we continue our progress towards the goal of becoming an outstanding Council.

I would also like to take this opportunity to thank all members for attending and participating in the training that has been offered this year.

I would like to thank members of the Ethical Standards and Member Development Committee for their support and contributions during the past year. I would also like to thank our Council officers, including Democratic Services and the Council's Monitoring Officer for their work and support.

Councillor Bob Piper

Chair - Ethical Standards & Member Development Committee

1. The Committee

- 1.1 The Localism Act 2011 removed the requirement for a national code of conduct and statutory standards committees and set out a light touch framework for a new ethical regime. The Act places a general obligation on the Council to promote and maintain high standards of member conduct.
- 1.2 Whilst there is no requirement to have a standards committee, standards issues and casework need to be dealt with due to the statutory obligation for a council to promote high ethical standards. The Council decided to retain a standards committee in 2022-23, including the wider remit of member development.
- 1.3 The main functions of the Ethical Standards and Member Development Committee are to:-
 - 1.3.1 promote and maintain high standards of conduct and ethical governance by members and co-opted members of the Council;
 - 1.3.2 assist members and co-opted members of the Council to observe the Council's Code of Conduct;
 - 1.3.3 advise the Council on the adoption or revision of a Code of Conduct for members and co-opted members;
 - 1.3.4 monitor the operation of the Council's Code of Conduct for members and co-opted members;
 - 1.3.5 advise, train or arrange for training for members and co-opted members of the Council on matters relating to the Council's Code of Conduct;
 - 1.3.6 develop and offer to all members an annual programme of development activities which provides members with development opportunities that support the Council's corporate priorities, identifying sufficient resources to deliver an effective Member Development Programme.
- 1.4 The Committee also appoints to a sub-committee which form part of the arrangements for dealing with complaints about breaches of the Member Code of Conduct. This sub-committee may consider investigation

reports referred to them by the Monitoring Officer and conduct hearings (including the imposition of sanctions).

This sub-committees operate according to the principles of natural justice and human rights legislation and ensure that both the complainant and the subject member receive a fair hearing.

Membership

- 1.5 Inclusion of experience from all areas of the decision-making process gives the Committee a broad base of experience from which to make well-rounded decisions on ethical matters.

Independent Persons

- 1.6 S.28(7) of the Localism Act 2011 requires local authorities to appoint at least one Independent Person to advise the Council before it makes a decision on an allegation.
- 1.7 The Independent Person also advises a member facing an allegation who has sought the views of that person. There are restrictions on who can be appointed as the Independent Person, in general the Independent Person cannot be a councillor, officer of Sandwell Council or their relative or close friend.
- 1.8 The Act gives discretion to appoint one or more Independent Persons but provides that the Independent Person must be consulted before any decision is taken on a complaint which has been investigated.
- 1.9 The Council currently has one Independent Person; Mr Richard Phillips.
- 1.10 The remit of the Independent Persons has been extended by The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 in relation to changes to statutory dismissal procedures for heads of paid service, monitoring officers and chief finance officers. In the case of a proposed disciplinary action against one of the statutory officers, the Council is required to invite Independent Persons who have been appointed for the purposes of the members' conduct regime under section 28(7) of the Localism Act 2011 to form an independent panel.
- 1.11 Independent Persons are invited to attend all meetings of the Ethical Standards and Member Development Committee as observers.

Officer support

- 1.12 The Monitoring Officer is one of the Council's statutory officers, appointed under Section 5(1) of the Local Government and Housing Act, 1989. The Monitoring Officer is responsible for ensuring that the Council

and its members act lawfully; do not cause maladministration; and comply with the Code of Conduct for Members. They are the primary source of advice for members on the requirements of the Code of Conduct and also have specific statutory duties such as securing the investigation of complaints of member misconduct.

- 1.13 The Monitoring Officer is also the principal adviser to the Ethical Standards and Member Development Committee and its Sub-Committee.

Ethical Framework

Members' Code of Conduct

- 1.14 The Council's Code of Conduct assists members and co-opted members to meet the provisions of the Localism Act 2011 and is available on the Council's website.
- 1.15 All elected members are issued with a copy of the Code of Conduct and on appointment are required to sign an undertaking to comply with the Code. Members also receive induction training and subsequent refresher training on the provisions of the Code and how to carry out their duties in line with the Code. This training is delivered by the Monitoring Officer. The Monitoring Officer also issues guidance to councillors appointed to outside bodies by the Council to assist them in understanding the impact of the Members' Code of Conduct.
- 1.16 Part 4.2 of the Constitution, the Councillors Code of Conduct, requires elected and co-opted members to give written notification to the Monitoring Officer of any disclosable pecuniary interests and other registerable interests to be included in the Council's statutory Register of Interests within 28 days of election or appointment, and to update their declarations as appropriate by notifying any amendments or new interests within 28 days of becoming aware of them.
- 1.17 This register of interest is available for public inspection, and individual members' declarations of interest can be inspected at any time on the Council's website through the committee management information system. The Register of Interests and Declarations of Interest are periodically reviewed by the Monitoring Officer and are made available for inspection by the Ethical Standards and Member Development Committee on a regular basis.
- 1.18 Members are also obliged to disclose any interests at meetings where those matters are to be discussed. These declarations are recorded in a

register open for public inspection and are also noted on the committee management information system.

- 1.19 The Monitoring officer also maintains a register of sensitive data which is recorded on the elected members declaration but not the public record. The elected member must make a case to the Monitoring Officer to have information placed on the sensitive register.
- 1.20 A review of the Code of Conduct was undertaken following the publication of the LGA Model Code of Conduct. As part of the Best Practice Recommendations of the Committee on Standards in Public Life, an annual review is taken of the Code of Conduct (a desktop review one year and a full review the following year).
- 1.21 The Code is subject to regular ongoing review – no changes have been proposed or brought forward during the year as the Code remains compliant and continues to operate effectively.
- 1.22 The Council has a protocol for members on gifts and hospitality giving additional guidance on the requirement of the Members' Code of Conduct for members to declare gifts and hospitality received. These declarations are recorded in a register which is open for public inspection and are also recorded in their individual entries on the committee management information system.
- 1.23 The Register of Gifts and Hospitality is periodically reviewed by the Monitoring Officer and an update is provided to each meeting of the Ethical Standards and Member Development Committee, following the Committee on Standards in Public Life Best Practice Recommendations.

Arrangements for dealing with standards allegations

- 1.24 The Localism Act 2011 requires authorities to adopt arrangements for dealing with complaints about breaches of the Member Code of Conduct. The arrangements for dealing with standards allegations have been revised, alongside the review of the Member Code of Conduct (see paragraph 1.1 above).
- 1.25 Details of complaints received in relation to member conduct and the progress and outcome of consideration of these complaints are reported to each Ethical Standard and Member Development Committee.

Allegations of misconduct by Members

- 1.26 Under the ethical framework, all complaints of misconduct come direct to the Monitoring Officer. The Monitoring Officer will review every complaint received and take a decision as to whether it merits formal

investigation. Where the Monitoring Officer is unable to resolve the complaint informally and feels it merits formal investigation after consultation with the Independent Person(s), he will appoint an Investigating Officer who will prepare a report concluding whether or not there is evidence of a failure to comply with the Code of Conduct.

- 1.27 The Monitoring Officer receives the draft report and determines if the report is sufficient. If the Monitoring Officer concludes that there is evidence of a failure to comply with the Code of Conduct, he will either send the matter for local hearing before a sub-committee or, after consulting the Independent Person, seek local resolution

2 Committee Activity Overview

Work Programme Spotlight

- 2.1 Following on from the comprehensive review of the Members' Code of Conduct and Arrangements for Dealing with Standards Allegations, the Committee's work programme has continued to look at those matters identified as part of the review and also its regular programme in relation to member development programme, personal safety of elected members, gifts and hospitality, national cases and the work of the Committee on Standards in Public Life. In particular the business of the Committee included:-

Member Development Programme

- 2.2 As part of the Council's commitment to improving member experience and ensuring that members remained informed and capable, the Ethical Standards and Member Development Working Group was established in July 2025 to assist and monitor the review of member development and associated support for elected members.
- 2.3 The Committee received frequent updates in relation to the Member Development Programme (MDP). Members considered and provided feedback on a range of topics including Personal Development Plans, the Member Induction Programme and the Member Toolkit. Focus had been concentrated on ensuring that the Member Induction Programme was reviewed, updated and ready for the start of the 2026 – 2027 municipal year.
- 2.4 Members were satisfied with the progress made in relation to the Member Development Programme and highlighted the importance of ensuring that a comprehensive programme was in place to

ensure a smooth transition for any new members that may be inducted following the 2026 local elections.

Committee on Standards in Public Life – Annual Report 2024-2025

- 2.5 The Committee on Standards in Public Life (CSPL) was an independent advisory non-departmental public body. The Committee advised the Prime Minister on ethical standards across the whole of public life in the UK and monitored and reported on issues relating to the standards of conduct of all public office holders.
- 2.6 Members considered the report which provided confidence that the Council continued to monitor and adhere to best practices where possible.

Strengthening the standards and conduct framework for local authorities in England – Government response to consultation and next steps

- 2.7 On 10 November 2025, Government published its response to the consultation on “Strengthening the Standards and Conduct Framework for Local Authorities in England”. The response had indicated a significant shift in the structural and enforcement arrangements for ethical standards across Local Government in England.
- 2.8 The existing arrangements and framework were provided by the Localism Act 2011 which removed previous national arrangements for England that had included the former Standards Board for England and a national Code of Conduct for Councillors.
- 2.9 The Localism Act 2011 had provided little provision for a sanction to suspend a councillor that had been found to have breached the code of conduct, unless they had been convicted of an offence related to a pecuniary interest.
- 2.10 Reforms likely to be introduced included a mandatory minimum code of conduct, compulsory standards committees, new sanctions and suspension powers to address concerns around the lack of effective sanction, new right of appeal and national oversight and new support for complainants and Councillors.
- 2.11 As a result, members were made aware that the Council would need to review and align its code of conduct with the new mandatory framework, review the terms of reference and functions of the

Ethical Standards and Member Development Committee and ensure that the correct arrangements were in place to tackle any additional workloads that the framework could have introduced.

Conduct Complaints and Allegations

- 2.12 An update on the activity of the Council's Monitoring Officer in relation to complaints continues to be received at each meeting of the Ethical Standards and Member Development Committee under the Councillor Code of Conduct.
- 2.13 Analysis below setting out statistics for a six-year period highlights the volume of cases dealt with compared to the most current period showing a more manageable caseload.

Member Complaints	
Calendar Year	Number of Cases
2020/21	16
2021/22	14
2022/23	10
2023/24	11
2024/25	12
2025/26	10

- 2.14 There continued to be a significant reduction in the number of complaints received when compared to previous years. Members regularly sought sensible advice in relation to a variety of matters.

Update on National Conduct and Standards Matters

- 2.15 A standing item on the agenda for meetings of the Ethical Standards and Member Development Committee was national conduct and standards matters. The Committee has a duty to promote high ethical standards among members. Providing the Committee with the opportunity to demonstrate learning from issues arising from local investigations and case law can help assist members when considering local level cases.
- 2.16 Over the municipal year, members noted cases spanning a variety of local authorities and topics. Some notable cases include:-
- 2.16.1 [Councillor found in breach of code of conduct after calling its Interim Chief Executive a buffoon;](#)
- 2.16.2 [Planning Committee Member created the perception of undue influence;](#)

- 2.16.3 [Members acting in their capacity as Councillor at political demonstrations;](#)
- 2.16.4 [Public perception and use of bad language by members;](#)
[and](#)
- 2.16.5 [Member treatment of Officers.](#)

Registration of Offers of Gifts, Hospitality and Interests Declarations by Members.

- 2.17 The Monitoring Officer maintains a public register of members' interests and a record of any gift or hospitality received with an estimated value of at least £50.00. The Register of Members' Gifts and Hospitality is available for inspection by the public at all reasonable hours.
- 2.18 Declarations of gifts and hospitality by individual members are also recorded on the Council's committee management system, sandwell.moderngov.co.uk, on the Council's web site and can be accessed at any time from the internet.
- 2.19 Following the Committee on Standards in Public Life Best Practice recommendations, gifts and hospitality remain as a standing item for each meeting of the Ethical Standards and Member Development Committee, allowing the Committee to review new entries to the Council's register for elected members' gifts and hospitality declarations.
- 2.20 Guidance is available to all Members on how to treat offers of gifts and hospitality and the process for declaring such offers, even when a gift is rejected or turned down. Members are reminded that it is prudent to declare offers of gifts or hospitality even if it has been turned down.

3 Continuous Development

- 3.1 The Ethical Standards and Member Development Committee is responsible for advising, training or arranging for training for members and co-opted members of the Council on matters relating to the Council's Code of Conduct. The Monitoring Officer, his deputy(s) and a senior legal officer deliver relevant training to all members and co-opted members on behalf of the Committee.
- 3.2 The Committee considers summaries of cases of national interest to ensure that it is up to date with how complaints about member

misconduct are being dealt with in other authorities around the country, so that members can bring this knowledge to any cases in Sandwell.

- 3.3 The Committee also considers the Annual Report of the Committee on Standards in Public Life to broaden understanding and current topics.
- 3.4 The Ethical Standards and Member Development Committee continues to develop its own skills and expertise.

March 2026