

6 March 2024 at 7pm

**Council Chamber, Civic Centre, Duke Street,
Chelmsford, CM1 1JE**

Membership

Councillor C. Davidson (Chair)

and Councillors

H. Clark, D. Eley, J. Potter, S. Rajesh, J. Sosin, and M. Steel

Parish Council Representatives

Councillor K. Bentley (South Woodham Ferrers Town Council)

Councillor K. Golla (Chelmsford Garden Community Council)

Councillor P. Jackson (Great Waltham Parish Council)

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 Jan Decena in the Democracy Team on Chelmsford (01245) 606523 or email jan.decena@chelmsford.gov.uk

Governance Committee

6 March 2024

AGENDA

1. Apologies for Absence

2. Minutes

To consider the minutes of the meeting held on 17 January 2024.

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. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting, provided they have indicated that they wish to do so and have submitted an email address to which an invitation to join the meeting and participate in it can be sent.

5. Chair's Announcements

6. Monitoring Officer Report

7. Annual Review of the Constitution

8. Review of Whistleblowing Policy

9. Gifts and Hospitality Report

10. Work Programme

11. 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

17 January 2024 at 7pm

Present:

Councillor C. Davidson (Chair)

Councillors H. Clark, D. Eley, J. Potter, S. Rajesh and M. Steel

Also in attendance –

Parish Councillors K. Bentley and P. Jackson

Independent Persons –

Mr P Jeremiah

Mr D Lamb

Mrs P Mills

1. Apologies for Absence

Apologies were received from Councillor J. Sosin and Mrs C Gosling.

2. Minutes

The minutes of the meeting on 18th October 2023 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. Public Question Time

No questions or statements were received from members of the public.

5. Chair's Announcements

There were no announcements made.

6. Monitoring Officer Report

The Committee received an update on standards complaints since the May 2023 elections. It was noted that two complaints had been received and all previous outstanding complaints had been actioned.

Members also heard the current position in relation to parish-tier register of interest forms. It was advised that all outstanding forms had been received and that the Monitoring Officer is now working with members to ensure that they have been completed accurately and to the best of their knowledge.

Two training sessions for parish-tier councillors were also facilitated in December 2023 with the second session being recorded for those who were not able to attend.

In response to questions and statements from members, it was advised that;

- A trial of online submissions for register of interests, as implemented at City Council level, will be undertaken with some parish-tier councils shortly. Any council that wishes to participate in this must have adopted the model code of conduct in its entirety.

RESOLVED that the Committee;

- Noted the current statistical information as to complaints made and agreed for the report to be published on the Council's website.
- Noted the position in relation to parish tier register of interests.

(19:09pm to 19:15pm)

7. Polling District and Polling Places Review 2024

The Committee received a report containing recommendations from the Acting Returning Officer (ARO) following the polling district and polling places review. The aim of this review is to ensure that voting is accessible and inclusive for all residents in Chelmsford.

Members were informed that the last compulsory review was undertaken in 2019 and an interim review was undertaken following the Community Governance Review in 2022.

The Committee heard that the recommendations, which were developed alongside the Constitutional Working Group, focused on the 10 of the 90 polling districts where concerns or alternative options were raised. Of these polling districts it was determined that only one change should be implemented at this stage, the relocation of the West Hanningfield Village polling station to St Peters Primary School, following the closure of the village hall.

The initial recommendation of merging the two polling districts in West Hanningfield to assign voters to one polling place was withdrawn, to be considered in more detail at the next review, once local residents have been directly consulted.

The report outlined the schools that are currently used for polling, and whether they were able to remain open to students at the recent elections. The committee were reassured that schools are used as a last resort for elections and that all options are thoroughly reviewed before the decision to require an educational venue is taken.

The ARO is continuing discussions with Chelmer Housing Partnership to consider any venues under their ownership that may be suitable for future polls.

Members of the committee agreed that the use of school sites in these cases is necessary and supported officers in continuing to work with them to deliver elections and minimal disruption to pupils.

In response to questions and statements from members, it was advised that;

- Due to the way polling district boundaries are drawn, polling stations do not have different ballot papers being issued to electors within them, minimising elector confusion. This is with the exception of Chignal and Mashbury Village Hall, as Mashbury has an electorate of less than 100 and no alternative venues.

RESOLVED that the proposals were approved and implemented for future elections, effective from 1st February 2024.

(19:15pm to 19:27pm)

8. Proposed Amendments to the Constitution

Members heard a proposal for Treasury Management and Investment Sub-Committee to increase its membership from five councillors to seven.

The Committee was also advised of the two minor changes to constitutional documents. This included the application of the Information Security Code of Conduct to contractors and councillors and a change of wording in the Employee Code of Conduct.

In response to questions and statements from the Committee, it was advised that;

- Officers are continuing to review the Information Security Code of Conduct, including discussions with the Governance Committee Chair in relation to how this will operate for members and further amendments are expected to be made. The final code will be sent to councillors once this has been concluded.

RESOLVED that, subject to any comments that Cabinet might have, the Council be recommended to approve the following changes to the Constitution:

- For the current terms of reference for Treasury Management and Investment Sub-Committee to increase its membership from five councillors to seven councillors
- The Employee Code of Conduct and Information Security Code of Conduct amendments outlined in the report be noted.

(19:27pm to 19:39pm)

9. Work Programme

The Committee received an update on the work programme for 2023-24.

RESOLVED that the work programme of the Committee be noted.

(19:39pm to 19:42pm)

10. Urgent Business

There were no matters of urgent business.

The meeting closed at 19:42pm

Chair



Chelmsford City Council Governance Committee

6 March 2024

Monitoring Officer's Report

Report by:
Monitoring Officer

Officer Contact:
Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,
email: lorraine.browne@chelmsford.gov.uk, tel: 01245 606560

Purpose

To update members on the current position in relation to standards complaints.

Recommendations

1. To note the current statistical information, namely that there are currently no complaints pending and agree that Appendix 1 should be published on the Council's website to confirm this.
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1. Standards Complaints

- 1.1. The Appendix to this report sets out the latest statistical data related to standards complaints.

- 1.2. Whilst there are currently no live complaints pending the intention is to publish the blank appendix so that this position is clear.

List of Appendices

Appendix 1 – Statistical information regarding complaints made

Background papers: Nil

Corporate Implications

Legal/Constitutional: It is good practice for statistical information to be provided to the Governance Committee. Where any complaints are referred to in the appendix, a summary of the complaint without any personal data is provided.

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

Consultees: None

Relevant Policies and Strategies:

Complaints Procedure

Standards Enquiries and Investigations Statistics – Localism Act 2011

January 2024 – to March 2024

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	0					
3. Not able to legally pursue complaint	0					
4. Complaint on hold	0					
5. Decision as to appropriate	0					

Status of Complaint Categories	Total No.	Case No.	City, Parish tier Councillor	Date Issue First Raised	Alleged Breach or Issue Raised	Current Position
action still awaited						
6. Complaints being investigated	0					
Total	0					

Formal Complaint Outcomes

	Case No. and Councillor	Committee Date and Decision	Date Issue First Raised	Current Position
Outcome of Investigations				
Other Action				



Chelmsford City Council Governance Committee

6 March 2024

Annual Review of the Constitution

Report by:
Monitoring Officer

Officer Contact:
Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,
email: lorraine.browne@chelmsford.gov.uk, tel: 01245 606560

Purpose

To update members in relation to the annual review of the constitution.

Recommendations

1. To note the update.
-

1. Annual review of the constitution

- 1.1. The Council's Monitoring Officer is required to keep the constitution up to date, including undertaking an annual review. Members will be aware that one of the current actions arising from the annual governance statement relates to undertaking a desktop review of the entire constitution. Large parts of the constitution have been reviewed over the past few years and this action arose to ensure those parts which had not been reviewed were checked.

- 1.2. Members will be aware that some changes have already been considered and some minor amendments had been approved by the Monitoring Officer in consultation with the Chair of Governance Committee. Some further minor amendments have also been identified as a result of completing this action. However, no changes that require member approval have been identified.

- 1.3. There are also some parts of the constitution which have been identified for further detailed review at a later stage. For example, an updated Planning Code was published earlier this year and this will be reviewed in consultation with members and officers. There are a small number of Constitution Practice Notes that link with such reviews and will be updated as necessary at a later stage. However, in terms of the annual governance statement action the constitution review is complete. Of course, further changes may be identified or proposed as necessary.

- 1.4. The content of the Information Security Code of Conduct has also now been completed in consultation with the Chair of Governance Committee.

List of Appendices

None

Background papers: Nil

Corporate Implications:

Legal/Constitutional: The Constitution requires the Monitoring Officer to review and keep up to date the constitution so that it is legally compliant and fit for purpose.

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: The constitution available on the Council's website will be updated as necessary when changes are made.

Other: None

Consultees: None

Relevant Policies and Strategies:

The Council's Constitution



Chelmsford City Council Governance Committee

6 March 2024

Review of Whistleblowing Policy

Report by:
Monitoring Officer

Officer Contact:
Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer,
email: lorraine.browne@chelmsford.gov.uk, tel: 01245 606560

Purpose

To update members in relation to the review of the Whistleblowing Policy so that it aligns with recent updates to the Counter Fraud and Corruption Strategy and Fraud Response plan as reported to Audit and Risk Committee.

Recommendations

1. To note the update
-

1. Review of Whistleblowing Policy

- 1.1. The policy has been reviewed and a few minor changes are necessary to align the policy with the Counter Fraud and Corruption Strategy. Other minor changes have also been made to update a job title, removing gender references, contact telephone number as well as updating the links.

- 1.2. The changes that are being made to align the policy to the Counter Fraud and Corruption Strategy are shown in tracked changes in Appendix 1.
- 1.3. Constitutional changes that arose because of changes to the Counter Fraud and Corruption Strategy were made in 2023. This includes updates to Financial Regulations and Practice notes.

List of Appendices

Appendix 1 – Whistleblowing policy with highlights showing those amendments made to align with Counter Fraud and Corruption Strategy.

Background papers: Nil

Corporate Implications:

Legal/Constitutional: The Whistleblowing Policy falls with the terms of reference for the Governance Committee. Periodic reviews of the policy are undertaken as necessary, and an annual assurance report is provided each Autumn. This review arose because of changes to the Fraud policy to ensure that the two policies align.

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

Consultees: None

Relevant Policies and Strategies:

The Council's Whistleblowing Policy and Counter Fraud and Corruption Strategy.

**Whistleblowing Policy
and Procedure (draft
updates March 2024)**

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1. Introduction and Purpose

- 1.1 Chelmsford City Council strives to provide the highest quality services for the benefit of its local community, and does so based on the principles of honesty, openness and accountability.
- 1.2 We have put in place, and regularly review, our rules, regulations, quality standards and procedures which can be found in the Council's Constitution. It sets out how the Council will operate and the procedures it will follow. In particular, it contains rules on how decisions will be taken, who will take them and what they must consider before they do so.
- 1.3 We also recognise that unfortunately these are sometimes not fully followed or things can go wrong. In such cases we will always look into the concerns raised and put things right wherever we can, as well as ensure that any further potential wrongdoing is prevented. Such wrongdoing is referred to in this policy as "malpractice" and we will take action against those who are responsible in appropriate cases.
- 1.4 **The purpose of this policy is to give a clear and unequivocal statement to those who work for the Council, its contractors, or suppliers, and to the public, that they need not fear victimisation or any form of reprisal if they report suspected wrongdoing by the Council or those that work for it.**
- 1.5 However, please note that:
 - a) Whilst only workers are afforded the above protection by law, we will afford a similar protection to others whenever we can.
 - b) Differences in the way we will deal with concerns raised are explained in this policy.
- 1.6 This policy explains what can be reported and when. How you should notify us and the action that will be taken is set out in the Annex to this policy. In addition, please be aware that only workers are protected by law. The protections are different if you are a non-worker.
- 1.7 The Council has appointed the Director of Connected Chelmsford as its designated Whistleblowing Officer. The Legal and Democratic Services Manager and the HR Service Manager are responsible for dealing with reported cases in the first instance as their deputies.

2. Who Can Use This Policy to Raise Concerns?

General Requirements

- 2.1 Anyone can raise concerns using this policy but the protection afforded depends on who you are and particularly whether you work for the Council. Anyone who raises such an issue is known as a “whistleblower”. Different requirements and rights are available to different categories of people under this Policy and they are described below.
- 2.2 Guidance on rights and responsibilities in relation to whistleblowing policies has been issued by the Department of Business, Innovation and Skills and can be found at: <https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>
- 2.3 To be able to claim the protections referred to below, you must have “reasonable grounds for believing” that the information you are disclosing indicates that one or more of the circumstances has occurred, as referred to in paragraphs 3.1 and 3.2 below.
- 2.4 You should report your concerns using the procedure set out in the Annex to this policy.

Workers

Statutory Rights to Protection and How They Can Raise Concerns

- 2.5 There is specific statutory protection given to workers under the Employment Rights Act 1996 as amended (the Act). This states that if they are disciplined or victimised by the Council, just because they have raised a concern about how an issue has been handled by it, they can seek a declaration from an Employment Tribunal that they have been treated unfairly and seek compensation.
- 2.6 That protection only covers the following categories of people as defined in section 47B of the Act:
- (a) Employees and workers either under a contract of employment or any other contract under which they personally perform any work or service for the Council;
 - (b) Agency workers; and
 - (c) Those undertaking work experience as part of a training course.
- 2.7 This policy and procedure do not replace any of the following:
- a) Grievance Procedures – personal complaints should be raised under this policy
 - b) Disciplinary Procedures
 - c) Bullying and Harassment Policy
- 2.8 You should therefore only use the Whistleblowing Policy where:
- a) You have genuine reasons why you cannot use the policies and procedures referred to in paragraphs 2.7 above or 3.2 below;

- b) You have reason to believe that those policies and procedures are failing or are not being properly applied;
- c) You reasonably believe that the disclosure tends to show past, present or likely future wrongdoing; and
- d) There is a clear public interest aspect that cannot be properly resolved in any other way.

2.9 The protection provided by the Act is not subject to any qualifying period of employment and so is referred to as a 'day one' right in employment law. This means you are entitled to the protection from the day you join the Council

2.10 If you believe that you are suffering a detriment as a result of your raising a concern, you should immediately report this. Some examples of detriment include, but are not limited to, the following:

- a) Blocking access to resources or training;
- b) Bullying or harassment;
- c) Closer monitoring;
- d) Demotion;
- e) Disciplinary sanction;
- f) Failing to investigate a subsequent concern;
- g) Failure to promote;
- h) Failure to provide an appropriate reference;
- i) Suspension;
- j) Unrequested re-assignment or re-location;
- k) Victimisation or Ostracism;

2.11 If you are unsure whether to raise a concern, you should discuss the issue with your line manager or the HR department. You may also raise concerns with a more senior manager or a director, or the identified Whistleblowing Officer or their deputies where appropriate.

2.12 However, please note that the use of the Whistleblowing procedure should not normally be used to address concerns you have with how you are managed. Instead you should use the Council's grievance procedure.

Non-Workers

Rights granted by the Council and How They Can Raise Concerns

2.13 Whilst the legislation only offers protection for workers, the Council also ensures that anyone who discloses potential malpractice by the Council are not victimised and can make their concerns known anonymously if they wish. This protection is extended to:

- (a) Councillors;
- (b) Those working for a person, firm or organisation supplying goods or services to the Council;
- (c) Those working for organisations with which we have partnered; and
- (d) Members of the public.

- 2.14 Anyone in the above categories wishing to raise a concern can do so using this Policy and Procedure. However, before doing so you should consider whether it can instead be reported using the alternative and more appropriate procedures described paragraph 3.3 below.

3. What can, or should not, be reported under this Policy?

- 3.1 You can use this policy to report concerns that relate to **any** unethical or unprofessional behaviour within the Council or by its contractors and suppliers.
- 3.2 Your disclosure does not need to be restricted to something that has already happened but can also relate to a where it is on-going or could occur in the future. Malpractice is where there is, has been or is likely to be any:
- (a) failure to comply with any legal obligations, i.e. any unlawful act, whether criminal or a breach of civil law;
 - (b) maladministration;
 - (c) breach of any statutory Code of Practice;
 - (d) breach of, or failure to implement or comply with any policy determined by the Council or any Committee or Sub-Committee of the Council;
 - (e) failure to comply with appropriate professional standards;
 - (f) incident of bribery, theft, corruption or fraud (you may also wish to refer to the Council's Counter Fraud and Corruption policies);
 - (g) breach of any Code of Conduct adopted by the Council;
 - (h) actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property;
 - (i) act that creates risk to health and safety;
 - (j) act causing damage to the environment;
 - (k) failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss or income, to the Council or would otherwise seriously prejudice the Council;
 - (l) abuse of power, or the use of the Council's powers and authority for any unauthorised or ulterior purpose;
 - (m) miscarriage of justice; or
 - (n) concealment of any of the above.
- 3.3 This policy should **not be used** if you have a complaint about any of the following issues. Instead you should make a complaint using the alternate processes identified:
- (a) **Service you have received or failed to receive from the Council** Please refer to our Corporate Complaints Procedure.
 - (b) **The way you have been treated by officers**
Please also refer our Corporate Complaints Procedure.
 - (c) **About the way a Councillor has behaved or treated you**
Please refer to the Code of Conduct for Councillors and associated Complaints Procedure.
 - (d) **About another organisation or company**, such as the County Council Please refer to our whistleblowing webpage for more information.

(e) **Any issues regarding the safety of children or vulnerable adults.** Please refer to our Safeguarding Policy and Procedure. However, should you have concerns that an issue has been raised and has not been dealt with appropriately under the appropriate procedure and/or if you have serious concerns about how others have been treated when raising a concern please use this procedure.

3.4 In addition, if your concern is not about malpractice, but instead is either a request for more information about the Council's services or you want to ask a question about a service, you can submit an inquiry form. This can be found here.

4. Confidentiality & Anonymity

4.1 We will respect the confidentiality of any whistleblower where they have requested anonymity.

4.2 However, whistleblowers are encouraged to raise concerns openly wherever possible. Anonymous complaints will be investigated but our ability to do so can be hampered by not being able to further explore issues or obtain evidence during the investigative process. Furthermore, we do not know who has provided the information, it is not possible to either reassure or protect you.

5. The Public Interest Test for Protected Disclosures

5.1 For you to be protected against recriminations, victimisation or harassment you must have a **"reasonable belief"** that the disclosure you are making is in the **"public interest"**. This means that you can make a disclosure if you realistically believe that your suspicions are in the public interest (even if after investigation the allegation is found to be incorrect). In addition you will need to show that you have made a disclosure following the correct disclosure procedure.

5.2 Complaints of a personal nature are not protected and you should instead address these through the alternative policies and procedures described in paragraphs 2.7 and 3.3 above.

6. Consequences of not following these Procedures

6.1 The Council will not tolerate any attempt on the part of any employee, Councillor, Council contractor or supplier to apply any sanction or detriment to any person who has reported to the Council, any serious and genuine concern that they may have of apparent malpractice.

6.2 Anyone who victimises a whistleblower will personally be liable as they can directly bring a claim against the culprit.

- 6.3 A worker might choose to approach the media with their concerns. If a worker goes to the media, they can expect in most cases to lose their whistleblowing law rights. It is only in exceptional circumstances that a worker can go to the media without losing their protections.
- 6.4 The Council will vicariously be liable (responsible) for an employee's conduct in victimising a whistleblower. We will deal with any recriminations, victimisation or harassment in the following ways and will take the appropriate action to address it:
- (a) By one of our employees as a serious disciplinary matter;
 - (b) By a Councillor as a serious breach of the Code of Conduct for Councillors;
 - (c) By any contractor or supplier of the Council as a serious breach of contract;
 - (d) By any recipient of a Council service as a breach of the conditions under which that service is provided and will consider whether the service can continue to be supplied at all or in a different way.

7. Employee Co-operation

- 7.1 The Council is entitled to expect the full co-operation of all its employees in securing the highest standards of service delivery.
- 7.2 Where employees of the Council are aware of, or suspect, malpractice in the Council's services, the Council will expect them to report such malpractice.
- 7.3 The Council will regard the failure by an employee to report such malpractice, or the suspicion of malpractice, as a disciplinary matter.

Annex

Whistleblowing Procedure

1. Who will deal with the concerns you raise?

1.1 The Council has appointed The Director of Connected Chelmsford to act as its Whistleblowing Officer, However, day to day responsibility for handling any concerns raised will be carried out by the Legal and Democratic Services Manager or HR Service Manager as set out in paragraph 1.7 of the Policy. Collectively they are referred to as the “Whistleblowing Officer” in this procedure.

1.2 The Whistleblowing Officer has the following roles and responsibilities:

- (a) To receive and record any concerns under the Whistleblowing policy.
- (b) To guard the confidentiality of any Whistleblower’s identity where they have requested anonymity.
- (c) To investigate promptly any Whistleblowing concern using Human Resources, Internal Audit or Legal Services staff resources as appropriate.
- (d) For the purposes of the investigation, the Whistleblowing Officer has a right of access to the Chief Executive, all Members, Directors of Service and employees of the Council and to all documents and records of the Council.
- (e) To report the outcome of the investigation to the appropriate Director and/or the Chief Executive and to recommend the action to be taken.
- (f) Where the complaint relates to the conduct of one of the Directors, the Whistleblowing Officer shall report to the Chief Executive in relation to any investigation or actions that may be required.
- (g) Where the complaint relates to the conduct of the Chief Executive, the Chief Finance Officer or Monitoring Officer the Whistleblowing Officer shall be the Director of Connected Chelmsford who will take any appropriate action in accordance with the Employment Procedure Rules in the Constitution.
- (h) To report, as appropriate, either jointly with the Director(s) concerned or in their own right, to the Council, Cabinet and any Committee or Sub-Committee of the Council.
- (i) To recommend appropriate action to resolve a complaint.
- (j) To report annually to the Governance Committee on actions taken under the Whistleblowing Policy.

2. How to Tell Us About Your Concerns and What We Will Do

2.1 The **Whistleblowing Officer** can be contacted by:

(a) Filling in our online whistleblowing report form on the internet, which can be found at-
<http://www.chelmsford.gov.uk/whistleblowing>

(b) Sending an Email to:
whistleblowing@chelmsford.gov.uk

(c) By sending your concerns in writing in a sealed envelope marked 'private and confidential' addressed to-
The Legal & Democratic Services Manager
Civic Centre
Duke Street
Chelmsford Essex
CM1 1JE

2.2 We will acknowledge receipt of your concerns within 5 working days and confirm how we will deal with the concerns raised and when you can next expect to hear from us.

2.3 If your concerns are complex or may take some time to resolve we will:

(a) Contact you again to confirm this together with details as to what we propose to do and when you can expect this to be resolved.

(b) We may ask you to provide additional information to help us to understand your concerns and ensure that we look into and resolve all the concerns you have.

(c) Meet with you to enable you to provide more detail as needed and you may be accompanied by a workplace colleague or a trade union representative.

(d) Keep you informed if there are likely to be any further changes to this timetable.

(e) At the end of our investigations we will confirm what we propose to do or have done unless there are legal reasons why we cannot do so. If that is the case we will let you know what they are, such as that the information is personal sensitive information about a council employee, which we are prevented from giving you under the Data Protection Act 1998, more details on which you can find here.

2.4 If you did not provide us with your contact details we will still look into your concerns but obviously will not be able to clarify issues with you or confirm what we are doing to look into and resolve your concerns.

3. Alternative Ways to Raise your Concerns - Complaints Procedures using External Organisations

3.1 We appreciate that sometimes you may not feel able or want to raise concerns with us direct, In those circumstances, you can raise them with one of the following external organisations:

(a) Externally appointed Prescribed Persons

Any worker raising concerns can do so by contacting one of the nationally prescribed persons rather than the Council. A list is available in this link:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

(b) Member of Parliament

A worker or non-worker can contact a member of the House of Commons. Contact details for any Member of Parliament are available in this link:

<http://www.parliament.uk/mps-lords-and-offices/>

(c) Local Government Ombudsman

The Local Government Ombudsman will receive complaints of alleged maladministration against the Council. The contact details are on the LGO website:

www.lgo.org.uk

(d) The Council's External Auditor

The External auditors are appointed to address any concerns as to alleged financial irregularity, unlawful expenditure or loss to the Council. The details of the Council's external auditors can be found on our website within the section relating to the statement of accounts section.

(e) Protect :

This is a whistleblowing charity, which helps to inform public policy and seek legislative change. They also provide advice to those with whistleblowing dilemmas at work and supports organisations with their whistleblowing arrangements.

Their contact details are available from the organisation's website: <https://protect-advice.gov.uk>



Chelmsford City Council Governance Committee

6 March 2024

Gifts and Hospitality Report

Report by:
Monitoring Officer

Officer Contact:

Lorraine Browne, Legal & Democratic Services Manager & Monitoring Officer, email:
lorraine.browne@chelmsford.gov.uk, tel: 01245 606560

Purpose

To update the Committee on offers of Gifts and Hospitality from January to December 2023.

Recommendations

That the report to be noted and that the register of Gifts and Hospitality for Councillors be updated quarterly and published on the Council's website.

1. Background or Introduction

- 1.1. At its meeting on 20th January 2010, the Standards Committee agreed that an annual report should be made on offers of Gifts and Hospitality which have been made to Members of the Council and when the Governance Committee assumed responsibility for these matters, this annual report was brought to this Committee.

2. Offers Made

- 2.1. The Monitoring Officer has noted that there were several members and officers who were offered and accepted free tickets to Creamfields last year. This offer was made available via the Council and has been treated as a generic event-based declaration in any event.
- 2.2. Other offers of gifts and hospitality to members of Chelmsford Council for the period January to December 2023 can be found at Appendix 1. In summary, there were four declarations by members.
- 2.3. With regards to offers of gifts and hospitality to officers of the Council, there are no further offers to be noted for 2023.

List of appendices:

Appendix 1 – Offers of Gifts and Hospitality (Councillors) January to December 2023

Background papers:

Nil

Corporate Implications

Legal/Constitutional: Councillors and Officers are required to declare any offers of gifts and hospitality above a certain threshold and it has been the Council's longstanding practice to annual report the details to Governance Committee.

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: No equalities impact assessment necessary.

Health and Safety: None

Digital: None

Other: None

Consultees:

None

Relevant Policies and Strategies:

Member and employee Codes of Conduct

APPENDIX 1

Offers of Gifts and Hospitality (Councillors) – January to December 2023

No.	Date	Councillor	Gift/Hospitality	Value	Organization	Whether Accepted
Cllr 64	22/2/23	Steel	Goody bag from Morrisons opening	Below £50	Morrisons	Accepted
Cllr 67	29/8/23	Massey	2x tickets to restaurant launch including complimentary meal.	£60 (£30 each)	Meadowcroft Marketing	Accepted
Cllr 68	2/11/23	Robinson	Evening at Chelmsford City Racecourse		Chelmsford City Racecourse	Declined
Cllr 69	2/11/23	M. Goldman	Evening at Chelmsford City Racecourse		Chelmsford City Racecourse	Declined

There were several offers of gifts and hospitality made via the Council in relation to Creamfields tickets to members/officers in 2023 (2 free tickets maximum per employee or member). This has been treated as an event-based declaration for any members/officers who accepted the offer. Declaration numbers 65 and 66 relate to two councillors who made declarations in relation to the tickets.



Chelmsford City Council Governance Committee

6 March 2024

Work Programme

Report by:
Monitoring Officer

Officer Contact:
Lorraine Browne, Monitoring Officer, tel:01245 606560, email:
lorraine.browne@chelmsford.gov.uk

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.
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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

1.1. 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

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

Consultees:

None

Relevant Policies and Strategies:

Not applicable

Governance Committee Work Programme

Appendix 1

12 June 2024

Joint meeting – annual governance statement and local code

Monitoring Officer Report

Ongoing/planned constitution review items

16 October 2024

Monitoring officer report

Annual SIRO report

Annual Whistleblowing report

Annual ROI report

Annual Ombudsman report

Annual SRO RIPA report

15th January & 5th March 2025 - to be confirmed at next meeting (will include MO report, G/H report, and planned constitutional review items)

Ad hoc reports

- Politically exempt officer posts

Training