

EXECUTIVE - 12 OCTOBER 2017

THE TRANSFORMATION AGENDA – MANDATORY TRAINING PROGRAMME FOR ELECTED MEMBERS

Executive Summary

The Executive is invited to recommend to Council the adoption of a ‘mandatory’ programme of training and development for Elected Members, covering core topics identified as essential, including the quasi-judicial responsibilities within planning and licensing. The development of a mandatory training programme was raised by the Executive in March 2017 and was supported by the Overview and Scrutiny Committee at its meeting in February 2017 under its pre-decision scrutiny responsibilities. The Overview and Scrutiny Committee went as far as to propose topics for inclusion in the programme, the majority of which would be covered by the proposals within this report.

It should be noted that mandatory training for Members is relatively common amongst local authorities, particularly in relation to planning, licensing, equalities and safeguarding. A variety of sanctions have been adopted by Councils to ensure Members attend the relevant training. Such sanctions include exclusion from the membership of relevant Committees (the Planning Committee for example), a reduction in the level of Members’ allowance and exclusion from specific decisions, commonly quasi-judicial proposals. Mandatory training is also common for Officers, with the Council having recently required all staff, including volunteers, to complete an online course on Safeguarding Children, Young People and Adults.

At this stage it is not recommended that the Council adopts any sanctions to encourage attendance. Instead, it is proposed that Group Leaders, relevant Chairmen and Portfolio Holders, together with the Lead Members for Elected Member Learning and Development, encourage and closely monitor Member attendance. Furthermore, Officers will seek to maximise the opportunities for Members to attend those topics identified as mandatory. Member attendance will be reported to the Council at the end of the 2018/19 Municipal Year and the Council will, if necessary, be asked to introduce sanctions similar to those employed by other local authorities.

Reasons for Decision

To establish a mandatory training programme for Elected Members to ensure that Members have a clear understanding of their roles and responsibilities and are aware of any significant risks including any corporate or personal liabilities.

Recommendations

The Executive is requested to:

RECOMMEND to Council That

a programme of mandatory training for Elected Members be introduced as part of the Council’s Learning and Development Programme for Councillors from May 2018 onwards as outlined in Section 3.0 of the report.

The recommendation will need to be dealt with by way of a recommendation to the Council.

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Background Papers:

Sustainability Impact Assessment
Equalities Impact Assessment

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1.0 Introduction

- 1.1 Woking Borough Council has a well established Member training and development programme, combining an extensive calendar of briefings and training sessions with a comprehensive Member Learning and Development Framework (“Finding the Answers”) and a collection of outlines of the roles and responsibilities of Elected Members. The Council’s programme is supported by Lead Members from each Political Group (Councillor Kemp, Councillor Johnson, Councillor Raja and Councillor Bond) and enabled the Council to gain the formal recognition from South East Employers which has awarded Woking Borough Council the Charter Mark for Elected Member Learning and Development since 2006.
- 1.2 The Council realises the importance of Councillor training and development in the context of community representation and leadership, and all training events and development opportunities are made available to all Councillors, irrespective of party or group membership. The Programme has been established to ensure that Councillors can fulfil their obligations in an effective, efficient and professional way, supporting the delivery of services to the community.
- 1.3 This report considers the introduction of mandatory training for Councillors, a practice now commonly employed by local authorities and one which is supported by South East Employers which recommended to the Council in 2015 that consideration should be given to introducing mandatory training, in particular for the financial transactions of the Authority.

2.0 Background

- 2.1 In March 2017, the Executive received a report (“Transformation Programme”) which provided an update on the progress achieved since the approval of the Corporate Peer Challenge report approved by Council on 14 April 2016. The report outlined the progress made by the Council and proposed a number of areas for further work on Transformation through engagement with the Overview and Scrutiny Committee.
- 2.2 As part of the proposals for the future, the report considered a corporate organisational development programme to grow skills in commercial thinking and leadership to support the Transformation Programme. Within the report, it was noted that:-

“Member level skills remain important and training programmes are available to Members. However Members have demonstrated a lack of enthusiasm over making training mandatory. The Council should consider some core training that should be mandatory for all Members as we move into an even more challenging environment for Local Government. This requires leadership from Members and cannot be imposed by Officers; Officers could however suggest a range of core training courses if Members so requested.”

- 2.3 The report was considered by the Overview and Scrutiny Committee in advance of the Executive under its pre-decision scrutiny role at which the issue of mandatory training for elected Members was discussed. The extract from the minutes of the meeting of the Committee is set out below:-

“The Committee discussed areas of their training that could be mandatory, topics such as: Equalities and Safeguarding, Planning, Licensing, Code of Conduct, Declarations of Interest and the Constitution were raised. Ray Morgan added that Woking Borough Council could not impose sanctions upon the members, but that members would have to impose the sanctions on themselves through peer pressure. The Committee discussed a

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Mandatory Training Programme could be looked in to by the Executive encompassing the topics discussed.”

- 2.4 The Overview and Scrutiny Committee had concluded that the views of the Overview and Scrutiny Committee regarding mandatory training should be considered by the Executive.
- 2.5 The report, together with the comments of the Overview and Scrutiny Committee, were considered by the Executive at its meeting on 23 March 2017. The minutes of the meeting reflect the discussion held in respect of mandatory training as follows:-

“The Executive received a report which provided an update on the progress since the approval of the Corporate Peer Challenge Report approved by Council on 14 April 2016. The Overview and Scrutiny Committee had considered an initial draft of the report at its meeting on 27 February 2017 and the representations of the Committee had been taken into account in the final report. Attention was drawn to the Committee’s discussion on mandatory training for Members and Councillor Kingsbury commented that it would need to be agreed through the political groups. Members expressed unease at making training mandatory and it was suggested that training should be presented in such a way to encourage attendance. Topics that could potentially be included in a mandatory training programme were Planning, Licensing, Safeguarding, Declarations of Interest and the Member’s Code of Conduct.”

- 2.6 The Executive resolved that “Officers be requested to bring forward a draft Mandatory Training Programme for Members to be considered by the Executive and recommended to Council in the next Municipal Year.”

3.0 Proposals

- 3.1 Mandatory training for all Members will ensure that Members have a clear understanding of their roles and responsibilities and are aware of any significant risks including any corporate or personal liabilities. There is a risk to the Council if Members do not engage with this training and do not fully understand their responsibilities.
- 3.2 The Executive is requested to recommend to Council that core training on the following topics should be classified as mandatory for the Councillors identified as experience has shown that not all elected Members complete the training. The Planning and Licensing Committees are, for example, quasi-judicial bodies, where decisions made must have regard to relevant legislation and case law. It is imperative that Members of these Committees have proper regard to relevant legislative requirements in reaching a decision. Decisions made by these Committees can be the subject of appeal and challenge on the basis that the Committee has not followed the correct procedure or has taken into account matters that it should not have. In either case, this could leave the Council open to challenge and the risk of costly legal action.

Proposed Topics for the Mandatory Programme

Training	Code of Conduct
Frequency	Once during each four year term of office.
Required	All Members.
Delivery format	In-house training session.

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Training	Diversity and Equalities
Frequency	Once during each four year term of office.
Required	All Members.
Delivery format	In-house training session.

Training	Finance Training
Frequency	Once during each four year term of office.
Required	All Members.
Delivery format	In-house training session.

Training	Health and Safety (New)
Frequency	Once during each four year term of office.
Required	All Members.
Delivery format	In-house and/or external training provider.

Training	Induction Training
Frequency	Once.
Required	Newly elected Members. Re-elected Members to be encouraged to attend.
Delivery format	In-house training.

Training	Licensing Training
Frequency	Annual, as part of the agenda for the first meeting of the Committee.
Required	All Members of the Licensing Committee and Portfolio Holder and Shadow Portfolio Holder for Licensing Services.
Delivery format	In-house training.

Training	Planning
Frequency	Annual.
Required	All Members of the Planning Committee, Portfolio Holder and Shadow Portfolio Holder for Planning Services.
Delivery format	In-house and/or external training provider.

Training	Safeguarding (New)
Frequency	Once during each four year term of office.
Required	All Members.
Delivery format	In-house and/or external training provider.

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Training	Scrutiny (New)
Frequency	Annual, as part of the agenda for the first meeting of the Committee.
Required	All Members of the Overview and Scrutiny Committee.
Delivery format	In-house and/or external training provider.

- 3.3 Where annual sessions are mandatory, the deadlines for completion will be made clear to all the Members affected.
- 3.4 Where possible training will be provided online (i.e. computer based training) enabling Members to undertake the training at a time most convenient to them. The Council has recently, for example, adopted mandatory Safeguarding Children, Young People and Adults training for all Officers, including volunteers, through an on-line provider. If training is provided through a training course, wherever possible a choice of two sessions will be offered, at least one of which will be held during the evening. This may not always be possible where there are external providers but all endeavours will be made to meet Members' requirements. Spare places will be offered to any member of the Council who has an interest in the relevant area, and might wish to become a member of that Committee at a future date.
- 3.5 Group Leaders will be encouraged to monitor the attendance of their Members and if necessary review their membership of Committees if they have not attended the relevant mandatory training.

Induction Training

- 3.6 The induction training programme currently consists of two evening sessions looking at the corporate priorities and activities and providing practical information to newly elected Members. It is proposed that this programme is reviewed in advance of May 2018 with a view to exploring whether the programme can be expanded to include one or more of the topics identified in the list above, such as code of conduct, health and safety, equalities and finance.
- 3.7 As in previous years, details of the induction programme, together with other relevant dates of Committees and briefings, will be included in the nomination packs issued to candidates in the Borough elections, thereby ensuring the successful candidates are aware of the programme, maximising the likelihood that they would be able to attend.

4.0 Enforcement of Mandatory Training

- 4.1 As mentioned earlier in the report, the practice of adopting mandatory training for Councillors is now common amongst local authorities, with the common themes of safeguarding, equalities and the quasi-judicial roles of Councillors adopted by many. Councils have adopted a range of sanctions to ensure that Councillors attend any training for which their attendance has been identified as mandatory, including exclusion from regulatory Committees, exclusion from any quasi-judicial decisions and a reduced allowance.
- 4.2 To support Members, Councils have also introduced a number of measures to assist attendance, including multiple sessions on the same topic, 1:1 briefings if necessary and, in the case of Woking Borough Council, holding training sessions as part of the formal Calendar of Committee meetings.

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- 4.3 It is proposed that the Council does not introduce any sanctions in respect of those topics identified as part of the mandatory training programme. Instead, the Council will seek to increase the number of opportunities presented to Councillors to attend such training and that it is made clear to all that which topic has been identified as mandatory. Greater emphasis will be placed on the role of Group Leaders, Chairmen of the relevant Committees, Portfolio Holders and the Lead Members for Elected Member Learning and Development to ensure that all the relevant Councillors attend the events.

5.0 Reporting and Review

- 5.1 Training and development is a shared responsibility between individual Councillors and Group Leaders of the political parties. Attendance will continue to be monitored and, if it is found that attendance by Members at those events identified as mandatory is disappointing, the option of sanctions will be revisited. It is worth noting that, following concerns expressed over Member attendance levels at both Committee meetings and training events, attendance figures will be published on the Council's website. It is proposed that attendance levels at training sessions are reported to Council each year as part of the annual review of the Member Learning and Development programme.
- 5.2 Evaluation forms will be issued to Members following attendance at events. The views expressed by Members will be assessed by Officers and appropriate action taken in running future events.
- 5.3 It is proposed that each Councillor is encouraged to meet on a 1:1 basis with their Group Leader to discuss their training and development needs. This will also provide an opportunity for Group Leaders to identify Members for particular roles in the future.
- 5.4 Councillors who have received the benefit of any development course will be available to act as mentor to any other Member who wishes to receive similar development training, irrespective of party or group membership.
- 5.5 The list of mandatory training sessions will be kept under review and new topics may be added in future years, such as data protection, standards and audit, and chairmanship skills.

6.0 Non-Mandatory Training

- 6.1 There is an expectation that Councillors will take responsibility for their development and attend opportunities designed to equip them with the necessary skills to be effective in their role. In addition to internal and external courses, there is a programme of internal briefings for Councillors, participation for which will remain optional, although attendance will be encouraged where the subject relates to the roles of specific Councillors.
- 6.2 Update sessions on areas such as Planning, Licencing and Finance will be provided as a matter of course and, whilst Members will be strongly advised to attend, it is not envisaged that these will be mandatory. Examples of other training offers during 2016/17 included IT training, public speaking, media engagement, flood management, economic development, Thamesway, Highways and Woking 2050.
- 6.3 Officers will continue to explore the option to record training sessions and briefings and offer Members access to DVD recordings and supporting documents.

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7.0 Implications

Financial

- 7.1 Budgetary provision is made for the Council's Member Learning and Development Programme; there are no additional financial implications arising from introducing a mandatory requirement in respect of the training provided. Officers will continue to explore opportunities for joint working with neighbouring authorities in order to share costs and reduce expenditure.

Human Resource/Training and Development

- 7.2 The proposals within this report have been drawn up following consideration by the Overview and Scrutiny Committee and the Executive of proposals for mandatory training brought forward under the Council's transformation agenda. A programme of mandatory training for elected Members will have a significant impact on the training and development of Councillors, ensuring that every Councillor receives the same level of core information and training.
- 7.3 There are currently no direct implications for human resources arising from the proposals set out in this report.

Community Safety

- 7.4 The proposals before the Executive will ensure that all Councillors are provided with the same level of information on safeguarding and health and safety necessary to enable them to fulfil their roles as Elected Members.

Risk Management

- 7.5 By enabling the Members to have the necessary information and skills to carry out their roles and responsibilities effectively, the Council will be better able to meet its corporate plan priorities, and its statutory duties.

Sustainability

- 7.6 There are no sustainability issues arising from this report.

Equalities

- 7.7 Training for Members will include gaining an understanding of how the Council can ensure it is meeting its public sector equality duty. Training and development opportunities will be made available to Members in such a way as to be fully accessible.

8.0 Consultations

- 8.1 This report has taken into consideration the comments of the Overview and Scrutiny Committee at its meeting on 27 February 2017 and the Executive at its meeting on 23 March 2017. In addition, the Lead Members for Elected Member Development have been given an opportunity to comment on the report, together with Group Leaders.

REPORT ENDS

EXE17-055

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action)
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men	X	X	X			
	Women	X	X	X			
Gender Reassignment						X	
Race	White					X	
	Mixed/Multiple ethnic groups					X	
	Asian/Asian British					X	
	Black/African/Caribbean/Black British					X	
	Gypsies / travellers					X	
	Other ethnic group					X	

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action)
		Eliminate discrimination	Advance equality	Good relations			
Disability	Physical					X	
	Sensory					X	
	Learning Difficulties					X	
	Mental Health					X	
Sexual Orientation	Lesbian, gay men, bisexual					X	
Age	Older people (50+)					X	
	Younger people (16 - 25)					X	
Religion or Belief	Faith Groups					X	
Pregnancy & maternity						X	
Marriage & Civil Partnership						X	
Socio-economic Background						X	

Sustainability Impact Assessment

Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes.

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			X	
Waste generation / sustainable waste management			X	
Pollution to air, land and water			X	
Factors that contribute to Climate Change			X	
Protection of and access to the natural environment			X	
Travel choices that do not rely on the car			X	
A strong, diverse and sustainable local economy			X	
Meet local needs locally			X	
Opportunities for education and information	X			
Provision of appropriate and sustainable housing			X	
Personal safety and reduced fear of crime			X	
Equality in health and good health			X	
Access to cultural and leisure facilities			X	
Social inclusion / engage and consult communities			X	
Equal opportunities for the whole community			X	
Contribute to Woking's pride of place	X			