



REPORT OF: DIRECTOR OF HR & LEGAL & GOVERNANCE

TO: STANDARDS COMMITTEE

ON: 15 January 2020

SUBJECT: Guidance on Handling Personal Reference Requests

1. PURPOSE OF THE REPORT

To consider the proposed revised guidance to Councillors in responding to requests for personal references.

2. RECOMMENDATIONS

The Standards Committee is asked:

1. To consider and approve the revised guidance to Councillors (as contained in the Appendix A) in responding to requests for personal references.
2. Subject to 1 above, to recommend to Council to adopt and thereafter request that all councillors comply with the guidance issued.

3. BACKGROUND

The Committee on 23 October 2019 considered the report on advice for Councillors handling reference requests and referred to the advice issued in December 2016. The discussion referred to some recent issues experienced by some Councillors when requested for personal references by their constituents. Advice from the Monitoring Officer/Deputy Monitoring Officer can be sought by Councillors as and when needed. However, the Committee suggested that an updated Guidance on personal references would be helpful covering references for passport applications, criminal matters in court and employment related matters.

Advice was last issued in December 2016 and requests have been made for this advice to be reviewed and if appropriate, updated and re-issued.

4. RATIONALE

The Standards Committee's role and function includes oversight of the development of quality information and support being provided to members in their roles as decision makers and Ward councillors. It also includes the direct provision of related member development training and advice, promoting high standards in the conduct of council business.

5. POLICY IMPLICATIONS

There are no direct policy implications from the report.

6. FINANCIAL IMPLICATIONS

There are no financial implications from this report.

7. LEGAL IMPLICATIONS

There are no legal obligations on councillors to provide a reference or testimonials, nor are there any legal restrictions. However, Councillors should not provide personal references on any matters where the Council is involved in anyway; otherwise there could be a potential breach of the Code of Conduct.

In relation to other matters, any personal reference provided by a Councillor should not have any inference that it is connected in any way to, or on behalf of the Council. The Council may therefore adopt appropriate and reasonable safeguards to ensure this.

Also, councillors providing personal references are advised that the contents must be honest and factual. Any responsibility, liability or any other consequence arising from providing a personal reference would rest entirely with the Councillor concerned, and not with the Council.

8. RESOURCE IMPLICATIONS

Once considered and adopted by the Council there are no additional resource implications from the review of the Guidance by the Standards Committee.

9. EQUALITY IMPLICATIONS

There are no equality implications from the update of the guidance as this will be in accordance with the Member Code of Conduct and wider legislation.

10. CONSULTATIONS

The Standards Committee is being consulted via this report and any recommendations for change will be presented for agreement at full council.

Contact Officer: Asad Laher, Deputy Monitoring Officer
Date: 18th December 2019