

**TO: COUNCIL
15 JULY 2015**

**STANDARDS COMMITTEE – ANNUAL REPORT
(Director of Corporate Services – Legal)**

1. INTRODUCTION

- 1.1 The attached report advises Council of the work of the Standards Committee during the last municipal year.

2. SUPPORTING INFORMATION

- 2.1 The Standards Committee is an advisory committee which has responsibility for advising Council on the Code of Conduct for Members and other protocols concerning Member and officer conduct. The Committee also oversees the processes put in place by the Code for determining any allegations that a Member may have contravened the Code of Conduct or other protocol.
- 2.2 The attached report appraises Council of the work of the Committee during 2014/15. It highlights that the less bureaucratic processes put in place for dealing with complaints post-Localism Act 2011 enactment are continuing to work effectively.

3 EQUALITIES IMPACT ASSESSMENT

- 3.1 Not required.

4 STRATEGIC RISK MANAGEMENT ISSUES

- 4.1 None.

Background Papers

None.

Contact for Further Information

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SP/reports/Council – 16 July 2015 – Standards Committee Annual Report

STANDARDS COMMITTEE – ANNUAL REPORT 2014/15

1. The Standards Committee (“the Committee”) is an advisory committee which formulates recommendations to the Governance and Audit Committee. The Committee is charged with overseeing arrangements to ensure that both Members and officers conduct the business of the Council with appropriate propriety. The Committee has responsibility for formulating and reviewing Codes of Conduct and Protocols relating to the behaviour of Members and officers. In addition, the Committee hears those complaints alleging a breach of the Code of Conduct for Members which have not been resolved or determined at an earlier stage under the Council’s approved procedure for the consideration of such complaints.
2. Throughout the municipal year the Committee Membership comprised four independent (i.e. non-Councillors) persons, one of whom (Mr Gordon Anderson) was the Chairman, two Conservative Group Members, one UKIP Member and two Parish Council representatives. The Independent Person appointed by the Council under the Localism Act 2011 (Dr Louis Lee) and his Deputy (Mr Elwyn Hopkin) are able to attend any meetings of the Committee as observers.
3. Although meetings of the Committee were scheduled for the 2014/15 municipal year no such meetings took place as there was no business for the Committee to transact. This reflects the commendably low level of complaints against Members of both the Borough and Parish/Town Councils but also indicates a pause in the review of Codes of Conduct and Protocols after revision of the Council’s Code of Conduct for Members following implementation of the Localism 2011 and the adoption of a completely revised Planning Protocol for Members during 2013/14.

Complaints

4. Under the procedure for the handling of complaints alleging a breach of the Code of Conduct for Members put in place following the enactment of the Localism Act 2011, a complaint is first considered by the Chairman of the Committee and the Monitoring Officer. The options available to the Chairman/Monitoring Officer at that stage are:-
 - refer for investigation
 - refer for some other form of action
 - determine that no further action is required.

If a complaint is referred for investigation the ensuing report is considered by the Chairman, the statutory Independent Person and the Monitoring Officer. At that stage the options are:-

- refer to the Standards Committee for consideration.
- refer for resolution by some other form of action (e.g. if the investigation finds that there has been a breach and the Member agrees to apologise)

Unrestricted

- no further action required (investigation finds no breach which conclusion is agreed by the Chairman, independent person and Monitoring Officer)
5. During 2014/15 the Monitoring Officer received five complaints alleging breaches of Codes of Conduct for Members. Two complaints were against a Borough Member with the latter of the two complaints linked to the former. The Chairman and the Monitoring Officer agreed that the first complaint, which alleged that the Member concerned had not shown respect to the Chairman of a local society at their Annual General Meeting, should be referred for investigation. An investigation was conducted by an independent solicitor with extensive local government service. The investigation concluded that the Member had not contravened the Code of Conduct for Members, a conclusion which was accepted following discussion between the Chairman, the Independent Person and the Monitoring Officer. The latter complaint referred to a number of occasions on which there had been differences of view between the Chairman of the local society and the Member. The Chairman, the Independent Person and the Monitoring Officer determined that the complaint should not be referred for investigation or other action.
 6. Two of the complaints were against Borough Members but were each settled at the preliminary stage when the Members concerned gave an apology. The remaining complaint was against a Town Councillor and although at the preliminary stage the Chairman and the Monitoring Officer concluded that there was prima facie a breach of the Code of Conduct in that the Member concerned should not have participated in formulating the Town Council's response to a planning application the matter was not one of such significance that an investigation was warranted.