

**TO: COUNCIL  
27 APRIL 2016**

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**STANDARDS COMMITTEE - ANNUAL REPORT  
Director of Corporate Services – Legal Services**

**1 INTRODUCTION**

- 1.1 The attached report advises Council of the work of the Standards Committee during the last municipal year and of emerging ethical governance challenges.

**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 (including Parish or Town Councillor) may have contravened the Code of Conduct or other protocol.
- 2.2 The attached report appraises Council of the work of the Committee during 2015/16 referencing two Code of Conduct complaints submitted during the year. It also highlights concerns raised in a survey of public attitudes towards conduct in Public life published in 2015 and the work emerging locally to improve local standards processes

**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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### **STANDARDS COMMITTEE – ANNUAL REPORT 2015/16**

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 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, three Conservative Group Members, and one Parish Council representative. 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.  
*(\*one of the four independent roles is currently vacant)*
3. Although several meetings of the Committee were scheduled for the 2015/16 municipal year only one meeting has taken place due to the paucity of business for the Committee to transact. This reflects the commendably low level of complaints against Members of both the Borough and Parish/Town Councils

#### **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)
  - no further action required (investigation finds no breach which conclusion is the Chairman, independent person and Monitoring Officer)
5. During 2015/16 the Monitoring Officer has received two complaints alleging breaches of Codes of Conduct for Members. Both complaints were against Borough Members. The Chairman and the Monitoring Officer agreed that the first complaint, which alleged that the Member concerned had disclosed confidential information contained in a Pre Planning Notice to Members, should be dealt with informally (ie by way of “some other action”). The Member apologised to the Monitoring Officer in writing for his infringement of the Code and has accepted a requirement to undergo a session of

## Unrestricted

Code of Conduct training from the Monitoring Officer. The second complaint referred to an incident between two Members and a member of staff at a local junior school and is currently being investigated.

### National Context

In March 2015 the Committee for Standards in Public Life published the results of a survey of public attitudes towards conduct in public life. Its headline findings were as follows;

#### **Overall standards of conduct of public office holders**

More respondents rated the standards of conduct of people in public life as low (36%) than rated them as high (18%). This is the first time in a survey commissioned by the Committee that those who said they thought standards were low outnumbered those who thought they were high.

#### **Change in standards of public office holders**

More respondents thought the standards of conduct of public office holders had got worse (36%) than had improved (16%).

#### **Confidence that authorities are committed to upholding standards in public life**

Most respondents (56%) were not confident that the authorities are committed to upholding standards in public life.

#### **Confidence that authorities will generally uncover wrongdoing by people in public office**

Most respondents (61%) were not confident that the authorities will generally uncover wrongdoing by people in public office.

#### **Confidence that the media will generally uncover wrongdoing by people in public office**

Most respondents (58%) were confident that the media will generally uncover wrongdoing by people in public office.

#### **Confidence that the authorities will punish those caught doing wrong**

Most respondents were not confident that people in public office caught doing wrong would be punished (63%).

#### **Satisfaction with Britain's political system and public attitudes towards conduct in public life**

A consistent pattern emerged across several variables measuring different aspects of satisfaction with Britain's political system. Those who were positive about Britain's political system also gave more positive answers about standards of conduct in public life, suggesting an association between attitudes towards the political system in general and perceptions of standards of conduct in public life.

6. The findings reveal a declining public confidence in the standards of conduct of those engaged in public life including local authority councillors. It is therefore necessary to continue promoting good ethical governance through the enhancement of local processes.
7. The Council is currently in the process of updating its Councillor Code of Conduct and introducing a Procedure for dealing with Standards Investigations. These developments are set out elsewhere in the agenda and relate to the granting of

## Unrestricted

dispensations, a mechanism for hearing code of conduct complaints and the imposition of sanctions.

8. There has been a general disquiet amongst local authorities since the Localism Act was introduced in 2012 that notwithstanding the removal of much of the bureaucracy previously associated with the management of code of conduct complaints, an absence of effective sanctions undermines the credibility of the local Standards regime. Further activity is envisaged in the coming year in consultation with Members to improve the effectiveness of the Standards regime by exploring the scope to widen the range of sanctions available to Panels hearing Code of Conduct complaints