

**Report to:** **Standards Committee**

**Date of Meeting:** 13 August 2019

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Subject:** **Annual report 2018/19**

**Purpose of report:** This report reviews the 2018/19 year in the life of the Standards Committee and outlines the work done.

**Recommendation:** **Members note the review of the 2018/19 year**

**Reason for recommendation:** To monitor and plan activities in relation to the Standards Committee.

**Officer:** Henry Gordon Lennox, Monitoring Officer

**Financial implications:** No financial implications have been identified as a consequence of the report.

**Legal implications:** These have been incorporated within the report.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:** .

**Link to Council Plan:** Living in this Outstanding Place

## Report in full

### Main Body of the Report

1. The Council, through its Standards Committee, has a duty to promote and maintain high standards of conduct by members. In July 2012, in response to the Localism Act 2011, the Council introduced a new Code of Conduct for councillors and revised standards arrangements, which were revised and updated in 2013/14. These were further reviewed in October 2016 by the Committee.
2. During the 2018/19 year the Committee met three times (August, January and April) but in general it was a relatively quiet year for the Committee. At those meetings it considered; the Annual report (17/18); complaints updates; a review of the Member's Code of Conduct (with agreement that the Code remained fit for purpose subject to the inclusion of reference to use of social media), review of the complaint procedure (revised procedures had been presented and the committee accepted the rationale for the changes and adopted the revised procedures with some further minor amendments), review of the Code of Conduct for Employees and Protocol for Relationships between Members and Officers (both of which were considered fit for purpose), a report on increasing Town and Parish Council engagement in relation to the Code of Conduct (the committee noted the report and accepted that certain steps be taken to increase engagement), considering the complaint form for the making of complaints against

Councillors (it was agreed that the form be used following the May elections) and a verbal report on the training that was proposed to be given to Councillors following the May elections.

3. Appendix 1 contains a summary of the complaints made to the Monitoring Officer in the year 2018/19 which were treated as Code complaints. While the report focusses on code complaints, there is a table highlighting issues that have not been treated as code matters.

So in short;

- a. Total Code complaints made between May 2017 – April 2018 = 17 (15/16 = 20, 16/17=17, 18/19 =22).
- b. Of the 17 Code complaints received in 2018-19, the breakdown is:
  - 1 x District Councillor
  - 16 x Town / Parish Councillor
- c. Following Monitoring Officer assessment of the 17 Code complaints, the outcome was:
  - Informal resolution/mediation x 2
  - Investigation leading to informal resolution x 0
  - Investigation leading to a Hearing x 0
  - No finding of breach and complaint closed x 6
  - Finding of breach with sanctions x 1
  - Complaint closed for other reasons (e.g. resignation or complaint withdrawn) x 8
  - Still awaiting assessment x 0
- d. The Independent Person was consulted on each case that was considered.
- e. The annual cost for assessing Monitoring Officer type complaints has previously been assessed at approximately £40,000, which has been calculated based on an estimate of officers' time spent assessing, investigating and administering complaints as part of their job role. Officers dealing with the Code of Conduct complaints process are: Monitoring Officer; Deputy Monitoring Officer, PA to Monitoring Officer, Democratic Services Officer, statutory Independent Person role and Investigating Officer when required. For the last few years the amount of time spent in the complaints process remains relatively static and therefore this figure still seems representative.
- f. Each Code of Conduct case has to have the views of the Independent Person sought. The costs associated with the Independent Person(s) for 2018/19 was £0, predominantly as Alison Willan doesn't claim. Should a breach be found by the Monitoring Officer and it cannot be resolved, then the case is sent for investigation by an Independent Investigator. Only a very few cases make it this far in the process. In 2018/19, there were no cases referred for investigation.
- g. There were no hearings in 2018/19.