
REPORT OF THE STANDARDS COMMITTEE

The Governance Committee met on 26 May 2010. Attendances:

Mrs C Swan (Independent Chairman),
Mr T Elliott (Independent member)
Mrs A Holden (Independent member)
Councillors Daniel, Healy and Stogdon

1. Annual Report of the Standards Committee

1.1 In July 2007 the revised Code of Conduct was adopted by the Council, and all Members were offered training on the new Code. Additionally, the Local Government and Public Involvement in Health Act 2007 introduced changes to ethical standards, which placed additional responsibility on the Standards Committee locally for dealing with complaints of breach of the Code of Conduct.

1.2 In December 2008 the Standards Committee agreed the assessment criteria that would provide additional support and guidance for the assessment and review Sub-Committees when considering complaints.

1.3 Between 1 April 2009 and 31 March 2010 there have been four complaints received against Members of the County Council (see table on next page). These complaints were considered by the Assessment Sub Committee. Of the four complaints, it was decided that three of the complaints did not constitute a breach of the Code and therefore required no further action. In one instance it was decided to refer the allegation to the Monitoring Officer for further investigation unless agreement could be reached that the Councillor offered an appropriate public apology within 40 working days and undertook appropriate training.

1.4 It is considered that the standards of conduct among Members and co-opted members of the Council remain high and maintaining good standards is taken seriously. Although four cases were considered by the Assessment Sub-Committee in the period covered by this report, in comparison to only one in the previous period, it is considered that this could be due to increased awareness of channels available for making complaints. In comparison to neighbouring authorities our levels of complaints received are relatively low.

2. Applications for Dispensation

2.1 In limited circumstances, Members can apply in writing to the Standards Committee for dispensations to take part in business that they would otherwise have been unable to participate in through having prejudicial interests. In the period between the last report in November 2008 to date, there have been no applications for dispensations.

2.2 All dispensations are entered on the register of Members' interests and remain there for the appropriate period, normally for 4 years from the date on which they were granted, or (if shorter) until the date fixed by the Committee granting the dispensation.

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Complaints received by the Standards Committee 1 April 2009 to 31 March 2010

Reference	Date Received	Date of Sub Committee	Complainant	Summary of Complaint	Assessment Outcome	Review Outcome	Resolved
SC.001.09	20 April 2009	12 May 2009	Borough Councillor	Use of Council letterhead for election material	No action	Not requested	Yes
SC.001.10	1 March 2010	24 March 2010	Chair of Governors	Non declaration of an interest and intimidation	Refer for investigation if apology and training not agreed with monitoring officer	Not applicable	Yes
SC.002.10	9 February 2010	7 April 2010	Member of the public	Non declaration of an interest and using influence	No action	Original decision upheld	Yes
SC.003.10	16 March 2010	7 April 2010	Member of the public	Disclosure of information	No action	Original decision upheld	Yes

Comparator Authorities Complaints received by their Standards Committees 1 April 2009 to 31 March 2010

Period Covered	Number of Complaints	Summary of Complaints	Assessment Outcome	Number of Reviews and Outcome
8 May 2009 to April 2010	4	Not known	Decided to take no further action on two of the complaints received and to refer two for investigation. One of the complaints that was referred for investigation, led to a hearing, where it was determined that there had been a breach of Paragraph 6(b) of the Code of Conduct for which the Member had apologised. The Member was formally censured and no further action was considered necessary. The fourth case is currently awaiting review.	One pending
1 April 2009 to 31 March 2010	2	Alleged behaviour	In the circumstances of the cases no further action was deemed necessary	One review found a technical breach of the code; the other did not.
1 January 2010 to 31 March 2010	18 (7) County Council Members (11) Parish/Town Council Members	Alleged behaviour	No action - 10 Referred for local Investigation - 6 Referred to Monitoring Officer for other action - 2	One review considered – outcome not known
1 April 2009 to 31 March 2010	11	Including Non Declaration of interest, Disrespect and Behaviour	One ongoing Seven No further action One investigation Two other action – referred for training	Three Reviews, all original decisions upheld

3. Register of Members' Interests

3.1 The Monitoring Officer is required to establish and maintain a register of interests of Members of the Council. All Members have completed and returned their registers and are reminded every six months of the need to notify the Monitoring Officer of any changes. The registers are available for public inspection and details are also available on the website.

3.2 A register of Gifts and Hospitality is also maintained by the Monitoring Officer. During the period of this report 5 Members have had cause to register one or more gifts and hospitality received with an estimated value of £25 or more.

3.3 There is an ongoing requirement to keep the information up to date. Councillors must within 28 days of becoming aware of any new registerable personal interest or change to any registered interest, give written notification to the Monitoring Officer.

4. Training

4.1 Members were offered training on the Code of Conduct in June 2009, although this was not taken up by all Members. Training attendance is a factor to be considered in any complaint.

4.2 Members acknowledged the need for further Code of Code training for Councillors, particularly as there had been low take up in the past. However they recognised that due to the coalition Government Policy programme, which includes the measure that the Standards Board regime is to be abolished, it would be best to wait to see what is actually proposed before further training was offered.

5. The Committee **recommends** the County Council to –

☆ agree the Annual Report

CHRISTINE SWAN
Chairman

12 July 2010

STANDARDS
