

STANDARDS

REPORT OF THE STANDARDS COMMITTEE

The Standards Committee met on 16 June 2020.

Present Councillor Stogdon (Chair),
 Councillors Belsey, Godfrey Daniel, Loe, O’Keeffe, Taylor and Tutt

1. Annual Report of the Standards Committee

1.1 The Standards Committee is required to submit an annual report to the County Council on its work during the previous year. Between 1 April 2019 and 31 March 2020 no new complaints were received against Members of the County Council.

1.2 During 2019/20 the Hearings Sub-Committee met to consider the Investigating Officer’s report regarding a complaint that was received during 2018/19 which had been considered by an Assessment Sub-Committee and had been referred to the Monitoring Officer for investigation. The Hearings Sub-Committee, having considered the report, heard representations and questioned the Investigator and Subject Councillor, agreed to accept the finding of failure (i.e. that the subject Member had breached the Code of Conduct) and that the Decision Notice be sent to the Subject Member and the complainant.

1.3 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. The table below shows the number of complaints considered by the Assessment Sub-Committee over the past 11 years:

Year	No. of complaints considered
2019/20	0
2018/19	3
2017/18	0
2016/17	1
2015/16	1
2014/15	3
2013/14	1
2012/13	1
2011/12	1
2010/11	2
2009/10	4

Applications for Dispensation

1.4 In limited circumstances, Members can apply in writing for dispensations to take part in business that they would otherwise have been unable to participate in through having prejudicial interests. During 2019/20 there were no applications for dispensations.

1.5 All dispensations are entered on the register of Members’ interests and remain there for the appropriate period.

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Register of Members' Interests

1.6 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 are available on the Council's website.

1.7 During 2019/20 councillors were reminded that there is provision for information considered to be sensitive not to be published on their register of interest form. Sensitive information is that which, if disclosed, could lead to the councillor, or a person connected to the councillor, being subject to violence or intimidation. If a councillor considers that the information relating to any personal interest is sensitive, and the Monitoring Officer agrees, the register available for inspection will not include the details of that interest other than stating that the councillor has an interest and that the details are withheld. Councillors were reminded that if they consider an interest to be sensitive they should still declare the matter and request that it be treated as sensitive information. The fact that a councillor considers the information to be sensitive is not a reason for failing to declare the interest.

1.8 A register of Gifts and Hospitality is also maintained by the Monitoring Officer. Members have to register gifts and hospitality received with an estimated value of £50 or more. Councillors are reminded every 6 months of the need to declare gifts and hospitality of such a value.

1.9 There is an ongoing requirement to keep the information on the register of interest form 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.

Training

1.10 Following the election on 4 May 2017 and the by-election on 10 January 2019, training was given to Members on the Code of Conduct including register of interests, personal interests, disclosable pecuniary interests and gifts and hospitality at the induction day. All councillors have signed a declaration undertaking to comply with the County Council's Code of Conduct for Members.

Amendments to Local Standards Framework

1.11 In November 2019, the Committee agreed amendments to the Local Standards Framework regarding complaints about Member Conduct including the adoption of a Hearings Procedure and other changes considered necessary to streamline the process for considering reports from an Investigating Officer in which the officer concludes that there is evidence of a breach of the Code of Conduct. Subsequently, a more comprehensive review of the Local Standards Framework process was undertaken and the key changes agreed by the Committee include:

- a) A flow chart has been produced in order to summarise the detailed process outlined in 'Arrangements for Dealing with Complaints about Councillor Conduct'. The summary provides the public and councillors with an overview of the process.
- b) Rather than all complaints being referred to the Assessment Sub-Committee the Committee agreed that the Monitoring Officer may, in consultation with the Chair of the Standards Committee, agree not to progress a complaint if there appears to be an insufficient basis to refer the matter to the Assessment Sub-Committee of the Council's Standards Committee. For example:

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- It is about someone who is no longer a Member of the Council.
 - The complaint refers to alleged behaviour/action when the councillor was not acting in their capacity as a councillor.
 - There has been a long delay before the complaint was made.
 - The complaint appears to be sufficiently minor, politically motivated or not sufficiently serious to warrant further action.
 - The complaint relates to a decision taken by councillors rather than the conduct of a councillor
- c) An Investigations Procedure document has been produced. Where an investigation is necessary it is good practice to have an agreed process and the Committee has agreed such a Procedure. Detail regarding investigations is still contained in the Arrangements for Dealing with Complaints about Councillor Conduct document but it was considered useful to have a separate guide for anyone interested specifically in this part of the process.
- d) A Hearings Procedure has been produced. Where a hearing is necessary it is good practice to have an agreed process and the Committee agreed the adoption of a Hearing Procedure as part of the Local Standards Framework.
- 1.12 The Committee **recommends** the County Council to –

☆ agree the Annual Report

RICHARD STOGDON
(Chair)

16 June 2020