

Report to: **Standards Committee**

Date: **8 April 2021**

Title of report: **Annual Report of the Standards Committee**

By: **Assistant Chief Executive**

Purpose of report: **To provide an update on Member Conduct issues, the work of the Standards Committee and the Monitoring Officer.**

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## **RECOMMENDATIONS**

**The Standards Committee is recommended to**

- 1) note the report; and**
  - 2) agree the report for submission to the County Council for consideration.**
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### **1. Background information**

1.1 The Standards Committee is required to submit an annual report to the County Council on its work during the previous year. The Committee is therefore asked to consider the draft report for submission to the County Council.

1.2 Between 1 April 2020 and 31 March 2021 no new complaints were received against Members of the County Council.

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 12 years:

Year	No. of complaints considered
2020/21	0
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

### **2. Applications for Dispensation**

2.1 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 2020/21 there were no applications for dispensations.

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

### **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 are available on the Council's website.

3.2 During 2020/21 councillors were reminded that there is provision for information considered to be sensitive not to be published on their register of interest form.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.

3.3 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.

3.4 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.

### **4. Training**

4.1 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. Issues relating to the Code of Conduct will be covered as part of the induction arrangements following the county council elections in May 2021.

### **5. Amendments to Local Standards Framework**

5.1 In June 2020, the Committee considered and agreed a report reviewing the Local Standards Framework (Arrangements for Dealing with Complaints about Councillor Conduct). It was noted that the Framework had largely worked well but the Committee agreed a number of changes including

- 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 it is proposed 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:

- 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 agreed that the Investigation Procedure document should be adopted as part of the Local Standards Framework. 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 to set out the process to be followed and this has been adopted as part of the Local Standards Framework.

## **6. Local Government Association Model Code of Conduct for Councillors**

6.1 In August 2020 the Committee considered the Local Government Association's draft model Code of Conduct for Councillors and agreed a response to be submitted in response to the consultation on the model Code. In January 2021 the LGA published the model Code and this is the subject of a separate report on the agenda.

## **7. Conclusion**

7.1 The Committee is recommended to note the report and to recommend to the County Council the Annual Report of the Standards Committee for consideration.

**PHILIP BAKER**  
**Assistant Chief Executive**

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Local Members: All

Background Documents: None