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STANDARDS COMMITTEE AGENDA

Date: Friday, 25 March 2022

Time: 10.00 am

Venue: Dove Room, Moorlands House, Stockwell Street, Leek

17 March 2022

PART 1

1. Apologies for absence, if any.
2. Urgent items of business, if any (24 hours notice to be provided to the Chairman).
3. To approve as a correct record the Minutes of the previous meeting. **(Pages 3 - 6)**
4. Declarations of interest, if any:
 - Disclosable Pecuniary Interest;
 - Other interests.
5. Standards Annual Report **(Pages 7 - 14)**
6. Exclusion of the Press and Public

The Chair to move:-

"That pursuant to Section 100A(2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or nature of the proceedings whereby it is likely that exempt information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the paragraphs indicated."

7. To approve as a correct record the Exempt Minutes of the previous meeting. **(Pages 15 - 16)**
8. Standards Complaints Monitoring Report. **(Pages 17 - 22)**

MARK TRILLO
EXECUTIVE DIRECTOR AND MONITORING OFFICER

Membership of Standards Committee (SMDC)

Councillor G Bond (Chair)

Councillor J Aberley

Councillor K J Jackson

Councillor P Taylor

D Fowler

Mr H Mawdsley

Councillor B Emery (Vice-Chair)

Councillor I Herdman

Councillor B Johnson

Councillor P Wilkinson

Councillor B A Hughes

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

STANDARDS COMMITTEE MEETING

Minutes

FRIDAY, 19 NOVEMBER 2021

PRESENT: Councillor G Bond (Chair)

Councillors J Aberley, B Cawley, B Emery, K J Jackson,
Mr H Mawdsley, L Page, P Taylor and P Wilkinson and Mr H
Mawdsley

IN ATTENDANCE: M Trillo Executive Director (Governance &
Commissioning) & Deputy Chief Executive
L Vernon Head of Democratic Services
B Haywood Head of Development Services
Lomas Head of Customer Services

APOLOGIES: Councillor B Hughes & Mr. P Rushworth

41 **URGENT ITEMS OF BUSINESS, IF ANY (24 HOURS NOTICE TO BE PROVIDED TO THE CHAIRMAN).**

There were no urgent items.

42 **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE PREVIOUS MEETING.**

RESOLVED – That the minutes of the meeting of the Standards Committee held on 25 March 2021 be **APPROVED** as a correct record and signed by the Chair.

43 **DECLARATIONS OF INTEREST, IF ANY:**

There were no declarations made.

44 **LOCAL GOVERNMENT OMBUDSMAN ANNUAL LETTER**

Mark Trillo – Executive Director and Monitoring Officer – advised members on the content of the Ombudsman’s Annual Letter for the period April 2020 to March 2021.

The letter detailed all 5 complaints which had been referred to them. There had been no findings of maladministration or any further action in any instance.

RESOLVED – That the report be **NOTED**.

45 **PLANNING APPLICATIONS SCHEME OF DELEGATIONS**

Following a recent meeting of the Council’s Constitution Review Working Party when the Planning Applications Scheme of Delegations was discussed, Mark Trillo

Standards Committee (SMDC) - 19 November 2021

confirmed that it was the duty of this committee to consider the implications of any changes from an ethical point of view.

Head of Development Services Ben Haywood introduced the proposed changes in the light of the Council's relatively low rate of delegated decisions (currently 74%) when measured against the national average of 95%. The aim was to achieve a balance between efficiency and democracy and it was therefore essential to have a good scheme of delegation.

Member call-ins were shown to be a significant proportion of applications dealt with at committee and the proposed amendments to the scheme of delegation were appended to the report. It was proposed that the Panel which met to consider an application to be called-in should comprise of:- the Head of Development Services, the Chair & Vice-Chair of the Planning Applications Committee, the Cabinet member with responsibility for planning and the member calling the application in. Members felt that this would result in at least 3 of the 5 people on the Panel being Conservative councillors. Call-ins were also required to be submitted during the Statutory Consultation Period and members felt that this was restrictive.

It was proposed by Councillor Jackson and seconded by Councillor Wilkinson that the wording of (i) regarding the attendance at the Panel of the member calling the application in be amended to remove the discretion of the Chair of the Planning Applications Committee. At a vote, the motion was carried.

It was proposed by Councillor Jackson and seconded by Councillor Taylor that the Chair and Vice-Chair of the Planning Applications Committee should be elected annually by the members of that Committee. This matter was to be further discussed at the Constitution Review Working Party. At a vote, the motion was carried.

It was proposed by Councillor Wilkinson that member call-ins should be allowed up until 2 weeks prior to the determination date for the application. At a vote, the motion was carried.

RESOLVED – That the Committee recommends to the Constitution Review Working Party that the revised planning delegations as appended to the report with amendments as shown above.

46 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED:

That, pursuant to Section 100A(2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or the nature of the proceedings whereby it is likely that confidential information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100 I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the Paragraphs indicated.

47 **TO APPROVE AS A CORRECT RECORD THE EXEMPT MINUTES OF THE PREVIOUS MEETING.**

Members considered the exempt minutes of the meeting held on 25 March 2021.

48 **STANDARDS COMPLAINTS MONITORING REPORT**

Members considered a report on complaints made under the Code of Conduct in the period since the Committee last met.

The meeting closed at 11.07 am

_____ Chairman _____ Date

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STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Standards Committee

25 March 2022

TITLE:	Standards Committee Annual Report
PORTFOLIO HOLDER:	Councillor Sybil Ralphs - Council Leader
CONTACT OFFICER:	Linden Vernon – Head of Democratic Services
WARDS INVOLVED:	Non-Specific

Appendix A – Role of the Committee

1. Reason for the Report

- 1.1 To review the work of the Standards Committee during 2020/2021.

2. Recommendation

- 2.1 That the report be noted.

3. Executive Summary

- 3.1 This report provides an overview of the issues considered by the Standards Committee during 2020/21. This included the following matters:

- Local Government Association - Model Member Code of Conduct
- Committee on Standards in Public Life – Ethical standards Review
- Monitoring complaints received regarding alleged breaches of the Code of Conduct
- The Annual Letter received from the Local Government Ombudsman
- Member Development Annual Review

4. How this report links to Corporate Priorities

- 4.1 High standards of conduct are integral to the Council achieving its corporate priorities.

5. Alternative Options

5.1 There are no options to consider.

Mark Trillo
Executive Director (Governance and Commissioning)

Web Links and Background Papers

[Standards Committee Reports](#)

Contact details

Linden Vernon – Head of Democratic Services
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6. Detail

6.1 Article 9 of the Council's Constitution defines the role of the Standards Committee and is shown in full in **Appendix A** to this report. In summary this includes:

- To promote high standards of conduct by elected and co-opted members and staff
- To advise the Council, monitor the operation and provide training/notes on local codes of conduct, protocols or other ethical guidance for Members and staff
- Granting dispensations to District Councillors
- To consider and where necessary take action regarding complaints for breaches of the Code of Conduct
- To promote Member development and training on ethics and standards generally within the District Council
- To monitor the Council's corporate complaints procedure including any references to the Local Government or Housing Ombudsman and to consider any implications for the Council's codes, protocols or ethical guidance
- To advise the Council on the adoption or revision of the Constitution

6.2 The current membership of the committee is provided below. The Council's Independent Persons continue to be invited to attend and participate at Committee meetings.

Standards Committee Composition	
District Councillors	Councillor Geoff Bond (Chair) Councillor Ben Emery (Vice-Chair) Councillor James Aberley Councillor Ian Herdman Councillor Kevin J Jackson Councillor Brian Johnson Councillor Kate Martin Councillor Phil Taylor Councillor Peter Wilkinson
Town/Parish representatives	Cllr David Fowler

Standards Committee Composition	
(non-voting)	Cllr Barbara Hughes
Independent Person	Mr Harry Mawdsley

Local Government Association (LGA) - Model Member Code of Conduct

- 6.3 The Committee received two reports during the year which provided an update on the revised Local Government Association's Model Code of Conduct.
- 6.4 In 2018, the Committee for Standards in Public Life undertook a review of local government ethical standards. This found that there was inconsistency between codes of conduct in local authorities. It was therefore recommended that the LGA should produce a new national 'model code' which would take into account changes to the political environment, such as the increasing use of social media in public life, with the discretion for individual authorities to adapt the model code to fit local circumstances.
- 6.5 The LGA reviewed their previous Model Code and had conducted a consultation exercise. The final version of the Code will be offered as a template for councils to adopt in whole and/or with local amendments.
- 6.6 The updated Model Code was published in December 2020. The revised code included provisions for the use of social media by Members, it attempted to clarify when Members are determined to be acting in their official capacities and it re-enforced the provisions around preventing abusive, threatening and intimidating behaviour.
- 6.7 The Council's current code of conduct was approved in July 2019 after being revised in consideration of the best practice recommendations which had been set out in the ethical standards review. The Government has not yet responded to the formal recommendations within the review report. If the Government does choose to implement the formal recommendations it is likely that there will be legislative change and the code of conduct will require further amendment. A further report would be presented to Members of the Standards Committee at that stage.

Review into Ethical Standards by the Committee for Standards in Public Life

- 6.8 The Committee on Standards in Public Life (CSPL) started a broad review of the infrastructure and institutions which deal with standards in public life. The Committee had identified a wide range of bodies involved in investigating, promoting, and maintaining standards, based on the Nolan principles. The Committee was consulting with stakeholders to determine the most appropriate way of promoting standards in public life through those institutions.
- 6.9 The review would look at best practice and identify any themes and gaps in the way the Seven Principles of Public Life are promoted and maintained. The Committee would also consider whether there were gaps or issues that

required further work. The Committee wanted to check whether the Nolan principles were well understood, properly embedded and that they continued to reflect the standards expected by the public of those that serve them.

Monitoring complaints received regarding alleged breaches of the Code of Conduct

6.10 The Committee continued to receive regular complaint monitoring reports regarding alleged breaches of the Code of Conduct. These reports updated members on the number and nature of complaints dealt with by the Monitoring Officer and explained:

- If these related to district or town/parish councillors
- If any further action should be taken
- If further investigations were considered to be appropriate

6.11 This information is then used to identify trends and consider themes for which training seminars may be planned. The table below summarises the complaints received for the previous years and compares these with the Authority's Strategic Alliance partner, High Peak Borough Council (HPBC).

Year	No. of Complaints					
	Staffordshire Moorlands Parish Cllr	Staffordshire Moorlands District Cllr	Staffordshire Moorlands Total	High Peak Parish Cllr	High Peak Borough Cllr	High Peak Total
2013/14	3	1	4	10	1	11
2014/15	5	1	6	2	1	3
2015/16	3	12	15	4	0	4
2016/17	9	16	25	4	2	6
2017/18	5	8	13	1	3	4
2018/19	2	9	11	2	1	3
2019/20	6	26	32	19	1	20
2020/21	3	5	8	19	1	20

The Annual Letter received from the Local Government Ombudsman

6.12 The Annual Letter of the Local Government Ombudsman was considered by the Committee at its meeting in November 2019. The table below provides a summary of the number of complaints dealt with by the Ombudsman set against the total number of complaints received by the Authority. For comparison purposes figures for previous years are also provided together with details for HPBC.

Year	No. of Ombudsman Complaints			
	SMDC		HPBC	
	No. of Enquiries or Complaints	Total Number of Complaints	No. of Enquiries or Complaints	Total Number of Complaints
2012/13	14	439	10	404
2013/14	12	280	20*	372
2014/15	10	284	12	413
2015/16	13	258	11	368
2016/17	10	245	8*	448
2017/18	12	193	15	308
2018/19	6	119	7	223
2019/20	5	82	6	150

* This includes one complaint from the Housing Ombudsman Service.

6.13 The relatively small number of complaints that reach the Ombudsman compared to the total number of complaints received by the Authority illustrates the strength of the Council in ensuring complaints are dealt with promptly and appropriately.

Member Development Annual Review

6.14 Due to the election in May 2019, the programme for member development was focussed on the development of a series of seminars for the induction of councillors. The report provided a summary of 14 sessions that had been organised.

6.15 This report also set out additional training undertaken by members in response to the Coronavirus Act and accompanying regulations to enable remote council meetings to take place.

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Article 9 - The Standards Committee

9.1 Standards Committee

The Council has established a Standards Committee.

9.2 Composition

(a) **Membership.** The Standards Committee will comprise:

- nine elected members of the Council, appointed proportionally;
- up to two Town or Parish Council members may be co-opted on to the Committee as non-voting members.

(b) **Independent Person.** The Council's Independent Person and their substitutes will be invited to attend and participate at committee meetings but will not be entitled to vote at meetings.

9.3 Role and Function

The Standards Committee will have the following roles and functions:

- (a) To promote high standards of conduct by elected and co-opted members and staff of Staffordshire Moorlands District Council.
- (b) To advise the District Council on the adoption or revision of local codes of conduct, protocols or other ethical guidance for Members and staff.
- (c) To monitor the operation of the Council's codes of conduct, protocols or other ethical guidance.
- (d) To provide briefings, training or advisory notes to elected and co-opted Members and staff relating to the Council's codes of conduct, protocols or other ethical guidance.
- (e) Where appropriate, granting dispensations to District Councillors from requirements relating to interests set out in the Members Code of Conduct.
- (f) To consider and where necessary take action regarding complaints for breaches of the Code of Conduct by the District Council's members and have arrangements in place to deal with complaints for Parish and Town Councils.
- (g) To promote Member development and training on ethics and standards generally within the District Council.
- (h) To monitor the Council's corporate complaints procedure including any references to the Local Government or Housing Ombudsman and to consider any implications for the Council's codes, protocols or ethical guidance.
- (i) To advise the Council on the adoption or revision of the Constitution in accordance with Article 14.

9.4 **Delegated Powers**

The Standards Committee has full delegated power to act within its defined role and function.

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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