

HIGH PEAK BOROUGH COUNCIL

Standards Committee

11 November 2020

TITLE:	Standards Committee Annual Report
EXECUTIVE COUNCILLOR:	Councillor Alan Barrow - Executive Councillor for Corporate Services and Finance
CONTACT OFFICER:	Linden Vernon – Senior Officer (Governance and Member Support)
WARDS INVOLVED:	Non-Specific

Appendices Attached – Appendix A – Role of the Committee

1. **Reason for the Report**
 - 1.1 To review the work of the Standards Committee during 2019/2020.
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 2019/20. This included the following matters:
 - Bitesize Briefing
 - Committee on Standards in Public Life - Ethical Standards Review
 - Code of Conduct - Dispensations
 - Monitoring complaints received regarding alleged breaches of the Code of Conduct
 - The Annual Letter received from the Local Government Ombudsman
 - Annual Review of Councillor Development

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 (People) and Monitoring Officer

Web Links and Background Papers

[Standards Committee Reports](#)

Contact details

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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:

- Promoting high standards of conduct amongst councillors and making sure they are properly trained
- Granting dispensations to Borough councillors
- Ensuring that appropriate arrangements are in place for dealing with allegations into breaches of the Code of Conduct
- Hearing representations from councillors who may become disqualified for not attending meetings
- Advising the Council on Members' allowances

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.

Borough Councillors	Cllr Rachel Quinn (Chair) Cllr Peter Roberts (Vice-Chair) Cllr Rachel Abbotts Cllr Tony Ashton Cllr Stewart Gardner Cllr Edith Longdon
Co-opted Town/Parish representatives (non-voting)	Vacant positions x 2
Independent Persons	Mr Peter Matthews Mr Philip Carnall (substitute) Vacant position (substitute)

Bite Size Briefing

6.3 Following the local elections held in May 2019 councillors received a presentation on the role of the Committee. This included an overview of the Council's decision making process and its Ethical Framework. The presentation also included a summary of the Council's obligations to comply with the requirements of the Localism Act 2011 with regards to standards. These included:

- The duty to promote and maintain high standards of conduct
- The adoption of a Code of Conduct
- Having arrangements in place to deal with standards complaints
- The need to declare and record Pecuniary and 'Other' Interests

Code of Conduct - Dispensations

6.4 Section 33 of the Localism Act made provision for the circumstances where dispensations may be granted. The power to grant dispensations has been delegated by Council to the Standards Committee, in consultation with the Independent Person. Previously, under the old Code of Conduct, general exemptions were provided to all councillors with regard to prejudicial interests in any business of the authority where that business related to certain functions of the authority.

6.5 The arrangements introduced by the Localism Act 2011 did not reproduce these exemptions and as a result councillors could effectively breach the Code of Conduct should they take part in a meeting where any of these matters were being discussed and they have a disclosable pecuniary interest in the matter.

6.6 That Committee granted general dispensations to all councillors for a period of four years in respect of:

- An allowance, payment or indemnity given to members.
- Any ceremonial honour given to members.
- Setting council tax or a precept under the Local Government Finance Act 1992 as amended from time to time or any superseding legislation.
- Housing, where the councillor is a tenant of the authority or occupies a property of the authority provided that those functions do not relate particularly to the councillor's tenancy, occupancy or lease.
- Setting the local council tax support scheme
- Setting a local scheme for the payment of business rates

Committee on Standards in Public Life - Ethical Standards Review

6.7 The report informed Members about the best practice recommendations made by the Committee on Standards in Public Life after their recent review into ethical standards in local government.

6.8 The recommendations were subsequently adopted into the Council's local ethical framework. These included making revisions to the Code of Conduct (prohibitions on bullying and harassment, requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors) and the adoption of initial assessment criteria for use under the Council's Arrangements for dealing with Standards Complaints under the Localism Act 2011.

Monitoring complaints received regarding alleged breaches of the Code of Conduct

6.9 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 borough or town/parish councillors
- If any further action should be taken
- If further investigations were considered to be appropriate

6.10 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, Staffordshire Moorlands District Council (SMDC).

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

The Annual Letter received from the Local Government Ombudsman

6.11 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 SMDC.

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

* This includes one complaint from the Housing Ombudsman Service.

- 6.12 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.

Annual Review of Councillor Development

- 6.13 The Councillor Development Programme for 2019/20 focused on the Councillor Induction Programme held after the elections in May 2019. The Programme was developed in conjunction with a cross party group of members, taking into account the priority areas for members training and feedback received following the induction programme held in 2015.
- 6.14 All councillors attended an induction session following their election which included the issue and training on the use of tablet computers in order to use email, access committee papers and view the Council's intranet.
- 6.15 The programme focussed on the priority areas for member training, such as training in regulatory matters, to enable members to participate on those committees, but also provided an introduction to areas such as scrutiny. Other areas which would more generally benefit councillors' roles in the community such as the General Data Protection Regulation (GDPR) and safeguarding were also offered.