

**HIGH PEAK BOROUGH COUNCIL**

**Standards Committee**

**5 July 2023**

<b>TITLE:</b>	<b>Standards Committee Annual Report</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Anthony McKeown – Council Leader</b>
<b>CONTACT OFFICER:</b>	<b>Linden Vernon – Head of Democratic Services</b>
<b>WARDS INVOLVED:</b>	<b>Non-Specific</b>

**Appendices Attached – Appendix A – Role of the Committee**

**1. Reason for the Report**

1.1 To review the work of the Standards Committee during 2022/2023.

**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 2022/23. This included the following matters:

- Government response to the Committee on Standards in Public Life Review of Local Government Ethical Standards
- Parish Remuneration Panel
- Review of the Code of Conduct
- Local Government Ombudsman Annual Letter
- Debate Not Hate Report
- Retirement of Independent Person and Future Arrangements
- Monitoring complaints received regarding alleged breaches of the Code of Conduct

#### 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

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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 Person continues to be invited to attend and participate at Committee meetings.

Borough Councillors	Cllr Rachel Quinn (Chair) Cllr Payge Hacking (Vice-Chair) Cllr Stewart Gardner Cllr Nigel Gourlay Cllr David Lomax Cllr Jo Taylor
Co-opted Town/Parish representatives (non-voting)	Vacant positions x 2
Independent Persons	Mr Philip Carnall Vacant Position (substitute) Vacant position (substitute)

## **Government response to the Committee on Standards in Public Life Review of Local Government Ethical Standards**

- 6.3 In 2018, the Committee on Standards in Public Life (CSPL) undertook a review of local government ethical standards. The CPSL considers that robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government.
- 6.4 The Government published its response to the report on 18 March 2022 and was attached at Appendix B to the report. The response starts with a letter from Kemi Badenoch MP, Minister of State for Equalities and Levelling Up Communities. This states that “the government agrees with the Committee’s conclusion that there have been benefits from local authorities being responsible for ethical standards, including the flexibility and discretion to resolve standards issues informally. However, we also recognise the role of government in ensuring that the system is robust.”
- 6.5 The letter further states that “the number of requests for legislation in the Committee’s recommendations to strengthen the standards and conduct framework and its safeguards is considerable. As indicated in this response, the government believes that some of these suggestions do not need a legislative response but can be more appropriately, effectively, and swiftly taken forward by local authorities as best practice.”

### **Parish Remuneration Panel**

- 6.6 The Committee considered recommendations made by the Parish Remuneration Panel with regards to the level of allowances paid to parish and town councillors following a request from Chapel-en-le-Frith Parish Council.
- 6.7 Regulations state that where an authority proposes to pay a parish basic allowance, whether to its chairman only or to each of its members (elected or non-elected), it must have regard, in setting the level or levels of such allowances, to the recommendations made by a parish remuneration panel which may be established by a responsible authority (the Borough Council).
- 6.8 The Committee noted the recommendations presented in Appendix A to the report. This included a recommendation that those parishes/town councils within the High Peak who wish to do so may pay a basic allowance of up to £300 per annum (10% of the basic allowance paid to High Peak Borough Councillors) to all councillors.

### **Review of the Code of Conduct**

- 6.9 The Council is required by the Localism Act 2011 to have in place a code of conduct for councillors which was last reviewed in 2019. In accordance with best practice the Authority’s Code of Conduct should be reviewed regularly to ensure that it continues to remain fit for purpose.
- 6.10 It was proposed to revise the code to incorporate an element of the Local Government Association’s model code with regards to other interests and

deciding when it is appropriate to withdraw from participating in respect of the matter relating to that interest. The revised Code was subsequently approved by Full Council on 15 December 2022.

### 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 2022. 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 the Authority's Strategic Alliance partner, Staffordshire Moorlands District Council (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 <sup>(1)</sup>	448	10	245
2017/18	15	308	12	193
2018/19	7	223	6	119
2019/20	6	150	5	82
2020/21	5	52	5	52
2021/22	9 <sup>(2)</sup>	142	7	76

(1) This includes one complaint from the Housing Ombudsman Service.

(2) This includes four complaints from the Housing Ombudsman Service.

6.12 No complaints were upheld during 2021/22. 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.

### Debate Not Hate Report

6.13 The report updated the Committee on the Debate Not Hate report issued by the Local Government Association under its civility in public life programme. The purpose of the programme is to address intimidation, standards of public and political discourse and behaviour in public office and provide support and advice to councils and councillors.

6.14 The following themes with regards to gaps and inconsistencies were identified:

- Variability of support
- Targeted abuse

- Personal and democratic impacts
  - Vulnerability of councillors
  - The normalisation of incidents
- 6.15 The report made 7 recommendations. These related to councils, government, the Police, the LGA and social media organisations taking greater responsibility for the safety and wellbeing of councillors, dissemination of good practice and changes to legislation.
- 6.16 The Council has promoted the “Personal Safety for Councillors” webinars conducted by the LGA in recent months. The LGA’s Personal Safety Guide for Councillors can also be viewed via the Councillors’ Portal on the Authority’s Intranet. Requests received from councillors with regards to the visibility of their address details being displayed on the Council’s website are always acted upon.
- 6.17 The Council also has arrangements in place for both councillors and officers to access a free, independent counselling service if required. This is a strictly confidential service for anyone who is experiencing difficulties at work or home. The service is staffed by professional, qualified counsellors who work to the British Association for Counselling code of practice.

### **Retirement of Independent Person and Future Arrangements**

- 6.18 The Committee approved a report with regards to the retirement of the Council’s Independent Person, Mr Peter Matthews, at the end of the 2022/23 municipal year and made recommendations for future arrangements. This included proposals for the substitute Independent Person, Mr Philip Carnall, be appointed as its primary Independent Person (approved at Full Council on 18 May 2023).
- 6.19 It was also proposed that recruitment takes place to appoint a further substitute Independent Person and that the opportunity be taken to arrange for the duties of this post to be conducted across the strategic alliance to include Staffordshire Moorlands District Council.

### **Monitoring complaints received regarding alleged breaches of the Code of Conduct**

- 6.20 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
- 6.21 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 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
2019/20	19	1	20	6	26	32
2020/21	19	1	20	3	5	8
2021/22	4	1	5	7	8	15
2022/23	7	0	7	2	6	8