

HIGH PEAK BOROUGH COUNCIL

Report to Standards Committee

16 November 2017

TITLE:	Standards Committee - Annual Report 2016/17
EXECUTIVE COUNCILLOR:	Councillor Emily Thrane – Executive Councillor for Finance & Operational Services
CONTACT OFFICER:	Linden Vernon – Senior Officer Governance & Member Support
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 2016/2017.

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 2016/17. These included the following matters:

- Local Public Services Senior Managers Code of Ethics
- Code of Conduct Dispensations
- Monitoring complaints received regarding alleged breaches of the Code of Conduct
- The Annual Letter received from the Local Government Ombudsman
- An annual review of Councillor development

4. Options and Analysis

4.1 There are no options to consider.

5. Implications

5.1 Community Safety - (Crime and Disorder Act 1998)
Not Applicable.

5.2 Workforce
Not Applicable.

5.3 Equality and Diversity/Equality Impact Assessment
This report has been prepared in accordance with the Council's Diversity and Equality Policies.

5.4 Financial Considerations
An annual budget is available for Councillor Training and Development.

5.5 Legal
The Localism Act 2011 introduced the current Standards framework.

5.6 Sustainability
Not applicable.

5.7 Internal and External Consultation
Not Applicable.

5.8 Risk Assessment
Not Applicable.

Mark Trillo

Executive Director (People) and Monitoring Officer

Web Links and Background Papers

<https://democracy.staffs Moorlands.gov.uk/ieListMeetings.aspx?Committeed=148>

Contact details

Linden Vernon – Senior Officer
Governance & Member Support
Tel: 01538 395613
Email: linden.vernon@highpeak.gov.uk

6. Background and 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 Clive Johnson (Chair) Cllr Fiona Sloman (Vice-Chair) Cllr Caroline Howe Cllr John Kappes Cllr Graham Oakley Cllr Rachel Quinn
Co-opted Town/Parish representatives (non-voting)	Cllr Guy Martin Cllr Tim Norton
Independent Persons	Mr Peter Matthews Mr Philip Carnall (Substitute) Mr Peter Grant (Substitute) Mrs Cheryl Morgan (Substitute)

Complaints Monitoring

6.3 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, town or parish councillors
- If any further action should be taken
- If further investigations were considered to be appropriate

6.4 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.

Year	No. of Complaints			
	High Peak Parish Cllr	High Peak Borough Cllr	High Peak Total	Staffordshire Moorlands Total
2013/14	10	1	11	4
2014/15	2	1	3	6
2015/16	4	0	4	15
2016/17	4	2	6	25

- 6.5 The Annual Letter of the Local Government Ombudsman was considered by the Committee at its meeting in November 2016. 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 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

* This includes one complaint from the Housing Ombudsman Service.

- 6.6 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

- 6.7 A report was presented to the Committee in November 2016 which reviewed the Development Programme for councillors. This was focused on consolidating members' requirements following the completion of the Induction Programme implemented after the May 2015 local elections. The programme also aimed to address any changes in legislation and the Council's priorities.
- 6.8 A total of 12 sessions had been held. These included a scrutiny best practice workshop and seminars on emergency planning, the Council's Design Guide and regulatory matters such as Development Control and Licensing.

- 6.9 Members are requested to complete evaluation forms after each session. Scores and comments are compiled and circulated to the course providers and are used to inform the structure and content of future courses.
- 6.10 The majority of sessions were organised internally and delivered by officers. This has been shown to be a very cost effective method and the feedback from councillors supports the use of in-house expertise.
- 6.11 In addition to the main councillor development programme support was provided to councillors following the rollout of tablet computers.

Local Public Services Senior Managers' Code of Ethics

- 6.12 The Committee supported the adoption of the Local Public Services Senior Managers' Code of Ethics for inclusion in the Council's Ethical Framework. A range of professional bodies representing senior managers across local public services, including Solace (Society of Local Government Chief Executives) and CIPFA (Chartered Institute of Public Finance and Accountancy) had come together to develop a code of ethics for their members.
- 6.13 The code was an overarching statement of ethics, based upon behaviours and therefore focused on the individual, as opposed to group or organisational culture. It was intended to be applicable to all those who hold senior management roles in local public services led by locally elected politicians.
- 6.14 The code was consistent with the 'Principles of Public Life' published by the Committee on Standards in Public Life and it was proposed that the Code be incorporated into officers' terms and conditions.

Code of Conduct – Dispensations

- 6.15 Section 33 of the Localism Act made provision for circumstances where dispensations may be granted. The power to grant dispensations had been delegated by Council to the Standards Committee, in consultation with the Independent Person.
- 6.16 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.
- 6.17 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. In September 2012 the Standards Committee therefore granted dispensations for a period of four years relating to issues such as setting of the council tax or housing matters

(where the councillor is a tenant of the authority). As this period was due to expire the Committee approved the extension of these dispensations for a further four years.

ARTICLE 9

THE STANDARDS COMMITTEE

9.1 Role

- (a) The Council will establish a Standards Committee to carry out the functions set out more fully in Part 3 of the Constitution. These include, promoting high standards of conduct amongst councillors and making sure they are properly trained; granting dispensations; 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.

9.2 Composition

- (a) **Membership**

The Standards Committee will be composed of:

- six members of the Council appointed proportionally
- up to two Town or Parish Council members who 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 meetings of the Standards Committee and will be entitled an allowance and to the same subsistence and travelling allowances as elected members.

- (c) **Parish/Town Councillors**

Where a complaint refers to a Parish/Town Councillor, hereafter known as a Parish Councillor, a non-voting Parish member of the Standards Committee may also attend any Hearing Panel and will be entitled to an allowance and the same subsistence and travelling allowances as elected members.

9.3 Other functions

- (a) The Hearings Panel (a Sub-Committee of the Council's Standards Committee) shall comprise a maximum of five councillors of the Council's Standards Committee, including not more than one member

of the authority's Executive. The appointed Hearings Panel shall nominate a Hearings Panel Chair. The Independent Person shall be invited to attend all meetings of the Hearings Panel. Where a complaint refers to a Parish Councillor, a non-voting Parish member of the Standards Committee may also attend any Hearing Panel.

- (b) The Committee will hear appeals from officers who do not wish to appear as witnesses before a select committee (see Protocol for Officers in Part 4 of the Constitution); monitor complaints received by the Ombudsman; monitor the member development programme and evaluate its effectiveness.