

HIGH PEAK BOROUGH COUNCIL

Report to Standards Committee

17 November 2016

TITLE:	Standards Committee - Annual Report 2015/16
EXECUTIVE COUNCILLOR:	Councillor Emily Thrane – Executive Councillor for Finance & Corporate 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 2015/2016.

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 2015/16. These included the following matters:

- An introductory Bite-Size Briefing
- 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
- A review of the Monitoring Officer Protocol

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

Reports to the
Standards
Committee

Contact details

Linden Vernon – Senior Officer
(Governance & Member Support)
Tel: 01538 395613

Email: linden.vernon@highpeak.gov.uk

6. Background and Detail

- 6.1 A bite size briefing was presented by the Council's Monitoring Officer to the first meeting of the Committee following the local elections held in May 2015. This included an overview of the Council's decision making process, the Authority's ethical framework and the role of the Standards Committee.
- 6.2 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
- 6.3 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. Following consultation with the Derbyshire Association of Local Councils (DALC) and Town and Parish Councils Councillor Tim Norton was appointed to the Committee in November 2015 as a Town/Parish representative to replace Councillor George Platts.

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

- 6.4 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

6.5 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 three 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

6.6 The Annual Letter of the Local Government Ombudsman was considered by the Committee at its meeting in November 2015. 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

* This includes one complaint from the Housing Ombudsman Service.

6.7 Local Government Ombudsman figures for 11 similar local authorities illustrated that the average for upheld complaints across those councils was 28%. High Peak Borough Council was below average at 13%.

6.8 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

- 6.9 A report was presented to the Committee in November 2015 which reviewed the remainder of the Development Programme for 2014/15 and the Councillor Induction Programme implemented following the local elections held in May 2015. The Councillor Support and Development Group shaped the design of the Induction Programme taking into account the priority areas for member development and feedback received following the programme held in 2011.
- 6.10 A total of 16 sessions were held as part of the induction process. These included welcome meetings, a priority setting workshop and seminars covering the Council's Local Plan, regulatory matters such as Development Control and Licensing, and the Authority's Code of Conduct (also attended by parish and town councillors).
- 6.11 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.
- 6.12 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.
- 6.13 In addition to the main councillor induction programme, an extensive programme of IT training was undertaken to support the roll-out of tablet computers for councillors. This included group training sessions, drop in sessions and 1:1s as required.

Review of the Monitoring Officer Protocol

- 6.14 The terms of reference of the Standards Committee includes advising the Council on the revision of protocols. As the Authority's Monitoring Officer Protocol had not been reviewed for some time it was considered appropriate to review the document which is included in Part 5 of the Council's Constitution.
- 6.15 A number of alterations were approved by the Committee which mainly reflected consequential changes following the introduction of the Localism Act 2011 with regards to the revised standards framework.

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.