

5. STANDARDS COMMITTEE ANNUAL REPORT 2016

STANDARDS COMMITTEE 14 FEBRUARY 2017

REPORT OF: Tom Clark, Solicitor & Head of Regulatory Services & Monitoring Officer
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Wards Affected: All
Key Decision N/A

Purpose of the Report

1. To present to the Committee the annual report for 2016 for onward transmission to Council on the 27 March 2017.

Summary

2. The report indicates issues arising from Neighbourhood Plan work and the need for elected members to accurately complete their declaration of interest forms.

Recommendations

3. **Members are recommended to consider the report and suggest any changes ahead of referral to Council.**

Background

4. During the year the Committee have looked to see how information to the public can be improved to ensure that complaints are made against councillors about standards issues and not policy issues. The Committee has also considered whether to amend the procedure to allow complainants to see the representations elected members make in response to the complaints. The Standards Committee agreed no change in procedure.
5. Complaints Received:-

A parish council member has continued to receive complaints based on his failure to accurately complete the declaration of interest forms. The inaccuracies in the declaration of interest form have not been relevant to the work of the parish council but involved a private company.
6. Some arguments at parish councils do result in standards issues being perceived. At one parish council this has resulted in complaints throughout the year from those previously involved in formulating the Neighbourhood Plan prior to the elections in May 2015. This has delayed the completion of the Neighbourhood Plan and also involving the parish council in the expense of additional outside advice.

7. Failure to treat others with respect is always a possibility when members speak directly about members of the public. Elected members should think carefully before trying to retaliate against matters raised in the community or on social media.

Policy Context

8. Sections 26 to 37 inclusive of the Localism Act 2011 requires the District Council to deal with Standards complaints and to promote good standards in its area. There are criminal sanctions for declaring interests and accurately completing the declaration of interest form. Such criminal prosecutions can only be brought by the Director of Public prosecutions and in the past 5 years there has only been one such prosecution. The courts have recently confirmed that a Standards Committee can require an elected member to undertake training. The sanctions of disqualification or suspension are no longer available and some members of the public believe those sanctions should be restored.

Other Options Considered.

9. Some Councils deal with Standards matters as part of the audit function. The recent meetings of the Standards Committee indicate that there are matters to debate justifying a separate committee.

Financial Implications

10. The cost of the investigation of any complaints falls to the District Council. The investigation of a complex matter is expensive and generally requires an outside investigator.

Risk Management Implications

11. If there were a lot of complaints it would put pressure on the District Council's budget and resources. Working with parish councils prior to complaints becoming formal has worked well in the District.

Equality and customer service implications

12. All complaints must be in writing but if the complainant has difficulty with writing, officer's assistance can be given.

Other Material Implications

13. Following the debate in the Summer, the details regarding how to make a Member Code of Conduct complaint can be found more simply on the Council's website.

Background Papers.

14. None.