

STANDARDS COMMITTEE – ANNUAL REPORT

REPORT OF: MONITORING OFFICER
Contact Officer: Kevin Toogood, Assistant Director and Monitoring Officer
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Wards Affected: All
Key Decision: No
Report to: Standards Committee
11 September 2023

Purpose of Report

The purpose of this report is to outline work carried out under the Members' Code of Conduct in the municipal year 2023/24 to date.

Recommendations

- 1. The Standards Committee is recommended to note the contents of the report**
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Background

2. This is the first meeting of the Standards Committee for the current municipal cycle. The last annual report was considered by Council in March 2023.
3. The Standards Committee is responsible for promoting and upholding the highest standards of Member conduct for both the District Council and the Town and Parish Councils in the District. It does so by assisting Members in observing the Code of Conduct, monitoring the operation of the Code, and receiving reports from the Monitoring Officer on the standards regime (for example, considering publications or recommendations from the government's Committee on Standards in Public Life).
4. It also conducts investigations into Member conduct in circumstances where the Monitoring Officer considers, in consultation with the relevant Independent Person, that a complaint has sufficient substance to justify consideration by the committee, and that the Code of Conduct is engaged.
5. The Council adopted the revised LGA Model Code of Conduct in March 2022. The revised code was produced as a response to the 2019 report of the Committee on Standards in Public Life on Local Authority Ethical Standards. It seeks to set out in plain language how the general principles of Councillor conduct (the "Nolan Principles") should be observed and contain specific obligations of conduct to which all District Councillors are required to adhere to.
6. Town and Parish Councils are entitled, but not required, to adopt the revised model code and at present there is a mixed take-up in the Towns and Parishes of the District. Where a complaint is made against a Town or Parish Councillor, it is the code of conduct of that Town or Parish Council which must be considered.
7. Both at District and Town and Parish levels, there is a continued trend of low levels of complaints being made. Since 2021 there have been no complaints which have required formal investigation. Against this backdrop, it is, however, important the Council does not become complacent. Every complaint, upon receipt, must be considered carefully against the requirements of the Council's procedure.

8. Since March 2023, there have been 4 complaints made in relation to Member conduct. Three of these were related to the local government elections in May 2023. It is well established that the Code of Conduct only applies where a Member is acting in their capacity as a Councillor, and so it is important to distinguish between times when a Member is acting in that capacity – as an elected or co-opted representative – and when they are acting in some other capacity. In relation to election campaigning therefore, the act of campaigning is not something which is carried out in the role of councillor. In each of these complaints, therefore, the Code of Conduct was not engaged.
9. In one of the cases, concerning a person seeking election to a Parish Council, the conduct also could not engage the code because they were not a Parish Councillor at the time the conduct complained of happened. The Council cannot look into conduct which arises before or after a person was a Councillor, or during their tenure as a Councillor if they have resigned or their term has otherwise ended during the currency of an investigation.
10. A complaint was also made during this period regarding a Parish Clerk. The standards regime only applies to elected and co-opted members, and not to officers. Officer conduct is generally an employment matter which is for the Parish Council alone. This complaint was therefore not progressed any further.
11. Because each of these complaints was found at the initial assessment stage not to engage the code of conduct, no complaints required consideration by the Assessment sub-committee.

Financial Implications

12. There continue to be few complaints. None of the complaints received since March 2023 required further investigation. Consequently, there have been no unanticipated costs incurred as a result of code of conduct complaints.

Risk Implications

13. None.

Sustainability Implications

14. None.

Equality and Customer Service Implications

15. None.

Other Material Implications

16. None.

Background Papers

- Adopted Model Code of Conduct
- Process for Dealing with Member Code of Conduct Complaints