



Standards Committee
Annual Report 2022/23

Standards Committee Annual Report 2022/23

Foreword from the Chair of the Standards Committee

The work of the Standards Committee remains central to the ethical and governance responsibilities of the Council which are an essential element in local government continuing to retain the trust of the public which it serves.

It has been a relatively quiet year nevertheless I would like to take the opportunity to thank the Members on the Committee, the Independent Persons and officers of the Council, for their continued hard work and support in the work of the Committee during the year.

Mrs Ruth Jaffray

Co-opted Member

The Annual Report outlines the work of the Standards Committee during the municipal year 2022/23 and covers the following subjects:

- 1 Chair and Co-optees of the Standards Committee 2022/23
- 2 Independent Persons
- 3 Complaints received during 2022/23
- 4 Establishment of a Sub-Committee to deal with Member complaints
- 5 Constitution Review Work
- 6 Policy Review
- 7 Member Training Attendance

1 Chair and Co-optees of Standards Committee 2021/22

The Articles of the Constitution require that a co-opted member be appointed Chair of the Standards Committee. The Council therefore approved the appointment of Mrs Ruth Jaffray in November 2016.

2 Independent Persons

- 2.1 The Council had previously appointed Mr Stephen Wainwright to fulfil the role as Independent Person who advises the Monitoring Officer on complaints against District or Parish Councillors and also advises Councillors who were the subject of complaints.
- 2.2 Although the legislation required the appointment of only one Independent Person, the Council had agreed that a second appointment ensured flexibility and resilience and a second Independent Person, Mr Ian Kirk, was selected as a suitable candidate for a 4 year term in August 2017.
- 2.3 Mr Kirk's term was due to expire on 14th September 2021, however, it was considered, in the Monitoring Officer's opinion that he continue to be an ideal candidate for the role, and on that basis Council approved that Mr Kirk be offered a further four year term of engagement to carry out this service to the Authority until September 2025.

3 Complaints received during the period May 2022 to 2023

17 complaints against Members were received during the period May 2022 to April 2023. 11 related to parish councils and 6 related to the District Council. 12 were closed with no further action. 3 complaints proceeded to investigation, 2 of these complaints resulted in no further action and 1 councillor was found to have been in breach. 2 complaints are still being considered.

4 Establishment of a sub-committee to deal with Member complaint hearing.

Where an investigation into a Members behaviour recommends that the Member breached their relevant code of conduct the Monitoring Officer will seek to resolve the matter with the agreement of the parties. Where an agreement cannot be achieved, for instance where the Member concerned disagrees with the findings the matter may be referred to a hearing by a sub-committee of the Standards Committee. This is unusual and no such hearings have been held for over 10 years. Following an investigation by the previous Deputy Monitoring Officer in which he recommended that a Tibshelf Parish Councillor had breached the Parish Council code the Councillor concerned disagreed with the findings and requested the matter be referred to a hearing. In August the Standards Committee agreed to establish a sub-committee to consider the matter and the hearing eventually took place on 9th February 2023. The sub-committee found that the Tibshelf Parish Councillor was in breach of the code and they recommended that the Parish Council censure the Councillor by reading out the sub-committee's decision notice. Tibshelf Parish Council agreed to this and the Member was censured at the Parish Council meeting on 21st February 2023.

5 Constitution Review Work

One of the functions of the Standards Committee is to undertake a review of the Council's Constitution to ensure it is up to date and in line with legislation and current circumstances. The Committee considered a number of areas that had been identified for review including;

- Disestablishment of the Audit & Corporate Overview Scrutiny Committee to be replaced by a Separate Audit Committee and a Finance & Corporate Overview Scrutiny Committee with associated changes to the Budget and Policy Framework
- Scrutiny Procedure Rules
- Call-in Procedure Rules
- Officer Delegation Scheme
- Access to Information Rules
- Community Call for Action
- Members Roles & Responsibilities.

6 Policy Review Work

Whistle-blowing Policy Review

The Council is committed to updating the Whistle-blowing policy on a regular basis to ensure it is fit for purpose and a review was conducted in February 2023 with no substantive changes being made other than housekeeping amendments.

The Monitoring Officer has overall responsibility for the maintenance and operation of the policy and would maintain a record of any concerns raised and the outcomes. The Monitoring Officer is also required to report as necessary to the Council on instances relating to Whistleblowing. It was noted by the Standards Committee at its meeting in February, that the policy was fit for purpose and there had been no instances of whistle blowing since the 2022 annual review.

7 Gifts and Hospitality

- 7.1 The Council's Constitution specifies detailed arrangements for the registering of gifts and hospitality made to Members and officers.
- 7.2 The annual reporting of offers of gifts and hospitality made to Members and officers ensures that the Council's performance on this matter is monitored on a regular basis and that any changes in procedure can be introduced if necessary. The register of Gifts and Hospitality is also published on the Council's website.
- 7.3 In February this year, the Standards Committee received and noted an annual report in respect of offers of gifts and hospitality made to Members and officers for the period January 2022 to December 2022.

7.4 Members are reminded that advice is available from the Monitoring Officer, Deputy Monitoring Officer and Legal Services in relation to any offer of gift or hospitality and Members and officers are encouraged to seek this advice where they were unsure.

8 Member Training Attendance

Part of the Terms of Reference of the Standards Committee is to oversee Members training including attendance at courses. This was in relation to matters affecting their conduct and probity including relevant information provided to newly elected District Councillors.

In January Safeguarding training was provided for Members who had not attended the previous years' training. Attendance is required every two years and 72% of members have attended within the last two years.

Footnote: If any Member would like a copy of any of the reports referred to in this report, they should contact the Governance Team on 01246 242528