

## **Annual report on standards of conduct 2018/19**

Lead Member: Cllr William Wallace, Chair of the Committee

Lead Officer: Scott Wooldridge, Monitoring Officer

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### **1. Summary**

- 1.1. The current standards regime was introduced by the Localism Act, 2011 and the Council is no longer statutorily required to have a Standards Committee, but it decided that it should continue to do so in the interests of promoting transparency and high ethical standards in local governance. Following the May 2017 elections, the Council formed the Constitution and Standards Committee.
- 1.2. The operation of the Council's arrangements for members' conduct is fundamental to the Council's compliance with the requirements of the Localism Act 2011 and by promoting good ethics the Council is demonstrating its core values as contained in the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 1.3. The functions of the Constitution and Standards Committee include promoting high standards of conduct by Members, Co-opted Members and Officers; monitoring the operation of the Members' Code of Conduct and the Council's Whistleblowing Policy.

### **2. Recommendations**

- 2.1 **That the Committee considers this annual report and provides any comments to the Monitoring Officer.**

### **3. Standards Activity**

- 3.1. The Council publishes on the website its processes, guidance notes and forms for people to make a complaint about a County Councillor. The process is summarised in the attached appendix.

Since May 2018, the Monitoring Officer has received three complaints relating to alleged breaches of the Code of Conduct by County Councillors. Two of the complaints related to the same elected member and their register of interests. The two complaints were subsequently withdrawn following preliminary investigation and clarification by the Monitoring Officer.

The third complaint was investigated at Level 1 and Level 2 and the complaint was not upheld.

The Council's Independent Person and Chair of the Constitution and Standards Committee were consulted and supported the proposed recommendation prior to the Monitoring Officer's determination.

- 3.2. During 2018/19, the Council was notified that the Parliamentary Committee on Standards in Public Life was undertaking a review of local government ethical standards and had commenced a consultation on this subject. The consultation was based upon a number of questions around ethical standards and associated issues.

The review was considered to be long overdue following the wholesale change to local authority standards arrangements made by the Government in 2011. The 'old' Standards Committee of the Council made representations to the secretary of State as early as 2012 asking for a review of the arrangements to address a number of concerns of the Committee. It is fair to say since then the Government has had similar representations from across the country highlighting perceived shortcomings of the new standards regime implemented in 2011. Key concerns raised at the time focused on:

- The change in the requirements and status of standards committees – with an associated reduction in the influence of the co-opted independent members of standards committees
- The risk of greater political influence over any standards arrangements put in place locally by councils
- The lack of 'serious' local sanctions for significant breaches of the Code of Conduct.

All elected members were sent the link to the consultation and invited to comment on the questions. Comments received included:

- Being strongly lobbied in their local councillor role, especially on regulatory matters such as planning applications.
- Comments on social media about elected members and the anxiety that this can bring
- Some examples of members mindful of their personal safety when meeting constituents and meeting them in public places and not in their homes, whenever possible.

Following consideration and endorsement at the Committee's meeting in May 2018, the Monitoring Officer consulted with the political group leaders prior to submitting the Council's proposed response.

**3.3.** In January 2019, the Parliamentary Committee on Standards in Public Life published their report and this was reported to the Constitution and Standards Committee meeting in February 2019. The report includes a series of recommendations to the Government for improvements to local authority standards arrangements including strengthening the ability for a council to take actions where a serious breach of the Code of Conduct is proven. The Committee welcomed the report and recommendations and the Government's response to the report is awaited.

**3.4.** On the whole elected members take the need to maintain high ethical standards seriously. The Monitoring Officer will continue to examine ways and means to improve awareness and understanding of the Members' Code of Conduct, including seeking the views of the Constitution and Standards Committee.

## **4. Conclusions**

**4.1.** The Committee remains committed to promoting high standards of conduct by Members, Co-opted Members and Officers and for the policies and processes which support this aim.

## **5. Background papers**

- 5.1.** Further information about the Committee including dates of meetings, agendas and reports from previous meetings are available via the Council's website and can be found at:

<http://democracy.somerset.gov.uk/mgCommitteeDetails.aspx?ID=244>

**Note:** For sight of individual background papers please contact the report author