

**Standards Committee : 22 June 2010**

**Title of report: Chair of Standards Committee's Annual Report**

<b>Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>N/A</b>
<b>Is it in the Council's Forward Plan?</b>	<b>N/A</b>
<b>Is it eligible for "call in" by Scrutiny?</b>	<b>N/A</b>
<b>Cabinet member portfolio</b>	<b>Corporate</b>

**Electoral wards affected and ward councillors consulted: All**

**Public or private: Public**

### **1. Purpose of Report**

To consider and approve the annual report of the Standards Committee prepared by the Chair.

### **2. Key Points**

The Committee agreed that it would produce an Annual Report setting out the work of the Committee during 2009/10. The attached draft report has been prepared by the Chair of the Committee and is a summary of the work covered by the main Committee. There are also figures and information about the complaints made.

### **3. Implications for the Council**

It is good practice for the Standards Committee to produce an Annual Report which is then considered by all members of Council with a view to picking up and acting on any issues arising in it. The intention is that the Annual Report will be considered by full Council and that it will also be published on the Council's website.

### **4. Consultees and their opinions**

N/a

**5. Officer recommendations and reasons**

That the Committee consider the draft Annual Report, make any suggestions for amendments and then recommend a final Report to Council.

**6. Cabinet portfolio holder recommendation**

N/a

**7. Next steps**

The final Report will be presented for discussion at full Council where the Chair will attend to answer questions.

**8. Contact officer and relevant papers**

Paul Blythe  
Chair of Standards Committee

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Senior Legal Officer

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Background Papers:

None

# **Standards Committee**

## **Draft Annual Report 2009-10**

### **1. Introduction**

The Local Government Act 2000 required councils to set up standards committees with responsibility for promoting and maintaining high standards of conduct by the members and co-opted members of the council and for assisting members and co-opted members of the council to observe the council's code of conduct.

In May 2008 standards committees were also made responsible for dealing with the majority of complaints about the conduct of members and co-opted members of their councils.

This is the Kirklees Standards Committee's second annual report and summarises the work it and its Sub-Committees carried out in 2009-10.

### **2. Annual Review**

2009-10 has been a year of consolidation after the introduction in 2008/9 of a local framework for assessing member complaints. The Standards Committee has worked hard to bed in the new arrangements, ensure they are fit for purpose and advise the Council on specific issues concerning member behaviour. Members continued to network with members from other councils at regional and national events. This is an excellent way of sharing best practice and keeping up to date with what is happening elsewhere. Also the meetings between the Chair and Chief Executive helped to ensure a shared understanding of the Committee's aims and achievements.

In April 2010 the Committee reviewed what it does and how it does things. It recommended initiatives to:

- Improve the awareness and understanding of standards issues by both the public and members.
- Improve the Committee's effectiveness.

The improvements will be phased in during 2010-11.

### **3. Work Done**

The work carried out by the Standards Committee in 2009-10 is summarised below:

- Discussed the use of social media by councillors and circulated Standards for England's "quick guide on blogging".
- Determined how to support the promotion of values and good governance as stated in the Council's Code of Corporate Governance (report to Corporate Governance and Audit Committee early 2010-11).
- Reviewed and gave advice on protocols for Planning Committees, speaking at Planning Committees, Licensing Committees and Monitoring Officer.

- Determined how to deal with granting dispensations regarding prejudicial interests and circulated the new rules.
- Gave advice to Cabinet on indemnifying members for standards complaints.
- Reviewed and expanded the criteria for Assessment Sub-Committee when deciding whether to refer a complaint to the Monitoring Officer for other action.
- Produced a leaflet “Complaining about Councillors” and distributed it to Council’s information points.

The Committee will agree its work programme for next year in June 2010.

#### **4. Complaints**

During 2009-10 the Monitoring Officer received 15 written complaints about Kirklees Councillors’ conduct, one complainant made similar allegations about two councillors and one former councillor which is counted as three complaints, and one complainant made similar allegations about three councillors which was counted as three complaints. Of the 15 complaints the source of the complaints was as follows:

- 9 received from members of the public.
- 6 received from councillors.

15 Sub-Committees were convened to consider assessment of complaints, 5 to consider reviews of assessment decisions, 7 for consideration hearings (of which 6 related to complaints made prior to 2009-10) and 1 for a determination hearing Outcomes were:

- 12 complaints where on assessment no action was required.
- 5 reviews which upheld the assessment decisions.
- No complaints referred to Monitoring Officer for other action.
- 3 complaints referred to Monitoring Officer for investigation.
- 7 investigations completed. (6 relating to complaints made prior to 2009-10).
- 6 complaints where on consideration there was no breach of the Members’ Code of Conduct.
- 1 complaint where on consideration there was a potential breach of the Members’ Code of Conduct which on determination a finding of a breach of the Members’ Code of Conduct was made. (This complaint was made prior to 2009-10).

#### **5. Awareness and Understanding**

The Monitoring Officer, once again, organised sessions for new and existing Kirklees and Parish/Town Councillors to improve their awareness and understanding of ethical standards. Members of the Standards Committee received regular information and guidance from officers to ensure they were comfortable with their role in the new local arrangements. Members attended Standards for England’s annual assembly, regional forums for independent members and a regional conference organised by West Yorkshire Authorities. Issues discussed at these events were reported back to Committee for

information and/or consideration. The Chair and Chief Executive met twice to discuss the work of the Committee and ethical standards in general.

## **6. Membership**

The Standards Committee had the following membership during 2009-10:

- 5 Kirklees councillors: Councillors Derek Hardcastle; Nigel Patrick; David Ridgway; Christine M L Smith and Ken Smith.
- 3 Parish councillors: Councillors Margaret Barlow (Denby Dale Parish Council); Peter Cunnington (Kirkburton Parish Council) and Charles Kaye (Holme Valley Parish Council).
- 4 external members (persons who are not councillors or officers of the Council): Derek Binns; Paul Bythe (Chair); Prof Alan Kitson and Rev Mike Roberts.

By law the Chairs of the Standards Committee and its Sub-Committees must be an external member.

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Sent via email

1 June 2010

Dear Colleague

As you will no doubt be aware the Government announced in the recent Queen's Speech that the proposed Decentralisation and Localism bill will include proposals to 'abolish the Standards Board regime'. Beyond this statement, we do not currently have clear details of the scope or implications of this proposal. However, until such time as the relevant legislation is passed, the statutory framework remains operative.

We will therefore continue to work with you to support your work. In turn, we expect you to continue with your statutory duties including the assessment of allegations, and we will continue to consider cases which you refer to us.

We remain committed to ensuring that there is a proper framework of local accountability in which the public can have confidence and we wish to work with central and local government to develop any proposals. As more details emerge we will keep you informed of developments and would be interested in hearing your views about how future arrangements could most effectively work.

In the meantime, if you need clarity on any specific issues, please do continue to call our enquiries line.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Chilton'.

Dr Robert Chilton  
Chair