

STANDARDS COMMITTEE	AGENDA ITEM 4
10 June 2009	PUBLIC REPORT

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RECOMMENDATIONS
FROM : SOLICITOR TO THE COUNCIL & MONITORING OFFICER
<p>That the Standards Committee:</p> <ol style="list-style-type: none"> 1. notes the contents of this report 2. notes the contents of the annual report to the Standards Board attached at Appendix 1 3. considers an analysis of complaint against members received for the year to 31st March 2009 in comparison with national statistical information provided by the Standards Board for the same period 4. notes the revised Standards Regulations referred to in para 3 and considers the issue of joint Standards Committees 5. agrees its future work programme 6. considers the planning voting analysis at para 5 and appendix 2

1. ACTIONS SINCE LAST MEETING

The Chair delivered the Committee's Annual Report to Council on 18th May, as agreed at the last meeting.

2. REFERRALS / COMPLAINT

The fourth quarterly return, for the period ending 31st March 2009, was submitted to the Standards Board, together with the first Annual Report, which is attached at Appendix 1.

Comparing data for Peterborough with national statistics on the Standards Board website, the following items are worthy of note:

Number of complaints received

During the period ending 31st March 2009, Peterborough City Council received a total of 10 complaints that were referred to an assessment sub-committee of the standards committee.

This is broadly consistent with the average number of cases received by unitary authorities, which is 11.2 per unitary authority.

Nationally, a total of 2863 complaints were received, of which 29% were investigated locally, with 12% referred to monitoring officers for alternative measures such as training or mediation. During the previous year, prior to the local assessment regime being introduced, the Standards Board received 3547 complaints and referred 14% for investigation.

Source of complaints received

Of the total received, 9 were from members of the public, and 1 was from an MP. There were none received from members.

This is inconsistent with national statistics, where 54% of complaints were received from members of the public, 36% from members, 4% from council officers, and 6% from other sources.

Type of complaint received

Only 1 complaint related to an alleged failure to declare interests. The remainder were mainly a combination of failing to treat others with respect, and/or behaviour which is alleged to have brought the authority into disrepute.

National statistics collated from information about finished cases submitted by standards committees show that the most common causes of complaint are:

Failure to treat others with respect	28%
Bringing the authority into disrepute	21%
Failure to disclose interests	12%

Town and Parish Councillors

Nationally far fewer complaints were received than expected. Town and parish members make up 80% of all elected councillors, yet accounted for only 51% of total complaints. Peterborough received one complaint against a member who is also a parish councillor.

Outcome of initial assessment

Initial assessment outcome	Peterborough number	% age	National number	% age
Referred to another authority	Nil		6	0.2
Referred to Standards Board	Nil		166	6.2
Referred to MO for alternative measures	1	10%	327	12.1
Referred to MO for investigation	7	70%	780	29.0
No further action	2	20%	1414	52.5

Review requests

Nationally, a review of the assessment hearing has been requested in 37% of cases where the decision is not to refer the complaint any further: 6% of those requests resulted in the matter being referred for investigation, and less than 1% resulted in a referral to the Standards Board.

Peterborough has received no review requests.

Outcome of determination sub-committee

Of the 6 complaints so far that have been referred to a determination sub-committee, 3 have found a potential breach and will proceed to a hearing, for the remaining 3 the monitoring officer's recommendation of no breach found was accepted.

Final hearings

No complaints have progressed to a final hearing during the period in question.

Conclusions / items for discussion

- the number of complaints received by PCC is consistent with the national average.
- PCC has no cases resulting from one member complaining against another.
- The number of cases referred for investigation following initial assessment is more than double the national average.
- The number of requests for review is much lower than the national average.

3. REVISED STANDARDS REGULATIONS

The Standards Board issued new Regulations on 22nd May 2009.

The areas dealt with by the new Regulations are:

- Guidance on Standards Board's ability to suspend initial assessment functions of the Standards Committee where the committee or the monitoring officer has failed to carry out its functions in a reasonable period of time;
- Ability of 2 or more authorities to establish joint standards committees, to exercise such functions as may be determined by those authorities, subject to agreeing terms of reference, and submitting a copy of them to the Standards Board;
- Updating of the dispensation procedures, used when the transaction of business of the authority would, but for the grant of a dispensation, be impeded because more than 50% of members that would otherwise be entitled to vote on the business, or numbers prevented from voting would upset the political balance to the extent that the outcome would be prejudiced.

We have been approached by South Cambridgeshire District Council to see whether there would be any interest in setting up joint committees in the Cambridgeshire area. Members' views are sought on this issue.

4. WORK PROGRAMME

Draft proposals at present for the following municipal year are as follows:

September 2009	(1) Training event for Standards Committee – case study of a Standards Complaint / more in depth understanding / updating of knowledge (2) Consider role of Committee in further promoting high standards of ethical behaviour within the Council
November 2009	
January 2010	
March 2010	(1) Consider Annual Report to Council (2) Make preparations for Local Democracy week 2010

5. PLANNING COMMITTEE VOTING ANALYSIS

Attached at appendix 2

6. FINANCIAL IMPLICATIONS

There are no specific financial implications to this report.

7. LEGAL IMPLICATIONS

These are dealt with in the body of the report.

8. WARD COUNCILLORS

The contents of this report are not ward specific.

Background Papers

In accordance with the Local Government (Access to Information) Act 1985, background papers used in the preparation of this report were:-

Statistical information on the website of the Standards Board for England

The Standards Committee (Further Provisions) (England) Regulations 2009.