

COUNCIL REPORT	AGENDA ITEM 7(ii)(a)
13 JULY 2011	PUBLIC REPORT

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ANNUAL REPORT OF STANDARDS COMMITTEE

R E C O M M E N D A T I O N S	
FROM : STANDARDS COMMITTEE	
<p>That Council:</p> <p>(1) Notes the work carried out by the Standards Committee; and</p> <p>(2) Endorses the proposals to convene a working group to consider the future of the Standards Committee within the Council.</p>	

1. FOREWARD BY THE CHAIR OF THE STANDARDS COMMITTEE

- 1.1 It is pleasing to report that complaints regarding the conduct of councillors remained at a low level over the last year. The Standards Committee continued to respond to issues as it always has, in a proportionate and balanced manner. Because of the uncertainty regarding the future of the Code of Conduct due to the drafting of the Localism Bill, we have not been as proactive and high profile in supporting councillors and promoting high standards of conduct as we have in the past. Individuals have participated in the consultation on the Bill and committee members are generally content with the government's proposals; particularly since they remove many of the requirements that have been felt in the past to have actually made promoting high standards more difficult, while allowing the potential for Council to have the support it believes necessary to resolve complaints, facilitate positive relationships and promote high standards.

2. THE FORMAT OF THIS REPORT

- 2.1 This report will consider each of the following areas:
- The future of the Standards Committee; and
 - Statistical information about the number and types of complaints made to the Committee over the preceding year.

3. THE FUTURE OF THE COMMITTEE

- 3.1 The government set out its intention to abolish the 'Standards Board Regime' in the coalition agreement published in May 2010. The abolition will come with the introduction of the Localism Bill which is intended to be enacted in 2012.
- 3.2 In summary the government's proposals are:
- to abolish Standards for England, the regulatory body for the conduct regime;
 - to remove the national Code of Conduct for councillors and the requirement to have a standards committee;

- to allow councils to choose whether or not they wish to have a local code or a standards committee; and
- to create a criminal offence relating to failure to register or declare interests.

- 3.3 It is likely that Standards for England will be formally abolished in the summer of 2012. Until the abolition occurs the Code of Conduct will still apply to members and the Standards Committee will still sit to hear complaints against members.
- 3.4 Following enactment of the Bill it will become a criminal offence to fail to declare interests. A register of interests will continue to be held by the Monitoring Officer but the Police will investigate and enforce any allegations of failure to declare interests. The offence is punishable by a fine of up to £5,000 and disqualification from office.
- 3.5 In response to these proposals the Solicitor to the Council will lead a working party of officers and members from September of this year to look at whether this Council wishes to adopt a local code and/or have a standards committee.

4. STATISTICAL INFORMATION

- 4.1 The Committee receives statistical information about the number of complaints and their progress at each meeting in the form of a table attached to a standard report on performance.
- 4.2 Over the past year the Assessment Sub Committee has sat 6 times to hear 10 complaints. Of these complaints 5 resulted in no further action being taken (50%) and 5 resulted in investigations (50%).
- 4.3 How does this compare nationally?

Table 1: Outcome of all complaints

	OUTCOME OF COMPLAINTS			
Year when Complaints received	No further action	Refer for Investigation	Refer to Monitoring Officer	Refer to Standards for England
National figures (2009-2010)	51.8%	28%	13.4%	6.8%
PCC (2010-11)	50%	50%	0%	0%

- 4.4 Over the course of the past year, 4 investigations were concluded locally and that resulted in 1 (25%) complaint going to a formal hearing. One investigation remains outstanding.
- 4.5 The outcome of the hearing was to find a breach of the code of conduct resulting in the following sanctions:
- request a written apology;
 - censure the Councillor; and
 - undertake appropriate training by the Monitoring Officer on the subject of trust and a councillor's duty not to disclose confidential information.
- 4.6 Of the 266 investigations conducted and completed nationally, 199 (75%) found no breach of the code, 57 (21%) imposed a penalty or sanction and 10 (4%) found a breach but no further action

was imposed (210 further investigations were not yet complete have therefore not included in these statistics) (percentages rounded to 0 decimal places).

Table 2: Outcome of Investigations and Hearings

	OUTCOME OF INVESTIGATIONS / HEARINGS		
Year when investigations concluded	Local investigations and hearings leading to No breach of the code	Penalty or Sanction	Breach but no further action
National figures, (2009-2010)	75%	21%	4%
PCC (2010-2011)	75%	25%	0%

5. CONSULTATION

- 5.1 This report has been distributed to each of the parish councils within the Peterborough area as the City Council is the parent authority for the purposes of the standards regime.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The Standards Committee believes that Council's endorsement of the contents of this report will enable it to fulfil the function of promoting high standards of ethical behaviour within the authority.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The Council is required to set up a Standards Committee by the Local Government Act 2000.

8. IMPLICATIONS

- 8.1 There are no financial or legal implications, other than those contained within the body of the report.

9. BACKGROUND DOCUMENTS

- 9.1 Reports to the Standards Committee in the last civic year

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