

AGENDA



- Committee - **STANDARDS PANEL**
- Date & Time - Tuesday, 12 April 2016 at 6.30 pm
- Venue - Meeting Room 1, Council Offices, Priory Road

Membership of the Standards Panel:

Councillors: B Alcock, G R Aley (Chairman), M G Chandler, R Clark (Vice-Chairman), P C Foyster and J L King

No substitutions permitted. Revised quorum 4.

Persons attending the meeting are requested to turn mobile telephones to silent mode

Democratic Services
Council Offices, Priory Road
Spalding, Lincs PE11 2XE

Date: 4th April 2016

AGENDA

- 1) Apologies for absence
- 2) Declarations of Interest
(Where a Councillor has a Disclosable Pecuniary Interest the Councillor must declare the interest to the meeting and leave the room without participating in any discussion or making a statement on the item, except where a Councillor is permitted to remain as a result of a dispensation.)
- 3) Minutes (Pages 1 - 2)
To sign as a correct record the minutes of the meeting held on 29th September 2015 (copy enclosed).
- 4) Standards Annual Report 2015-16 (Pages 3 - 6)
To consider the standards annual report 2015-16 (report of the Executive Manager – Governance is enclosed).
- 5) Any other items which the Chairman decides are urgent by reason of special circumstances.

Minutes of a meeting of the **STANDARDS PANEL** held in the Meeting Room 1, Council Offices, Priory Road, on Tuesday, 29 September 2015 at 6.30 pm.

PRESENT

G R Aley (Chairman)

M G Chandler

P C Foyster

J L King

Apologies for absence were received from or on behalf of Councillors B Alcock and R Clark

In Attendance: Independent Person, Locum Solicitor – Legal Services and Principal Democratic Services Officer.

6) **DECLARATIONS OF INTERESTS**

There were no declarations of interest.

7) **MINUTES**

4 March 2015

The minutes of the meeting held on 4 March 2015 were agreed as a correct record and were signed by the Chairman.

20 May 2015

The minutes of the meeting held on 20 May 2015 were agreed as a correct record and were signed by the Chairman.

8) **INDEPENDENT PERSON PROTOCOL**

The Panel considered a report by the Executive Manager - Governance seeking comments on an Independent Person Protocol.

Councillors noted that the role of Independent Person was a key feature of the standards framework for all local authorities under the Localism Act 2011, in terms of how allegations of Councillor misconduct were dealt with.

The draft protocol explained the role of the Independent Person and sought to identify a shared understanding of the relationship between the Independent Person and the Council and Parish Councillors.

It was noted that specific provisions around communication between the Independent Person and the subject member or complainant have been included following observations and suggestions made by Mr Wicks.

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The protocol would be reported to Council for approval.

AGREED:

That the Standards Panel supports the publication of the Independent Person Protocol for circulation to all Councillors and Parish Councils.

9) **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

There were no urgent items.

(The meeting ended at 6.45 pm)

(End of minutes)

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Executive Manager – Governance
To: Standards Panel – 12 April 2016
Author: Lindsey Clark, Democratic Services Officer
Subject: Standards Annual Report – 2015/16
Purpose: The Panel is asked to note the Standards Annual Report 2015/16

Recommendation(s):

To note the Standards Annual Report for 2015/16.

1.0 BACKGROUND

- 1.1 At the meeting of full Council on 27 June 2012, the arrangements for dealing with complaints against members were approved in line with the requirements of the Localism Act 2011 and implemented with effect from 1 July 2012.
- 1.2 As part of the arrangements, it was agreed that the role of monitoring Standards issues would be delegated to a Standards Panel. This report provides information relating to work undertaken since the previous annual report made to the Standards Panel in April 2015.
- 1.3 The Localism Act 2011 introduced a new role of Independent Person to provide advice and guidance to the Monitoring Officer and members who are the subject of an allegation. At the Council Meeting in May 2015, the current Independent Person, Mr Tony Wicks, was re-appointed for the period until Annual Council in May 2019.
- 1.4 The following table details the number of complaints that have been received in 2015/16 and the relevant outcomes:

Stages of complaint	Number of complaints			
	2012/13	2013/14	2014/15	2015/16
Stage 1 (initial consideration of a complaint)				
Complaints received	4	1	10	6
Complaints not relevant to Code of Conduct	1	2	4	
Resolved under informal resolution and matter closed	1			
Referred to Police	1	6		
Initial information in the process of being sought	1	2	2	3
Stage 2 (Formal consideration of a complaint)				

Considered by Monitoring Officer to not merit further consideration		3	4	2
Referred to Standards Panel as deemed inappropriate for Monitoring Officer to consider				
Resolved through informal resolution				1
Stage 3 (Investigation)				
Referred for investigation and failure to comply found				
Referred for investigation and <u>no</u> failure to comply found				
Hearing Panel's held				
Hearing Panel finds failure to comply				
Hearing Panel finds <u>no</u> failure to comply				
Cases where sanctions recommended and accepted by District / Parish Council				

2015/16 figures include 5 District Complaints and 1 Parish Complaint.

1.5 **REPORT OF THE INDEPENDENT PERSON – MR TONY WICKS**

The past twelve months has seen changes to personnel in particular the Monitoring Officer. The process has been smooth with no problems with operational issues. I have been made aware of all matters relating to the complaints process and I have responded as appropriate.

I have recently attended a training workshop for Independent Persons. It was interesting to hear how the role of the Independent Person is viewed in other areas and to be made aware of the types of complaints experienced by other councils. One of the main areas of concern is complaints about the use of social media.

The introduction of a protocol for the Independent Person has clarified the role and responsibilities of the Independent Person.

The role of the Independent Person continues to evolve as legislation is reviewed and amended.

2.0 **OPTIONS**

2.1 The report is for noting

3.0 **REASONS FOR RECOMMENDATION(S)**

3.1 The Standards arrangements adopted by the Council require that an annual report is presented to the Standards Panel.

4.0 **EXPECTED BENEFITS**

4.1 In receiving an annual report, members of the Standards Panel are kept informed of complaints received and are able to identify trends.

5.0 **Constitution & Legal**

5.1 The report ensures that the Council complies with its Standards arrangements and the roles and responsibilities of the Standards Panel as set out in the Constitution. The Council's arrangements are in line with the requirements placed upon it by the Localism Act 2011.

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All.

7.0 **ACRONYMS**

7.1 None.

Background papers:- None.

Lead Contact Officer

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Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report:

None.

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