

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Executive Director - Strategy and Governance (Monitoring Officer)

**To:** Standards Panel Wednesday, 3 April 2019

**(Author:** Lynn Eldred Lead Democratic Services Officer)

**Subject** Annual Standards Report 2018-2019

**Purpose:** To consider the Annual Standards Report 2018-2019

**Recommendation:**

- 1) That the report be noted.

### 1.0 BACKGROUND

1.2 The Localism Act 2011 requires Councils to have in place arrangements for dealing with complaints against members. The Council's arrangements were reviewed by the Standards Panel and thereafter adopted by full Council in November 2017.

1.3 The role of monitoring Standards issues is delegated to the Standards Panel. The Standards Arrangements adopted by the Council also require that an annual report is presented to the Standards Panel. This report provides information relating to work undertaken since the previous annual report made to the Standards Panel in April 2018.

1.4 The Localism Act 2011 introduced the role of Independent Person to provide advice and guidance to the Monitoring Officer and members who are the subject of an allegation. Mr Tony Wicks undertakes this role for South Holland District Council.

### 2 COMPLAINTS

2.1 The following table details the number of complaints that have been received in 2018/19 and the relevant outcomes. Also included, for comparison purposes, are the figures from previous years.

Stages of complaint	2014/15	2015/16	2016/17	2017/18	2018/19
	Complaints received	10	6	5	0
Complaints not relevant to Code of Conduct	4		3		
Complaints withdrawn			1		
Resolved under informal resolution and matter closed					
Referred to Police					

Initial information in the process of being sought	2	3	1		2
<b>Stage 2 (Formal consideration of a complaint)</b>					
Considered by Monitoring Officer to not merit further consideration	4	2		1	
Referred to Standards Panel as deemed inappropriate for Monitoring Officer to consider					
Resolved through informal resolution		1			
<b>Stage 3 (Investigation)</b>					
Investigation under way					2
Investigation completed - Failure to comply found					
Investigation completed - No failure to comply found					1
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					

2.2 During 2018/2019, 5 Standards complaints have been received. One complaint has been investigated and no failure to comply with the Code of Conduct found. Two complaints are under investigation and two further complaints are in the process of initial information being sought.

### 3 **REPORT OF THE INDEPENDENT PERSON – MR TONY WICKS**

3.1 The past few months have again proved to be quiet until recently when code of conduct complaints were made. I have been asked for my input and have responded accordingly.

3.2 You will recall that in the last annual report I referred to the proposal to review sanctions. For reasons unknown an Independent Person workshop was not held in Lincoln last year so I am unable to provide an update at this time.

3.3 On 27th March, 2019 the Council will consider my re-appointment as Independent Person. If successful, I look forward to continuing to work with the Monitoring Officer and Councillors.

#### 4 **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 and take action if appropriate.

#### 5 **IMPLICATIONS**

- 5.1 In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

#### 5.2 **Constitutional & Legal**

- 5.2.1 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 **WARDS/COMMUNITIES AFFECTED**

- 6.1 All.

#### 7 **ACRONYMS**

- 7.1 None.

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Background papers:- None.

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#### **Lead Contact Officer**

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**