

ANNUAL REPORT FROM THE CHAIRMAN OF THE STANDARDS COMMITTEE 2017/18
Councillor Mordue
Chairman of the Standards Committee

1. Purpose

- 1.1. To present the Annual Report on the work of the Standards Committee during 2017/2018.

2. Recommendation

- 2.1 Council is invited to note the report attached as an Appendix.

3 Supporting Information

- 3.1 Although there is no legislative requirement for the Standards Committee to produce an Annual Report, doing so is recognised as good practice. The publication of the report promotes transparency and high ethical standards and keeps the wider Council membership informed of issues addressed during the course of the year.
- 3.2 Following submission of the Report to Council, a copy will be posted on the Council's website.

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Background documents: None

**AYLESBURY VALE DISTRICT COUNCIL STANDARDS COMMITTEE
ANNUAL REPORT 2017/2018**

1. Background

- 1.1 The current standards regime was introduced by the Localism Act, 2011, and this Council's Code of Conduct was adopted in July, 2012.
- 1.2 Under the current regime, Parish/Town Councils have the option of either adopting their own Code of Conduct, based on the model developed by the National Association of Local Councils (NALC), or adopting AVDC's Code. Some have adopted this Council's Code and others the NALC Code.
- 1.3 The Council is no longer statutorily required to have a Standards Committee, but it decided that it should continue to do so in the interests of promoting transparency and high ethical standards in local governance.
- 1.4 The Standards Committee comprises 7 elected Members and is politically balanced according to the political parties represented on the Council. There are two Parish representatives nominated by the Aylesbury Vale Association of Local Councils (AVALC) to ensure that the interests of Parish/Town Councils are properly taken into account in the decision making process when dealing with complaints against Town/Parish Councillors.
- 1.5 The Localism Act requires the appointment of at least one Independent Person, but AVDC was in the fortunate position to have three high calibre candidates and it was decided to appoint all three. One of the Independent Persons subsequently resigned as he moved away from The District. The Lead Legal and Monitoring Officer was satisfied that this would not have any significant effect on the work of the Committee and the Chairman of the Standards Committee concurred with this view. The remaining Independent Persons' terms of office came to an end last year and full Council agreed on 22 February, 2017, that the two remaining post holders should be invited to serve for a further term. It was felt that this would ensure consistency of approach to the decision making process, enable the Council to take advantage of the expertise already built up and save the need to proceed with what would otherwise be an expensive recruitment exercise.
- 1.6 The Parish representatives and the Independent Persons are invited to attend every meeting of the Standards Committee in an advisory capacity.
- 1.7 This report relates to the period May, 2017 to April 2018.

2. Standards Activity

- 2.1 Since June, 2017, the Lead Legal and Monitoring Officer has received 8 complaints relating to alleged breaches of the Code of Conduct by Town/Parish Councillors. In 6 of the cases it was decided that they did not warrant further investigation at Stage 2, this being the initial Assessment Panel. The remaining 2 cases are still awaiting a decision at Stage 2. There have been 6 complaints received against District Councillors, 5 of which related to the same individual. This was the subject of a

stage two hearing at which it was decided that there had been a breach of the Code of Conduct, but that there should be no action taken. It had been felt that there would be little purpose in referring the matter for formal investigation as it was difficult to see how a different conclusion would be reached. The remaining complaint against a District Councillor is still pending a Stage 2 investigation by the Initial Assessment Panel.

- 2.2 Standards decisions are publicly accessible on the Council's web site and can be viewed using the following link:-

<http://democracy.aylesburyvaledc.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13294>

- 2.3 The complaints against one District Councillor in particular gave rise to comment in the local press and social media and demonstrated that there was still uncertainty around Members' understanding of the provisions of the Code of Conduct. The Chief Executive felt that this was an opportune time to initiate a programme of refresher training for all Members of the Council and three interactive sessions were held, which were welcomed by Members, a number of whom were very complimentary about the content and presentations. A total of 38 Members attended one of the events.

- 2.4 It was commented during the training sessions that the existing Code of Conduct and the Registers of Interest could perhaps be simplified to assist Members' understanding and the Lead Legal and Monitoring Officer gave an undertaking to look at this with a view to a report being submitted to the Standards Committee. This work has started and will result in a report being submitted to the Standards Committee in due course.

- 2.5 Coincidentally, at the same time as the training sessions were being held, the Council was notified that the Parliamentary Committee on Standards in Public Life was undertaking a review of local government ethical standards and had commenced a consultation on this subject. The consultation was based upon a number of questions around ethical standards and associated issues. All Members of the Council were sent a copy of the consultation document and invited to provide input to the Council's corporate response. A number of Members did so and their comments will be included in the overall response. In one case, as the Member concerned had responded in detail to each of the questions posed, it was agreed with the individual that this response should be sent separately.

- 2.6 In the main, the comments received related to the inadequacy of the sanctions available and the inconsistency of application, the need for simplicity of language in documentation relating to ethics and standards, and the need for consideration to be given to compulsory training within a specified period of taking up office.

3. Conclusions

- 3.1 On the whole elected representatives within the Vale take the need to maintain high ethical standards seriously, but as recent events have proved, there is confusion around statutory and non statutory interests. The Standards Committee will be examining ways and means to improve clarity and understanding.

Councillor Howard Mordue
(Chairman of the Standards Committee)