

**DRAFT**

## **WYCOMBE DISTRICT COUNCIL - STANDARDS COMMITTEE**

### **Annual Report 2011/12**

1. The Complaints Initial Assessment Sub-Committee has dealt with the assessment of 6 complaints this year, compared with 22 complaints the previous year. It was decided in 4 of these matters that no action should be taken, notwithstanding 5 requests for a review, which were considered by the Complaints Review Sub-Committee. In the only matter in which the original decision was for no action, but was referred for investigation by the Review Sub-Committee, further guidance from the Standards Board was submitted to the Review Sub-Committee, which was not originally available to the Monitoring Officer. The investigation into this matter has been carried out and it is shortly expected to reach a conclusion. Of the two matters referred for investigation the previous year, one has been concluded. The other case has been the subject of a more lengthy and detailed investigation but it is expected to reach a conclusion very shortly. In four cases, the complaints were referred to the Monitoring Officer for "other action", namely with a view to training sessions being arranged. All Councillors agreed to attend the sessions, which were successful. The relevant Standards Sub-Committee has received reports on the outcome in all four cases and has expressed its satisfaction with the outcome.

2. Throughout the year, the Committee has also continued to monitor the handling of complaints unrelated to standards of Member conduct. The overall picture has been one of good performance in terms of meeting the corporate targets. A number of service improvements have also been made as a result of complaints, so that the system appears to be working well.

3. I would also like to express my thanks to ex Parish Councillor David Davies who stepped down from the Committee after May last year. Mr Davies was an invaluable parish council representative on the Committee and is thanked for his extensive input and his selfless availability, some times at short notice, to sit on panels, assessments, reviews etc.

4. The Localism Act 2011 has of course introduced a new standards regime, although at the time of writing much of it still awaits implementation. Every authority will be under a duty to promote and maintain high standards of conduct by elected and co-opted members. The Government is abolishing Standards for England, which since 31 January has lost its regulatory role and has ceased to accept new referrals from local standards committees. The Government intend that the remaining elements of the current regime, including the current statutory standards committees with the power to suspend councillors, will be abolished on 1 July 2012.

5. From that date, or from such later date on which the legislation comes into force, all standards matters will be the responsibility of the Council, and to be handled under new arrangements, which the Council will need to adopt. These arrangements will include a new Code based on the seven Nolan principles of conduct in public life, and which must also include provisions relating to the registration and disclosure of interests. The wilful failure to comply with these requirements will constitute a criminal offence. Work is under way to try and establish a common Code for all Councils in Buckinghamshire.

6. This meeting will therefore be asked to re-appoint the Committee in its present form until the date of abolition of the Committee as it is currently constituted. Beyond that date the Council may choose to adopt a voluntary Standards Committee. This will be an ordinary Council Committee or Sub-Committee and will be able to censure Members, but will not be able to suspend or disqualify Members from Council membership.

7. This meeting will also be asked to approve arrangements for the appointment of two Independent Persons who can be consulted at any stage by the Council or by the Member against whom the complaint has been made, and who must be consulted before the Council takes a decision on any matter it has decided to investigate. Unfortunately, the legislation provides that a person cannot be appointed as an Independent Person if he or she has within the last 5 years been a co-opted voting member of a Council Committee, the irrational result of which is that all our existing independent members of the Standards Committee are ineligible to be appointed as Independent Persons, which can hardly be what the Government can have intended.

8. Finally, as the Committee approaches abolition I would like to end by expressing my thanks to all Members of the Committee, and also to officers for their hard work during the past year.

Mrs E Springford

Independent Member and Chairman of the Standards Committee