

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

15 September 2017

Annual Report of Standards Committee**1.0 PURPOSE OF REPORT**

- 1.1 To present Members with a draft Annual Report of the work of the Standards Committee for the period 1 April 2016 to 31 March 2017.

2.0 BACKGROUND

- 2.1 The Committee has previously agreed that it would be helpful to publish an Annual Report on its work to the Authority in order to raise the profile of the Committee and strengthen awareness of its work and ethical standards generally. An Annual Report also assists in discharging the Authority's statutory duty to promote and maintain high standards of conduct and also ensures that the Authority has an overview of work undertaken by the Committee in discharging the Authority's standards responsibilities.
- 2.2 The Committee previously resolved that each Annual Report should be 'light touch' and as brief as possible

3.0 DRAFT ANNUAL REPORT

- 3.1 A draft Annual Report of the Committee, for the period 1 April 2016 to 31 March 2017 is attached for Members' consideration and approval at **Appendix 1**. The Report, if approved by the Committee, will be presented to a future meeting of the Authority.
- 3.2 Members' views are welcomed.

4.0 RECOMMENDATIONS

- 4.1 Subject to any comments Members may have, the Committee is asked to approve the draft Annual Report for presentation to a future meeting of the Authority.

BARRY KHAN

Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

Background Papers:

- The Localism Act 2011
- Minutes of NYCC Standards Committee meetings

County Hall
NORTHALLERTON

6 September 2017

NORTH YORKSHIRE COUNTY COUNCIL

\$ 2017

Annual Report of the Standards Committee**1.0 PURPOSE OF REPORT**

- 1.1 To provide the Authority with an Annual Report on the work of the Standards Committee from 1 April 2016 to 31 March 2017.

2.0 BACKGROUND

- 2.1 The Standards Committee was established in 2012 as part of the ethical framework for local government introduced by the Localism Act 2011.
- 2.2 The Committee has previously agreed that it would be helpful to publish an Annual Report on its work to the Authority in order to raise the profile of the Committee and strengthen awareness of its work and ethical standards generally. An Annual Report also assists in discharging the Authority's statutory duty to promote and maintain high standards of conduct and also ensures that the Authority has an overview of work undertaken by the Committee in discharging the Authority's standards responsibilities.

3.0 THE ETHICAL FRAMEWORK

- 3.1 The ethical framework introduced under the 2011 Act includes:
- (a) **The Standards Committee:** The Committee usually meets twice per annum. During the period in question, the Committee met on 15 April 2016 (rescheduled from 11 March 2016), 23 September 2016 and 10 March 2017. The Committee is responsible for standards and standards complaints handling issues, the granting of dispensations and also has a role in relation to issues raised by or in relation to persistent and/or vexatious complainants.
 - (b) **Independent Persons for Standards:** Each relevant authority must appoint at least one "Independent Person". In 2012, the Authority approved the appointments of Mrs Hilary Gilbertson MBE and Mrs Louise Holroyd as Independent Persons for the Authority. The Independent Persons are invited to all meetings of the Standards Committee and are consulted on all key standards matters.
 - (c) **A statutory duty to promote and maintain high standards of conduct**
 - (d) **Members' Code of Conduct**
 - (e) **Register of Members' Interests** (hard copy and online)
 - (f) **Complaint Handling**
 - (g) **Ethical Statements**
 - (h) **Standards Bulletin**
- 3.2 The **Monitoring Officer** supports the Committee in its work, including maintaining the Register of Members' Interests and dealing with any complaints made against Members under the local standards regime.

4.0 WORK UNDERTAKEN BY THE COMMITTEE

- 4.1 The work undertaken by the Standards Committee between the period 1 April 2016 to 31 March 2017 is set out below:

- (a) Review of ethical framework developments: the Committee has considered developments in the national standards regime and provided guidance to Members, for example in relation to:
- i. documents published by the Committee on Standards in Public Life, for example its guidance document “Ethical Standards for Providers of Public Services”, its report into policing accountability: Tone from the top - leadership, ethics and accountability in policing, its review of ethics for regulators and its Annual Report 2015- 2016 and Forward Plan 2016-2017;
 - ii. the Law Commission consultation on misconduct in public office;
 - iii. the National Audit Office report into the acceptance of gifts and hospitality by government officials;
 - iv. The House of Commons Library Briefing Paper, Number 05707, 27 June 2016, on Local Government Standards in England;
 - v. The Local Government Ombudsman report re its review of Local Government Complaints for 2015-16.
- (b) Standards Complaint Procedure: the Committee considered, and recommended to full Council on 17 May 2017 for approval, certain amendments to the arrangements for dealing with allegations of breach of the Members’ Code of Conduct.
- (c) Gifts and Hospitality Protocol for Councillors: the Committee considered draft amendments to the Protocol for further consultation.
- (d) Members’ attendance at Committees: the Committee considered and noted statistical information relating to Members’ attendance at meetings of the County Council and its Committees. It agreed that the matter of addressing attendance issues should be left in the hands of the relevant Group Leaders.
- (e) Training: The Committee ensures that Members receive appropriate training to maintain their awareness of ethical standards. Training during 2016/7 included an induction training session for a new Councillor in July 2016, and refresher standards training to the Standards Committee on 10 March 2017.
- (f) Register of Members’ Interests: The Register of Members’ Interests is also published on the Authority’s website. The Committee monitors the operation of the Register.
- (g) Standards Bulletin: The Committee has issued three Standards Bulletins during the period covered by this Report, aimed at keeping Members and Officers apprised of developments in the ethical regime. Copies of the Bulletin have also been requested by, and circulated to, other authorities.
- (h) Complaints: The Committee receives a Complaints Update report at each meeting. During the period covered by this Report, there were three complaints received that Members may have breached the Authority’s Members’ Code of Conduct. Of those three complaints, two are currently under Monitoring Officer consideration and the other was held to be out of jurisdiction and therefore no action was required.
- (i) Liaison with neighbouring authorities: The Monitoring Officer has continued to liaise with the neighbouring authority Heads of Legal/Monitoring Officers’ Group and a meeting of the Group and Chairs/Vice-Chairs of Standards Committees took place at the City of York Council offices on 21 July 2016.
- (j) Standards Committee Annual Report: an Annual Report of the Committee covering the period 1 April 2015 to 31 March 2016 was presented to full Council on 9 November 2016.

- 4.2 The Committee will continue its work in the promotion of high ethical standards and further involvement in training of officers and Members at an appropriate stage.

5.0 RECOMMENDATION

- 5.1 That the Authority receives and notes the Annual Report of the Standards Committee.

\$
Chair of NYCC Standards Committee

Background Papers:
Minutes of and reports to the Standards Committee

15 September 2017