

Report

Council



Part 1

Date: 29th September 2015

Item No: see above

Subject Standards Committee Annual Report 2014/15

Purpose To present the Standards Committee Annual Report for 2014/15

Author Head of Law and Regulation
Chair of Standards Committee

Ward All wards

Summary This Report presents to council the second Annual Report of the Standards Committee for 2014/15. Last year, as part of the forward work programme, Standards Committee decided that it would be helpful and appropriate to publish an annual report to provide information to the Council about the work carried out by the Committee during the previous 12 months and to identify any specific issues that have arisen.

This second Annual Report covers the period from August 2014 to July 2015 and follows on from the first report presented to Council last October.

Proposal To receive the Standards Committee Annual Report for 2014/15 and to note the forward work programme.

Action by Head of Law and Regulation

Timetable Immediate

This report was prepared after consultation with:

- Standards Committee
- Head of Finance
- Head of People and Transformation

Signed

Background

1. The Local Government Act 2000 Part III requires the Council to establish a Standards Committee to promote and maintain high standards of ethical conduct by Councillors, co-opted members and Community Councillors. This role involves advising and training Members on the Code of Conduct, determining any complaints of misconduct, the imposition of sanctions, where appropriate, and considering any applications for dispensation under the Code.
2. The composition and membership of the Standards Committee is prescribed by the Standards Committees (Wales) Regulations 2001 (as amended) and comprises:-
 - 5 independent members (including an independent chair and vice-Chair)
 - 3 Councillors
 - 1 community council representative.
3. The Standards Committee is required to meet at least once annually in accordance with the Local Government Act 2000. In practice, the Committee meets on a scheduled quarterly basis and additional special meetings are arranged, as necessary, to deal with specific matters such as misconduct hearings and requests for dispensation.
4. Standards Committee has decided that it would be helpful and appropriate to publish an annual report to provide information about the work carried out by the Committee, to identify any specific issues that have arisen and to set out their priorities for their future work programme
5. This second Annual Report covers the period from August 2014 to July 2015 and follows on from the first report presented to Council last October

The Committee's work in 2013/14

6. The Annual Report summarises the work carried out by the Standards Committee during the past 12 months. The Committee has met on 4 occasions during this period.
7. The Report notes that, although there were 2 complaints referred to the Ombudsman during this period there were no cases of misconduct or breaches of the Code referred to the Committee for determination, either by the Ombudsman or under the Local Resolution Protocol. Therefore, there were no findings of misconduct against any City or Community Councillors.
8. To assist Members in meeting their obligations under the Code of Conduct, the Committee has produced a Protocol for the Registration of Gifts and Hospitality (a copy of which is attached to the annual report at [Appendix 1](#)). This is intended to provide general advice and assistance to Members in connection with the acceptance and registration of gifts and hospitality. The Committee has also recommended that the threshold for the registration of gifts and hospitality should be reduced from £80 to £25 in line with most other Welsh local authorities.
9. There have been no changes to the membership of the Standards Committee during last year although, as part of the forward work plan for the next 12 months, the Committee will need to consider succession planning for those independent members whose second terms of office are due to end next September.
10. The Committee has also developed a written procedure for dealing with complaints referred by the Ombudsman and a protocol for conducting misconduct hearings to ensure that the procedures are fully compliant with the statutory requirements and that any Members who are the subject of misconduct complaints are given a fair and impartial hearing. (A copy of the written Procedure is attached to the Report at [Appendix 2](#)).

11. The Committee carried out a review of the Council's Whistleblowing Policy and the Action Plan produced in response to the Wales Audit Office Report. The Committee also received updates on the implementation of the Local Democracy (Wales) Act 2013 and, in particular, the changes to the requirements for community councils to maintain the statutory register of members' interests
12. Unlike last year, the Committee only had to consider one application this year for dispensation in connection with the allocation of Neighbourhood Allowances, which was turned down. The tightening up of the rules for the use of these funds may account for the significant reduction in dispensation applications during the past 12 months, but the same general principles will apply and, in particular, the Committee will still need to be satisfied that the allocation of the funding will not undermine public confidence or give rise to any perception of favouritism

Forward Work Programme

13. The Annual Report sets out the priorities for the future work programme. The Standards Committee will be proactively reviewing all ethical standards policies and procedures and will be encouraging Councillors to undertake refresher training on the Code of Conduct, in the light of the expected changes to the ethical framework and the code of Conduct in Wales

Financial Summary

14. There are no financial implications as the costs of operating and supporting the Standards Committee are covered within existing budgets. Independent members of Standards Committee receive a fixed fee for attendance at and preparation for meetings in accordance with the half daily rates prescribed by the IRP for Wales.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
An ineffective Standards Committee would undermine public confidence in local government and would lead to poor quality decision-making, with the risk of legal challenge, reputational harm to the Council and sanctions imposed on individual Members	H	L	By proactively promoting high standards of ethical conduct among elected Members and officers and delivering effective training, there have been no findings of misconduct and no serious complaints of breaches of the Code.	Standards Committee Monitoring Officer Deputy Monitoring Officer
Failure to agree key priorities and a structured forward work programme could lead to a reduction in standards and behaviour and undermine the	M	L	The forward work programme sets out a structured basis for reviewing all ethical standards policies and procedures and reviewing training needs and	Standards Committee Monitoring Officer Deputy Monitoring Officer

effectiveness of the Committee			development.	
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* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

The promotion of high standards of ethical conduct among elected Members and officers maintains public confidence in local government and helps to make Newport a Fairer City

Options Available

- (a) To receive the Standards Committee Annual Report and note the forward work programme
- (b) To reject the report and/or ask for further work to be undertaken

Preferred Option and Why

To receive the Standards Committee Annual Report and note the forward work programme

Comments of Chief Financial Officer

There are no financial implications.

Comments of Monitoring Officer

Set out in the Report.

Staffing Implications: Comments of Head of People and Business Change

There are no staffing implications.

Background Papers

Committee reports and background papers August 2014-July 2015.

Dated: 22nd September 2015