

## STANDARDS COMMITTEE

19 JULY 2023

### REPORT OF THE MONITORING OFFICER

#### **A.1 INTRODUCTION TO THE STANDARDS FRAMEWORK AND TERMS OF REFERENCE OF THE STANDARDS COMMITTEE & UPDATE ON MEMBER INDUCTION AND CODE OF CONDUCT TRAINING**

##### **PART 1 – KEY INFORMATION**

###### **PURPOSE OF THE REPORT**

To enable the new membership of the Standards Committee to familiarise themselves with the Council's Standards Framework and to be introduced to the Committee's work plan for the 2023/24 Municipal Year.

###### **EXECUTIVE SUMMARY**

This report reiterates the Council's legal requirement to have a published Standards Framework applicable to elected Members, in accordance with the Localism Act 2011 and relevant guidance.

###### **RECOMMENDATION(S)**

**It is recommended that the Standards Committee:**

- a) notes the contents of this report and Appendices A and B;**
- b) welcomes the one hundred percent achievement of elected Councillors attending the mandatory Code of Conduct training following the elections in May 2023; and**
- c) give consideration to the communication to the Town and Parish Councils who have adopted the LGA Model Code of Conduct, which states at Paragraph 8 that all Councillors must attend Code of Conduct training provided.**

###### **REASON(S) FOR THE RECOMMENDATION(S)**

To familiarise the new membership of the Standards Committee with the Council's Standards Framework and work plan for the 2023/24 Municipal Year.

###### **ALTERNATIVE OPTIONS CONSIDERED**

The alternative option would be no to produce a report to inform Members of the Standards Committee; however this was discounted as it is important to ensure new and previously elected Members of the District Council are fully aware of the Terms of Reference of the Committee on which they sit.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

One of the themes of the Council's Corporate Plan 2020-24 is strong finances and governance, which includes effective and positive governance. The Corporate Plan is also underpinned by 'our values', being that Councillors and staff uphold personal integrity, honesty and respect to others.

### LEGAL REQUIREMENTS (including legislation & constitutional powers)

Full Council, at its meeting in November 2022, adopted the Local Government Association's Model Members' Code of Conduct, for the purposes of Sections 27 and 28 of the Localism Act 2011. This was to commence from the Annual Council meeting in May 2023.

Section 28 of the Localism Act 2011 also requires the District Council to have in place arrangements under which allegations can be investigated and in November 2013 Full Council approved, and adopted, the Standards Committee's Terms of Reference and a package of procedures and protocols. These collectively form the District Council's Standards Framework.

Council Procedure Rule 33.3 Training Members of the Audit, Licensing and Registration, Planning and Standards Committees;

- In addition to specific training required as and when necessary, training shall be provided to all Members appointed to the Audit, Licensing and Registration, Planning and Standards Committees on an annual basis at an appropriate date and time after each annual meeting of the Council and such training shall be mandatory. The Monitoring Officer shall define what is meant by the word "mandatory" and they will also decide whether the training offered/provided is/was sufficient and "fit for purpose".
- A Member cannot sit as a member of the Standards Committee unless they have received specific training with regard to the Hearings Procedure and participation in Hearings

Members of the Standards Committee will receive the relevant hearing procedure training prior to any hearings if scheduled.

### FINANCE AND OTHER RESOURCE IMPLICATIONS

#### Finance

The cost of internal training is met within existing resources. Ideally, additional training will not be offered to Members who fail to attend an organised session, unless or until, a further session is available.

### USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	
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B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	
<b>MILESTONES AND DELIVERY</b>	
This report is presented to the Committee in accordance with the work programme.	
<b>ASSOCIATED RISKS AND MITIGATION</b>	
The integrity of Members, their decision making and that of the Council and its committees, are part of good governance.	
<b>OUTCOME OF CONSULTATION AND ENGAGEMENT</b>	
There is no requirement to seek consultation on this report. This is a public document to be presented to the Standards Committee.	
<b>EQUALITIES</b>	
The Standards Committee and its associated work programme aims to deliver fairness, transparency and consistency to all customers and stakeholders.	
<b>SOCIAL VALUE CONSIDERATIONS</b>	
Social value considerations are taken into account for each decision made.	
<b>IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030</b>	
This is taken into account for each decision made.	
<b>OTHER RELEVANT IMPLICATIONS</b>	
<b>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</b>	
<b>Crime and Disorder</b>	Not applicable
<b>Health Inequalities</b>	Not applicable
<b>Area or Ward affected</b>	All Wards could be affected
<b>ANY OTHER RELEVANT INFORMATION</b>	
None	

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

The seven elements of the Council's Standards Framework are as follows:

- i. The Members' Code of Conduct
- ii. The Terms of Reference and Delegated Powers for the Standards Committee and the Town and Parish Council's Sub-Committee
- iii. The annual work programme adopted by the Committee
- iv. The Monitoring Officer Protocol
- v. The Independent Person's Protocol
- vi. Member and Officer Relations Protocol
- vii. The Complaints Procedure

With the exception of (iii) above, the Code, Protocols and Complaints Procedure are all contained within Part 6 of the Council's Constitution. The Terms of Reference and the annual work programme are included as Appendix A and B respectively.

The overall approach of the arrangements was to seek:

- Information and training for Members and Officers to increase awareness and support good standards of behaviour
- Proportionality – responses to complaints which were proportionate to their seriousness
- Timeliness – with clear timescales for the various stages of complaints to be progressed
- Checks, balances, reporting requirements and delegation to the Monitoring Officer of key elements of the process to maximise independence from the political process
- Early and informal intervention to resolve complaints wherever possible (including an expectation that Group Leaders will play a key role)

The Standards Committee and Town and Parish Councils' Standards Sub Committee Terms of Reference can be found at **Appendix A**.

In order to enable the Committee to focus on promoting high standards of conduct as well as reacting to complaints, Members may reference the annual work programme for the Committee for the 2023/24 Municipal Year submitted at **Appendix B**. The Committee will note that throughout the year Members receive various reports reflecting on good practice in maintaining and upholding high standards of conduct to assist Members in being proactive in the exercise of its statutory duty. Members of the Committee may also make a request to the Chairman and/or the Monitoring Officer for items to go on the agenda throughout the year, so long as it is within the Committee's terms of reference.

The Committee's attention is further drawn to **Appendix C**, an update by the Monitoring Officer to inform the Committee of details of those Members who had attended the new Members' Code of Conduct training; of which various sessions have been held following the election in May 23. Those District Councillors who are also Town and Parish Councillors can be recorded as attending the mandatory training for both roles as the content was applicable to the dual role. Invitations were sent to all 27 Town and Parish Councils, offering two training dates, of which 12 had a selection of Councillors who attended the training. It is recommended to the Standards Committee that consideration is given to the communication

to the Town and Parish Councils who have adopted the LGA Model Code of Conduct, which states at Paragraph 8 that all Councillors must attend Code of Conduct training provided.

A further report will be presented to the Committee at its next meeting providing an update on the Members' induction programme, as training sessions are still ongoing.

#### **PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.**

Full Council, at its meeting in November 2022, adopted the Local Government Association's Model Members' Code of Conduct, for the purposes of Sections 27 and 28 of the Localism Act 2011. This was to commence from the Annual Council meeting in May 2023 and that all duly elected TDC Members attend mandatory training sessions on the new Code of Conduct.

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

There are no background papers associated with this report.

#### **APPENDICES**

**Appendix A – The Standards Committee and Town and Parish Councils' Standards Sub Committee Terms of Reference**

**Appendix B – Standards Committee 2023/24 Municipal Year work programme**

**Appendix C – 2023 Members' Code of Conduct training record**

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