



**Worcester**  
CITY COUNCIL

**WORCESTER CITY COUNCIL**

**ANNUAL REPORT OF THE**

**STANDARDS COMMITTEE**

**2017/18**

## **ANNUAL REPORT OF THE STANDARDS COMMITTEE 2017/18**

### **1. Introduction and Background**

- 1.1 Under the Localism Act 2011, new standards arrangements came into effect on 1 July 2012. Local authorities are responsible for their own standards arrangements, including promoting and maintaining high standards of conduct and having mechanisms in place to investigate complaints and make decisions on them.

### **2. The Standards Committee**

- 2.1 The role and functions of the Committee are set out in the Council's Constitution, as follows:
- (a) promoting and maintaining high standards of conduct by Councillors, Co-opted Members and Parish Councillors.
  - (b) Advising the City Council and its Parish Councils on the adoption and amendment of local Codes of Conduct for Councillors, protocols for member officer relations, whistleblowing policies and complaints procedures collectively known as Local Codes.
  - (c) Monitoring the operation of the Local Codes adopted by the City Council and its Parish Councils.
  - (d) Advising and training or arranging for the training of City Councillors, Parish Councillors, Co-opted Members and Officers on matters relating to the Local Codes.
  - (e) Granting dispensations in respect of Members' Interests in accordance with regulations made by the Secretary of State for Communities and Local Government.
  - (f) Considering allegations of breaches of the Local Codes by members of the City Council or its Parishes and considering what sanctions, if any, to impose where allegations are found proven.
  - (g) Considering reports from the Monitoring Officer.
  - (h) Considering any reports issued by the Local Government Ombudsman regarding the City Council, authorising any payments proposed by the Local Government Ombudsman and recommending any other action that may be appropriate.
  - (i) Considering any reports issued by the Local Government Ombudsman regarding either of the City's Parish Councils and recommending any appropriate action to them.
  - (j) Approving payments or the provision of other benefits to a person (or persons) where the Committee considers that maladministration has occurred on the part of the City Council and that the person or persons has or have been adversely affected by it.

- (k) Considering and taking any appropriate action in respect of any alleged breaches of the Council's Local Codes

### **3. Membership and Meetings**

- 3.1 For the 2017/18 Municipal Year, the Standards Committee membership was as follows:

City Councillors

Chairman: Councillor Jo Hodges

Vice-Chairman: Councillor Jones

Councillors Matthew Lamb, Steve Mackay, George Squires, James Stanley

Co-opted Independent Member

Mr Raymond Needham JP

Parish Council Representatives

Mrs Pam Clayton and Mr Roger Knight - St. Peter the Great Parish Council

Mrs Valarie Barrall and Mrs Dawn Merriman - Warndon Parish Council

Roger Knight took over from Paul Thorlby as one of the St. Peter's Parish Council representatives in May 2017, and therefore sits on the Committee in his capacity as a Parish Councillor.

- 3.2 The Committee met 3 times in 2017/18, in July, November and March. Meetings take place at the Guildhall and are open to all Members of the Council and the public.

### **4. Monitoring Officer**

- 4.1 The Committee is supported by Tim O'Gara, Deputy Director - Governance, who is also the Council's Monitoring Officer. Claire Chaplin, Democratic and Civic Services Manager and Georgina Coley, Legal Team Manager, carry out jointly the role of Deputy Monitoring Officer.

### **5. Consideration of Complaints as to Conduct of Councillors**

- 5.1 Complaints made under the Members' Code of Conduct are made to the Monitoring Officer.
- 5.2 The Complaints Procedure was adopted by the Council in March 2014 and provides that a complaint will initially be considered by the Monitoring Officer and an Independent Person, once the Monitoring Officer is in receipt of all relevant information to enable an initial assessment of the complaint to take place. After consulting the Independent Person, the Monitoring Officer will decide either to take no action on the allegation, to resolve the complaint informally or to arrange an investigation.
- 5.3 During the year, the Committee were advised of 3 complaints received. Before making a decision on each case, the Monitoring Officer consulted one of the Independent Persons from the pool appointed to consider complaints. The outcome in respect of each complaint was as follows:

- Complaint 1 – no action taken
- Complaint 2 – resolved informally through mediation
- Complaint 3 – complaint subsequently withdrawn, no further action necessary.

## **6. Members' and Officers' Interests and Gifts and Hospitality**

6.1 The Committee reviews these registers at each meeting. All Members are required to complete a declaration of disclosable pecuniary interests – DPIs - under the Localism Act 2011. These are reviewed by each Member annually and updated as appropriate. The information declared is published on the Council's website.

## **7. Ombudsman Complaints**

7.1 The Committee considers any formal reports that are issued by the Local Government and Social Care Ombudsman following investigation of a complaint, where resolution is not agreed, or there is an issue of public interest.

7.2 In addition, the Monitoring Officer has a duty to report when there has been an investigation which identifies maladministration in the exercise of administrative functions, or a failure in a service or a failure to provide a service.

7.3 For the Municipal Year 2017/18, there were no reports or upheld decisions received or incidents of maladministration identified by the Ombudsman to report to the Committee.

## **8. Guidance for Members on Issues Relating to Outside Bodies**

8.1 The Committee considered and agreed guidance for Members on issues relating to Outside Bodies. The guidance provides a high-level overview, and if further advice is required this can be sought from the Monitoring Officer.

8.2 There was a discussion about the process for reporting back by representatives. The Committee concluded that it would be worthwhile for Officers to consider this in more detail with Group Leaders and then report back.

## **9. Confidential Information Guidance for Members**

9.1 Following the move from the Cabinet to Committee model of governance, more Councillors are likely to receive confidential or exempt information. At the request of the Committee, the Monitoring Officer has provided practical guidance for Members relating to the handling of such information. This guidance was considered and agreed by the Committee in November 2017.

## **10. Conduct During Elections**

10.1 The Committee asked for guidance for Councillors to be provided in relation to conduct during elections. This information is also relevant to Parish Councillors. Prior to the 2018 Local Government Elections, the Monitoring Officer – who is also the Returning Officer - provided an overview which covered Electoral Offences, the Code of Conduct for Campaigners and Purdah Guidance. Extensive guidance is available for prospective Councillors and their agents from the Electoral Commission's website.

## **11. Other Matters**

- 11.1 The Committee has previously discussed the filming and recording of meetings. Members of the public and press are permitted to film, photograph or make an audio recording. Following a notice of motion which was agreed by the Council in July 2017, the Council has introduced an audio recording system and many meetings are now streamed live via the website. The recordings are subsequently published on the relevant meeting page of the website.
- 11.2 The issue of General Data Protection Regulations (GDPR) was raised. The Monitoring Officer provided a Data Protection and GDPR briefing for all Members in March 2018.
- 11.3 The Monitoring Officer provides regular training for all Members on a range of Standards issues. The most recent session was held in June 2018.

## **12. Conclusion**

- 12.1 The Council adopted its current Code of Conduct for Members in June 2012. The Council promotes a high standard of Conduct and the Standards Committee will continue to monitor the operation of the local Code.
- 12.2 Under the new Committee system of governance introduced in 2017, the Council has four 'Regulatory' committees - Licensing and Environmental Health, Planning, Audit and Governance and Standards. This Committee will continue to produce an Annual Report, highlighting the work that it has undertaken over the last twelve months, which will be referred to the full Council for information.
- 12.3 The Council's Deputy Director – Governance and Monitoring Officer, Tim O'Gara, will be leaving at the end of October 2018 to take up a new position with Bristol City Council. Tim has always been there to provide advice and guidance to Members, and I would like to thank him on behalf of the Committee for the excellent support that he has given us since he first joined the Council in 2012.

Councillor Jo Hodges  
Chairman of the Standards Committee  
August 2018