

## Report Template

Report to: **Standards Committee**  
Date: **7 July 2015**  
Title: **Standards Complaints Update**  
Portfolio Area: **Resources & Performance**  
Wards Affected: **All**  
Relevant Scrutiny Committee: Internal

Urgent Decision: **Y / N** **N**

Date next steps can be taken: **N/A**  
(e.g. referral on of recommendation or implementation of substantive decision)

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### **Recommendation:**

That the Committee notes the report

### **1. Executive summary**

1) To update Members on the number and types of standards complaints that have been received by the Borough Council over the previous twelve months (1 June 2014 to 31 May 2015).

### **2. Background**

- 1) Following the abolition of the previous standards regime in July 2012 the Council adopted a local Code of Members' Conduct together with procedures for dealing with allegations that the Code of Conduct has been broken.
- 2) The Standards Committee is responsible for providing and maintaining high standards of conduct by Borough Councillors, and for an overview of the Code and Code of Conduct complaints.

## Report Template

- 3) Whilst all councils are now responsible for adopting their own local codes of conduct, the Borough Council remains responsible for maintaining Registers of Interests and considering allegations of a breach of the Code on behalf of Parish and Town Councils.
- 4) This report updates Members on the numbers and types of standards complaints received over the last twelve months for both Borough Members and those received against Parish and Town Councillors.

### 3. Outcomes/outputs

- 1) Attached as Appendix A is a table of standards complaints received by West Devon Borough Council for the period 1 June 2014 to 31 May 2015.
- 2) For the period 1 June 2014 to 31 May 2015, one complainant alleged that four 4 Borough Councillors had broken the West Devon Code of Conduct, and 7 complaints were received against 8 town or parish councillors.
- 3) A comparison table at Appendix B shows the figures for the previous twelve month period and a comparison with the numbers of complaints received in respect of South Hams District Council and its town and Parish Councils for the same periods.
- 4) As Members will note from the table in Appendix A, the majority of the complaints allege that the councillor has failed to treat others with respect followed by failing to declare an interest and bringing the council or office of councillor into disrepute. It is unsurprising that the majority of complaints allege 'disrespect' as this is a broad category of behaviour. None of the allegations were referred for investigation during the previous twelve month period. In the same period one matter was referred for investigation at South Hams District Council.
- 5) Whilst it is not possible to eliminate complaints made under this process, it is possible to mitigate against complaints being referred for investigation by raising awareness amongst Borough Councillors and through regular training on the provisions of the Code of Conduct.
- 6) Whilst the Localism Act 2011 does not require the Borough Council to train Parish and Town Councils (this responsibility has been devolved to the local councils themselves) the Council is arranging a Parish and Town Council training day within the next couple of months which will include a session on standards.

### 4. Proposed Way Forward

- 1) To continue to monitor standards complaints and report to the Standards Committee on the numbers and types of complaints received, and to provide regular training for Borough Councillors.
- 2) The Borough Council will endeavour to provide a Parish and Town Council training day each year to raise awareness of standards and governance.

### 5. Implications

| Implications | Relevant | Details and proposed measures to address |
|--------------|----------|--|
|--------------|----------|--|

## Report Template

|  | to proposals<br>Y/N |   |
|--|---------------------|---|
| Legal/Governance                             |                     | <ul style="list-style-type: none"> <li>The Localism Act 2011 requires all councils to adopt a local Code of Members' Conduct and to adopt procedures for dealing with allegations that the Code has been broken.</li> <li>The Council adopted a local Code of Conduct in July 2012 (amended in 2104) and has an adopted procedure for dealing with standards complaints.</li> <li>The Constitution delegates responsibility to the Standards Committee for providing and maintaining high standards of conduct by councillors and for an overview of the Code and Code of Conduct complaints</li> </ul> |
| Financial                                    |                     | There are no direct financial implications to this report. The three Independent Persons each receive £500 per annum, and there will be financial implications if the matter is referred for investigation and an external Investigating Officer is appointed.  |
| Risk   |                     | There are no significant risks associated with this report; it seeks to update members on complaints received.  |
| Comprehensive Impact Assessment Implications |                     |   |
| Equality and Diversity                       |                     | These were considered in the original adoption of the Dealing with Complaints Policy.   |
| Safeguarding                                 |                     | Not applicable  |
| Community Safety, Crime and Disorder         |                     | Not applicable  |
| Health, Safety and Wellbeing                 |                     | Not applicable  |

### **Supporting Information**

#### **Appendices:**

Appendix A: Table of standards complaints 1 June 2014 to 31 May 2015

Appendix B: Comparison table of complaints June 2013 to 2015

#### **Background Papers:**

None