

Standards Committee

10 December 2018

Code of Conduct Update

Ordinary Decision



Report of Helen Lynch, Head of Legal and Democratic Services

Electoral division(s) affected:

None.

Purpose of the Report

- 1 To provide the Committee with an update on activity since the last meeting in respect of complaints received by Durham County Council against Councillors.

Executive summary

- 2 The Council has a statutory duty to maintain and promote high standards of ethical conduct issues. Regular oversight by the Standards Committee of the complaints against County, Town and Parish Councillors helps the Council to discharge that duty.
- 3 The report provides at Appendix 2 a list of complaints of alleged breaches of the Code of Conduct currently being assessed and those which have been completed. Complaints are considered in accordance with the Council's Local Assessment Procedure dated October 2018.
- 4 The report also informs the Committee of training provided by the Monitoring Officer.

Recommendation

- 5 Members are asked to note the contents of the report.

Complaints

- 6 There continues to be a high volume of complaints against Councillors. Since the last meeting of the Committee held on 5 October 2018, 22 new complaints have been logged in the two month period. However it should be noted that of those received, separate complaints were made by individuals in respect of two Parish Councillors (COM 196, 198, 205-206 and COM 204, 208 and 210) and three complaints have been received in respect of one Town Councillor (COM 211-213).
- 7 Decision notices have been issued in the period in respect of complaints COM 179, COM 189-190 and 192-194, COM 195, COM 197, COM 207 and COM 209. In relation to complaints COM 195, COM 207 and COM 209, it was considered that the conduct complained of did not engage the Member Code of Conduct and therefore no further action was taken. A Decision Notice has also been issued following a local investigation in respect of complaint COM 137 which found that there had been no breach of the Code of Conduct.
- 8 A Standards Committee Hearing Panel has been held in relation to complaint COM 134, which is the subject of a separate report to this Committee.
- 9 Further details as to the outcome of these complaints is set out in Appendix 2 to the report.

Training

- 10 On 14 November 2018 the Monitoring Officer provided training to Members of Stanley Town Council on the Code of Conduct for Members, in accordance with Decision Notice COM 138.
- 11 Training was also arranged in response to the outcome of the Standards Committee Hearing Panel (COM 134) but this was postponed due to unforeseen circumstances. The Monitoring Officer will endeavour to deliver this training before the next meeting of the Standards Committee in March 2019 and update the Committee accordingly.
- 12 In addition to providing training in response to specific complaints, the Monitoring Officer has offered training to Town and Parish Councils where queries/issues have been raised but no formal complaints received. Two such sessions are being arranged for early in the new year.

Conclusion

- 13 The report is intended to provide an overview of complaints handling to assist the Standards Committee to fulfil their role in promoting and maintaining high standards of conduct.

Background papers

- Local Assessment Procedure dated October 2018.
- Decision Notices.

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Appendix 1: Implications

Legal Implications

The Council has a duty under s. 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a code of conduct that is consistent with the Nolan Principles. It must also have in place arrangements to consider allegations about breaches of the Codes of Conduct for Members, by the Council's own members and of members of Parish/Town Councils for which the Council is the Principal Authority.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.