



STANDARDS COMMITTEE AGENDA

Date: Wednesday, 23 March 2022

Time: 6.30 pm

Venue: Virtual Meeting

You can view the agenda online by using a smart phone camera and scanning the code below:



15 March 2022

PART 1

1. Apologies for absence
2. To receive Disclosures of Interest on any matters before the Committee
3. To approve the minutes of the previous meeting (**Pages 3 - 4**)
4. Standards Committee Annual Report (**Pages 5 - 12**)
5. Parish Remuneration Panel (**Pages 13 - 16**)
6. Consideration of dispensation to allow all councillors dispensation from S.85 of the Local Government Act 1972 for a period of 6 months
7. Exclusion of the Press and Public
To resolve that the press and public be excluded from the meeting during consideration of the following items of business as there may be disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972

PART 2

8. To approve the exempt minutes of the previous meeting (**Pages 17 - 18**)
*(Paragraph 1, 2 - Information relating to any individual.
Information which is likely to reveal the identity of an individual.)*
9. Complaints - Standards Committee Monitoring Report (**Pages 19 - 22**)
*(Paragraph 1, 2 - Information relating to any individual.
Information which is likely to reveal the identity of an individual.)*

MARK TRILLO
EXECUTIVE DIRECTOR AND MONITORING OFFICER

Membership of Standards Committee (HPBC)

Councillor R Quinn (Chair)

Councillor R Abbotts

Councillor S Gardner

Councillor P Roberts (Vice-Chair)

Councillor T Ashton

Councillor E Longden



STANDARDS COMMITTEE

Meeting: Wednesday, 12 January 2022 at 6.30 pm in The Octagon Lounge, Pavilion Gardens, Buxton

Present: Councillor R Quinn (Chair)

Councillors T Ashton, S Gardner, E Longden and P Roberts

Mr P Carnall was also in attendance.

Apologies for absence were received from Councillors R Abbotts, A Barrow and Mr P Matthews

20/6 TO RECEIVE DISCLOSURES OF INTEREST ON ANY MATTERS BEFORE THE COMMITTEE
(Agenda Item 2)

There were no declarations of interests made.

20/7 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING
(Agenda Item 3)

RESOLVED:

That the minutes of the meeting held on 28 September 2021 be approved as a correct record.

20/8 EXCLUSION OF THE PRESS AND PUBLIC
(Agenda Item 4)

RESOLVED:

That the press and public be excluded from the meeting during consideration of the following items of business as there may be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972.

20/9 TO APPROVE THE EXEMPT MINUTES OF THE PREVIOUS MEETING
(Agenda Item 5)

RESOLVED:

That the exempt minutes of the meeting held on 28 September 2021 be approved as a correct record.

**20/10 OUTCOME OF REPORT AFTER INDEPENDENT INVESTIGATION INTO
ALLEGED BREACHES OF THE CODE OF CONDUCT**
(Agenda Item 6)

RESOLVED:

The Committee accepted the findings of a report issued by the independent Investigating Officer with regards to alleged breaches of the Code of Conduct.

The meeting concluded at 6.50 pm

CHAIRMAN

HIGH PEAK BOROUGH COUNCIL

Standards Committee

23 March 2022

TITLE:	Standards Committee Annual Report
EXECUTIVE COUNCILLOR:	Councillor Alan Barrow - Executive Councillor for Corporate Services and Finance
CONTACT OFFICER:	Linden Vernon – Head of Democratic Services
WARDS INVOLVED:	Non-Specific

Appendices Attached – Appendix A – Role of the Committee

1. Reason for the Report

1.1 To review the work of the Standards Committee during 2020/2021.

2. Recommendation

2.1 That the report be noted.

3. Executive Summary

3.1 This report provides an overview of the issues considered by the Standards Committee during 2020/21. This included the following matters:

- Local Government Association - Model Member Code of Conduct
- Review into Ethical Standards by the Committee for Standards in Public Life
- Monitoring complaints received regarding alleged breaches of the Code of Conduct and outcome of reports after Independent Investigations into alleged breaches of the Code of Conduct
- The Annual Letter received from the Local Government Ombudsman
- Annual Review of Councillor Development

4. How this report links to Corporate Priorities

4.1 High standards of conduct are integral to the Council achieving its corporate priorities.

5. Alternative Options

5.1 There are no options to consider.

Mark Trillo
Executive Director (Governance and Commissioning)

Web Links and Background Papers

[Standards Committee Reports](#)

Contact details

Linden Vernon
Head of Democratic Services
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6. Detail

6.1 Article 9 of the Council's Constitution defines the role of the Standards Committee and is shown in full in **Appendix A** to this report. In summary this includes:

- Promoting high standards of conduct amongst councillors and making sure they are properly trained
- Granting dispensations to Borough councillors
- Ensuring that appropriate arrangements are in place for dealing with allegations into breaches of the Code of Conduct
- Hearing representations from councillors who may become disqualified for not attending meetings
- Advising the Council on Members' allowances

6.2 The current membership of the committee is provided below. The Council's Independent Persons continue to be invited to attend and participate at Committee meetings.

Borough Councillors	Cllr Rachel Quinn (Chair) Cllr Peter Roberts (Vice-Chair) Cllr Rachel Abbotts Cllr Tony Ashton Cllr Stewart Gardner Cllr Edith Longdon
Co-opted Town/Parish representatives (non-voting)	Vacant positions x 2
Independent Persons	Mr Peter Matthews Mr Philip Carnall (substitute) Vacant position (substitute)

Local Government Association (LGA) - Model Member Code of Conduct

- 6.3 The Committee received two reports during the year which provided an update on the revised Local Government Association's Model Code of Conduct.
- 6.4 In 2018, the Committee for Standards in Public Life undertook a review of local government ethical standards. This found that there was inconsistency between codes of conduct in local authorities. It was therefore recommended that the LGA should produce a new national 'model code' which would take into account changes to the political environment, such as the increasing use of social media in public life, with the discretion for individual authorities to adapt the model code to fit local circumstances.
- 6.5 The LGA reviewed their previous Model Code and had conducted a consultation exercise. The final version of the Code will be offered as a template for councils to adopt in whole and/or with local amendments.
- 6.6 The updated Model Code was published in December 2020. The revised code included provisions for the use of social media by Members, it attempted to clarify when Members are determined to be acting in their official capacities and it re-enforced the provisions around preventing abusive, threatening and intimidating behaviour.
- 6.7 The Council's current code of conduct was approved in July 2019 after being revised in consideration of the best practice recommendations which had been set out in the ethical standards review. The Government has not yet responded to the formal recommendations within the review report. If the Government does choose to implement the formal recommendations it is likely that there will be legislative change and the code of conduct will require further amendment. A further report would be presented to Members of the Standards Committee at that stage.

Review into Ethical Standards by the Committee for Standards in Public Life

- 6.8 The Committee on Standards in Public Life (CSPL) started a broad review of the infrastructure and institutions which deal with standards in public life. The Committee had identified a wide range of bodies involved in investigating, promoting, and maintaining standards, based on the Nolan principles. The Committee was consulting with stakeholders to determine the most appropriate way of promoting standards in public life through those institutions.
- 6.9 The review would look at best practice and identify any themes and gaps in the way the Seven Principles of Public Life are promoted and maintained. The Committee would also consider whether there were gaps or issues that required further work. The Committee wanted to check whether the Nolan principles were well understood, properly embedded and that they continued to reflect the standards expected by the public of those that serve them.

Monitoring complaints received regarding alleged breaches of the Code of Conduct

6.10 The Committee continued to receive regular complaint monitoring reports regarding alleged breaches of the Code of Conduct. These reports updated members on the number and nature of complaints dealt with by the Monitoring Officer and explained:

- If these related to borough or town/parish councillors
- If any further action should be taken
- If further investigations were considered to be appropriate

6.11 This information is then used to identify trends and consider themes for which training seminars may be planned. The table below summarises the complaints received for the previous years and compares these with the Authority's Strategic Alliance partner, Staffordshire Moorlands District Council (SMDC).

Year	No. of Complaints					
	High Peak Parish Cllr	High Peak Borough Cllr	High Peak Total	Staffordshire Moorlands Parish Cllr	Staffordshire Moorlands District Cllr	Staffordshire Moorlands Total
2013/14	10	1	11	3	1	4
2014/15	2	1	3	5	1	6
2015/16	4	0	4	3	12	15
2016/17	4	2	6	9	16	25
2017/18	1	3	4	5	8	13
2018/19	2	1	3	2	9	11
2019/20	19	1	20	6	26	32
2020/21	19	1	20	3	5	8

6.12 Six complaints relating to members of Chapel-en-le-Frith Parish Council received since November 2019 have been referred for external investigation. The cost met by the Borough Council for these investigations has amounted to £20,282.40.

The Annual Letter received from the Local Government Ombudsman

6.13 The Annual Letter of the Local Government Ombudsman was considered by the Committee at its meeting in November 2020. The table below provides a summary of the number of complaints dealt with by the Ombudsman set against the total number of complaints received by the Authority. For comparison purposes figures for previous years are also provided together with details for SMDC.

Year	No. of Ombudsman Complaints	
	HPBC	SMDC

	No. of Enquiries or Complaints	Total Number of Complaints	No. of Enquiries or Complaints	Total Number of Complaints
2012/13	10	404	14	439
2013/14	20*	372	12	280
2014/15	12	413	10	284
2015/16	11	368	13	258
2016/17	8*	448	10	245
2017/18	15	308	12	193
2018/19	7	223	6	119
2019/20	6	150	5	82

* This includes one complaint from the Housing Ombudsman Service.

- 6.14 The relatively small number of complaints that reach the Ombudsman compared to the total number of complaints received by the Authority illustrates the strength of the Council in ensuring complaints are dealt with promptly and appropriately.

Annual Review of Councillor Development

- 6.15 The Councillor Development Programme from October 2019 comprised 10 sessions and had focused on consolidating members' training requirements following completion of the Councillor Induction Programme, together with addressing changes in legislation and the council's priorities.
- 6.16 The report also set out additional training undertaken by members in response to the Coronavirus Act and accompanying regulations to enable remote council meetings to take place.

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ARTICLE 9

THE STANDARDS COMMITTEE

9.1 Role

- (a) The Council will establish a Standards Committee to carry out the functions set out more fully in Part 3 of the Constitution. These include, promoting high standards of conduct amongst councillors and making sure they are properly trained; granting dispensations; ensuring that appropriate arrangements are in place for dealing with allegations into breaches of the Code of Conduct; hearing representations from councillors who may become disqualified for not attending meetings; advising the Council on Members' allowances.

9.2 Composition

- (a) Membership

The Standards Committee will be composed of:

- six members of the Council appointed proportionally
- up to two Town or Parish Council members who may be co-opted on to the Committee as non-voting members

- (b) **Independent Person**

The Council's Independent Person (and their substitutes) will be invited to attend meetings of the Standards Committee and will be entitled an allowance and to the same subsistence and travelling allowances as elected members.

- (c) **Parish/Town Councillors**

Where a complaint refers to a Parish/Town Councillor, hereafter known as a Parish Councillor, a non-voting Parish member of the Standards Committee may also attend any Hearing Panel and will be entitled to an allowance and the same subsistence and travelling allowances as elected members.

9.3 Other functions

- (a) The Hearings Panel (a Sub-Committee of the Council's Standards Committee) shall comprise a maximum of five councillors of the

Council's Standards Committee, including not more than one member of the authority's Executive. The appointed Hearings Panel shall nominate a Hearings Panel Chair. The Independent Person shall be invited to attend all meetings of the Hearings Panel. Where a complaint refers to a Parish Councillor, a non-voting Parish member of the Standards Committee may also attend any Hearing Panel.

- (b) The Committee will hear appeals from officers who do not wish to appear as witnesses before a select committee (see Protocol for Officers in Part 4 of the Constitution); monitor complaints received by the Ombudsman; monitor the member development programme and evaluate its effectiveness.

HIGH PEAK BOROUGH COUNCIL

Standards Committee

23 March 2022

TITLE:	Parish Remuneration Panel
EXECUTIVE COUNCILLOR:	Councillor Alan Barrow – Executive Councillor for Corporate Services and Finance
CONTACT OFFICER:	Linden Vernon – Head of Democratic Services
WARDS INVOLVED:	Non-Specific

Appendices Attached: None

1. Reason for the Report

- 1.1 The purpose of the report is to propose the establishment of a Parish Remuneration Panel.

2. Recommendation

- 2.1 That a Parish Remuneration Panel be established and that the Council's two serving Independent Persons and one of the applicable Independent Members of the Audit and Regulatory Committee be appointed to form the Panel.

3. Executive Summary

- 7.1 The role of the Standards Committee includes advising the Council on Members' allowances, a role that also extends to parish councils. The arrangements for parish council allowances are contained in Part 5 of the Local Authorities (Members' Allowances) (England) Regulations 2003. These state that where an authority proposes to pay a parish basic allowance, whether to its chairman only or to each of its members (elected or non-elected), it must have regard, in setting the level or levels of such allowances, to the recommendations made by a parish remuneration panel which may be established by a responsible authority (which would be the Borough Council).
- 7.2 The Council has received notification from Chapel-en-le-Frith Parish Council that it intends to increase the allowance that it currently pays to its members

from £120.00 per annum to £199.64 per annum and has formally requested that the Council establish a Parish Remuneration Panel to consider this matter further.

7.3 The Regulations state that a remuneration panel shall consist of at least three members none of whom:

- Is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority or
- Is disqualified from being or becoming a member of an authority

7.4 It is proposed that the Committee appoints its two serving Independent Persons and one of the applicable Independent Members of the Audit and Regulatory Committee to form a Parish Remuneration Panel.

4. **How this report links to Corporate Priorities**

4.1 Not Applicable.

5. **Alternative Options**

5.1 The Council is required to establish a Parish Remuneration following a request from a parish or town Council.

Mark Trillo

Executive Director (Governance and Service Commissioning)

Web Links and Background Papers

None

Contact details

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of the Local Government Act 1972.

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