

COUNCIL BUSINESS MANAGEMENT COMMITTEE

20th March 2017

ANNUAL REPORT OF THE CHAIRMAN OF THE STANDARDS COMMITTEE

1. PURPOSE

- 1.1 The purpose of this Report is to highlight the work of the Standards Committee during the Municipal Year 2016-2017.

2. MEMBERSHIP AND TERMS OF REFERENCE

The composition of the Committee for 2016-2017 was as follows:-

Philip Richardson (Independent Joint Chairman)
Peter Wiseman (Independent Joint Chairman)
Councillor Mahmood Hussain
Councillor Shafique Shah
Councillor Mike Sharpe
Councillor Deidre Alden
Councillor Paul Tilsley
Steven Jonas – Independent Member
Professor Stephen Shute – Independent Member
Frankley Parish Councillor Ian Bruckshaw
Sutton Coldfield Parish Councillor Derrick Griffin
Ray Tomkinson-Independent Observer

- 2.2 The Terms of Reference of the Standards Committee are set out in the Constitution.

3. KEY HIGHLIGHTS FROM THE MUNICIPAL YEAR 2016-2017

- 3.1 Since the introduction of the Localism Act 2011 and the subsequent abolition of the Standards Board for England, the operational activity of the Standards Committee has significantly changed. The previous sub-committees have been removed and replaced by a more streamlined assessment/filtration method whereby complaints are either resolved by the Monitoring Officer or screened by the two Chairmen in conjunction with the Monitoring officer.
- 3.2 The Committee met in May 2016. The purpose of this meeting two fold, firstly to meet with Members and secondly to explain the filtration process. The initial filtration process referred to in 3.1 has greatly reduced the need for the Committee to meet unnecessarily thereby saving on Member and Officer time and also printing costs. We will continue to meet on an annual basis.

- 3.3 Complaints which are within the terms of the Councillors' Code of Conduct and which cannot be resolved informally are considered on receipt of duly completed Complaint Forms. Blank forms and guidance on the processes adopted by the Committee are freely available on the Council's website and appropriate informal advice is given to those who wish to complain.
- 3.4 Attached at Appendix 1 is a breakdown of statistics on Standards Committee from April 2016 to March 2017. Details of the complainant and the Councillor affected have been redacted for the purpose of Data Protection, more particularly because the Monitoring Officer has judged that many complaints do not fall within the scope of the Councillors' Code of Conduct but may nevertheless require attention by officers as several complaints concern the alleged malfunction of council services.
- 3.5 I would like to take the opportunity to confirm that the Statutory Registers of Gifts and Hospitality and the Statutory Register of Members Interests have been duly completed by Members and placed on the Council's website (unless any Member requested otherwise with satisfactory reasons for non-disclosure). Declarations of Interests are also being duly recorded in the minutes of Council meetings and there is a satisfactory general awareness of the Code of Conduct of Members.
- 3.6 Overall it is our view that the abolition of the very detailed legislative requirements underpinning the Standards regime has proved to be a helpful development. The revised law still requires Councils to have a Code of Conduct for Councillors in place and a clear and transparent system for handling complaints. However, in close consultation with the Committee, the Monitoring Officer has seized the opportunity to review and, where possible, simplify the current procedure for handling complaints. All documentation has been re-written in plain English.
- 3.7 Our aim is to continue to deal with complaints in the same format as before with the assistance of the newly appointed City Solicitor in their monitoring officer capacity.
- 3.8 A revised and simplified version of the Code of Conduct is available in the Constitution on the Council's website.

4. STATISTICS 2016-2017

- 4.1 You have some statistics in the Appendix 1 to the report which are set out below in brief:
- 40 complaints in total
 - 8 complaints resulted in findings of no breach of the Code of Conduct
 - 1 complaint resolved
 - For 15 complaints no forms received
 - In relation to one complaint, further to a formal investigation, the Standards Chairmen determined that the subject matter was not related to the code of conduct.
 - 15 complaints are currently under informal investigation with the City Solicitor/Monitoring officer/Deputy Monitoring officers.

- 4.2 In the 12 months period from April 2016 to March 2017, there were 30 complaints from members of the public and 10 complaints from elected members. Therefore, the record of the City Council remains sound and the revised local assessment system and processes put in place since April 2012 appear to be functioning well.
- 4.3 There has been a significant decrease in the number of complaints made by Councillors against other Councillors. Quite often these complaints are relatively minor matters regarding the use of Council resources. I am pleased to tell you that the new rules written by the Monitoring Officer relating to use of Council resources regarding financial and other control measures, are now in place and are greatly assisting Councillors to avoid complaints to the Committee.
- 4.3 The handling of complaints by Councillors against other Councillors by way of referring these to the Political Groups via the Group Secretaries for mediation with such assistance from the Monitoring Officer has proved to be both helpful and beneficial to all concerned parties.
- 4.4 Overall our view is that the Conduct of Councillors remains high and the reputation of the Council in this respect is well preserved. However, from time to time apparently serious matters do come before Committee and we will continue to deal properly and fairly with any complaints.
- 4.5 Together with my joint Chairman, Peter Wiseman, may I thank all Committee members – both independent members and Councillors for your acceptance of our current system; which inevitably reduces your active participation, and also all Councillors for their patience and co-operation in what can sometimes be a challenging and time consuming process.

Signed:

A handwritten signature in dark ink, appearing to read 'Philip Richardson', is enclosed in a thin black rectangular border.

Philip Richardson-Chairman, Standards Committee