

COUNCIL
17 MAY 2018**REPORTS OF COMMITTEES****(d) SUMMARY OF DECISIONS TAKEN BY THE STANDARDS
AND ETHICS COMMITTEE**

Local Government Ethical Standards – Stakeholder Consultation

1. The Committee is responding to a stakeholder consultation issued by the National Committee on Standards in Public Life to inform its review of local government ethical standards. The questions are grouped into the following areas: general, codes of conduct, investigations and decisions on allegations, sanctions, declaring interests and conflicts of interests, whistleblowing, improving standards, and intimidation of local councillors.
2. The Committee considered that the existing local Code of Conduct arrangements worked well since its introduction to ensure high standards of conduct by Worcestershire county councillors and was clear and easily understood and covered an appropriate range of behaviours. The 'pan-Worcestershire' code for principal authorities was seen as good practice and beneficial to the public and members.
3. The current requirements for registering and declaring councillors' interests were considered satisfactory in that they set out the expectations clearly and, did not unnecessarily or disproportionately interfere with the workings of democracy although by their nature largely relied on the honesty and integrity of individual councillors and indeed their knowledge of the potential interest.
4. The Council has adopted clear and fair processes for investigating and deciding conduct complaints. The Committee was confident that allegations of councillor misconduct would be investigated and decided fairly and with due process as set out in the local processes. The Committee considered that the role of the Independent Persons, the existing arrangements to declare councillors' interests and manage conflicts of interest, and the arrangements for whistleblowing were satisfactory.
5. The Committee considered that a satisfactory process was in place should the Monitoring Officer be subject to a conflict of interest or undue pressure. Should such a situation arise he/she would consult the Chairman of the Standards and Ethics Committee and if necessary delegate functions to the deputy Monitoring Officer or engage external support.
6. The Committee considered that the Government should re-instate the voting rights of Independent Members on Standards Committees.

7. Some concern was expressed over the lack of any sanction. Members discussed a number of options including an instruction to apologise, receive additional training and the reintroduction of a 6 month suspension. The Committee came to a majority view that there should be additional sanctions short of disqualification but there was no clear consensus on the nature of those sanctions.

8. The Committee acknowledged that it was difficult to gauge the extent of intimidation of councillors locally without undertaking a survey and there were very limited measures available to prevent and address intimidation by the public.

Code of Conduct and Complaints Update

9. Since the last report to the Committee in October 2017, the Council has received 3 formal complaints that a County Councillor has breached the Code of Conduct for members. The Committee received a summary of the details of the formal complaints and has noted the resolution in each case. There have been no referrals to the police for breach of the Disclosable Pecuniary Interest (DPI) provisions.

Mr R P Tomlinson
Chairman

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Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

Agenda papers for the meeting of the Standards and Ethics Committee held on 25 April 2018.