

**AUDIT & STANDARDS COMMITTEE
INFORMATION SHEET (NO. AS-2017/18-001)**

01 SEPTEMBER 2017

STANDARDS UPDATE

1. Complaints Received

- 1.1 Since the last annual report to the Audit and Standards Committee (September 2016) 12 standards complaints involving a prima facie case of a breach of a Members' Code of Conduct, have been received by the Monitoring Officer. Three complaints concerned district councillors; the remainder parish / town councillors. Other complaints (in the region of seven) have been made about councillors but these have either been unsubstantiated, concerned situations where the complainants have been unwilling to pursue the complaint, or were not matters which fell within the realms of the relevant Code of Conduct.
- 1.2 Whilst the number of councillors in the last year who have been the subject of formal complaints has increased from eight per year in 2014/15 and 2015/16, given the majority of the complaints (nine) concerned a single council, the number of complaints is still not of significant concern; there being in the region of 500 councillors within the Stroud District, including parish and town councillors.
- 1.3 Only one formal investigation has been required in 2016/17. That investigation concerned six councillors within Wotton Town Council. The report and decision letter are publicly available on the SDC's website page for parish and town councils. (Please see the 'Code of Conduct Decisions' tab within the Wotton Town Council link at:

<https://www.stroud.gov.uk/council-and-democracy/parish-and-town-councils>).
- 1.4 The Committee may recall that it resolved last year to amend the standards complaints procedure to encourage informal resolution of complaints where there has on a quick review, seemingly been a breach of the Code. This has assisted in keeping the number of investigations as low as possible without prejudicing the standards complaint process. Nevertheless, given the nature of the complaints received about members of Wotton Town Council in 2016/17, the cost of conducting that investigation alone was in the region of £8500. This figure compares with average costs of investigations being £4500, although as the complaint concerned six members the additional cost was unavoidable. None of the costs are currently recoverable from the council or the councillors.

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2. Sanctions of Standards Investigations

- 2.1 The absence of any way of requiring ‘guilty’ councillors from contributing towards the costs of investigations, coupled with the general lack of punitive sanctions within the legislative framework remains unhelpful as noted in the report to Committee in September 2016. This is not a concern which is unique to SDC. As at the date of writing this report, it is understood that one authority has raised a similar concern about the absence of effective sanctions with the Communities Secretary. In particular, a request for a new “right to recall” councillors in the event of significant conduct or ethical breach is being requested. This right is similar to that applicable to Members of Parliament.
- 2.2 The Monitoring Officer will provide the Committee with an update on any substantive progress if there is any prospect of changes being made which would assist in providing some teeth to the current standards regime. In the meantime, breaches of the Code will continue to be dealt with as they have since the current legislation was introduced in 2012 including provision of written apologies; public censure; publication of reports and training sanctions which all have been used by the Committee’s Standards Panel to date.

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