
Governance and Ethics Committee (Annual Report 2015/16)

Committee considering report:	Council on 19 May 2016
Lead Member:	Chairman of the Governance and Ethics Committee
Date Lead Member agreed report:	25 April 2016
Report Author:	David Holling
Forward Plan Ref:	C3034

1. Purpose of the Report

- 1.1 To present the Annual Governance and Ethics Committee report to Full Council.

2. Recommendations

1. Members are requested to note the content of the report.
2. Report to be circulated to all Parish/Town Councils in the District for information.

3. Implications

- 3.1 **Financial:** There are no financial issues arising from this report. However the costs associated with external investigations and a lack of internal resources may lead to a budget pressure. During 2015/16 these costs amounted to £12,789.00
- 3.2 **Policy:** Revised policy and changes to processes adopted at Council in May 2012 and reviewed in December 2013.
- 3.3 **Personnel:** There are no personnel issues associated with this report.
- 3.4 **Legal:** There are no legal issues arising from this report. The matters covered by this report are generally requirements of the Local Government Act 2000 in so far as appropriate and the Localism Act 2011 and its supporting regulations.
- 3.5 **Risk Management:** The benefits of this process are the maintenance of the Council's credibility and good governance by a high standard of ethical behaviour. The threats are the loss of credibility of the Council if standards fall.
- 3.6 **Property:** There are no property issues associated with this report.
- 3.7 **Other:** A diminution in standards of behaviour by elected Members could have a significant reputational impact on the Council.

4. Other options considered

- 4.1 None

5. Executive Summary

5.1 Following the enactment of the Localism Act 2011 a number of changes were made to the Standards Regime. As part of the governance arrangements it was agreed that the Monitoring Officer would make quarterly reports to Governance and Ethics Committee which set out the number and nature of complaints received and informed Members of any other activity that was taking place around the Code of Conduct regime. It was also agreed that an annual report would be presented to Full Council at the Annual meeting and that the year end report would be circulated to all Town and Parish Councils.

5.2 The key issues identified in the report are:

- At the Full Council meeting on the 02 July 2015 Members agreed to merge the Standards Committee and the Governance and Audit Committee into the Governance and Ethics Committee (G&EC).
- The Advisory Panel would be retained and would still be responsible for dealing with any complaints where evidence of breach of the Code of Conduct was identified following an investigation. The Advisory Panel made recommendations to the Governance and Ethics Committee.
- Three Independent Persons would be retained and they would be used on a rotational basis on the Initial Assessment Panel and Advisory Panel.
- The G&EC granted three dispensations to District Councillors during 2015/16 and the Monitoring Officer, under delegated authority, granted a dispensation to all West Berkshire Councillors to speak and vote on any items pertaining to Council Tax until May 2019.
- Training on the Code of Conduct was included in the District Councillor's Member Induction Programme post the May 2015 elections. Additional training was also provided to Town and Parish Councillors on the 17 June 2015 and 13 October 2015.
- All elected Members of the West Berkshire Council and all Town and Parish Councils have completed and submitted their Register of Interest forms.
- There has been a significant increase in the number of complaints received in 2015/16. Twenty six complaints were received in total compared to nine in 2014/15. Sixteen of these complaints pertained to district Councillors and ten to Parish or Town Councillors.
- Following the Initial Assessment of these complaints no further action was taken on twenty one of them, a local resolution was sought in two cases, one was withdrawn, one was investigated and the outcome of one was awaited.
- Two investigations were concluded in 2015/16 (one pertained to a case from 2014/15) and the cost of these external investigations amounted to £12,789.00. The cost of these external investigations and a lack of internal resources could lead to a budget pressure should the trend continue.

- Both investigations pertained to Parish Councillors and it was not possible to recover these costs from the authorities concerned.

6. Conclusion

- 6.1 2015/16 following the elections in May 2015 brought a number of new Councillors to the Authority all of whom attended the induction training of the Code of Conduct. This also acted as a reminder to re-elected Councillors and provided a useful base for the new municipal year. Training was also provided to Parishes throughout the year again fulfilling the one of the many functions of the Committee to ensure that standards of conduct were maintained across the district.
- 6.2 The increase in complaints during the year whilst unusual when compared to relatively little activity of previous years is explained by multiple member complaints relating to one meeting. This was addressed effectively by the actions of the Monitoring Officer in consultation with the Independent Persons. A number of the complaints also arose at a time when elections were approaching which could have had a bearing on the increase although there is no evidence to confirm that was the case.
- 6.3 The Independent Persons continue to fulfil a very useful function as regards the ethical framework and have contributed a good deal of outside knowledge and common sense the decision making process. Their views will be considered during the forthcoming revisions to the Code of Conduct referred elsewhere on this agenda.

7. Appendices

- 7.1 Appendix A - Supporting Information
- 7.2 Appendix B – Gifts and Hospitality Register