

## **STANDARDS & ETHICS COMMITTEE: 11<sup>th</sup> DECEMBER 2019**

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### **REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL SERVICES AND MONITORING OFFICER**

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#### **ANNUAL REPORT 2018/19**

##### **Reason for this Report**

1. To enable the Committee to consider the content of its Annual Report 2018/19 and approve arrangements for the report to be finalised and presented to full Council.

##### **Background**

2. In order to maintain the profile of the Standards and Ethics Committee and awareness of the importance of high standards of Member conduct, the Committee prepares an annual report for presentation to full Council each year.
3. The Committee's Annual Report 2017/18 was presented to full Council by the Chair of the Committee in November 2018 and was well received. The Chair responded to Members' questions and observations about the work of the Committee and invited Members to contact him if there were any specific matters they wished the Committee to consider. The Lord Mayor thanked the Chair and the Committee for their report.

##### **Issues**

4. The Committee is invited to consider and provide comments on the contents of its Annual Report 2018/19, which is recommended to be presented to full Council in January 2020.
5. Based on the standard format of previous annual reports and the work undertaken by the Committee during the last year, suggested contents include:
  - a) Chair's Foreword – with the agreement of the Chair, this is to be drafted by the former Chair, as the report covers his period of office.

- b) Principles of public life – to remind Members of the ten general principles of public life based on the principles originally set down by the Nolan Committee in 1995.
- c) Role of the Committee – to set out the Committee’s terms of reference and how the Committee approaches its role
- d) Work undertaken by the Committee during 2018/19:
  - i. Member Survey 2017 – the Committee considered the results of the Members Survey 2017 in relation to Member conduct issues and discussed ways to address concerns identified; and agreed to review matters when it receives the results of the next Members’ Survey.
  - ii. Standards & Ethics Committee Members role descriptions – revised role descriptions were considered and approved.
  - iii. Committee membership –the vacancies which arose during the year, the recruitment process followed and new members appointed.
  - iv. Member Briefings – the fourth edition was issued in February 2019, explaining the work of the Committee and emphasising the importance of high standards of conduct. To summarise issues covered in the Briefing.
  - v. Community Councils – to report on feedback following observation of meetings and the quarterly meetings held between the Monitoring Officer and Community Council Clerks.
  - vi. Gifts and hospitality received by Members – to report on the Committee’s routine review of the Members Hospitality Register
  - vii. Officers Gifts and Hospitality - to report on the Committee’s recommendations in relation to publication of the register of gifts and hospitality received by senior officers.
  - viii. Officers Personal Interests– to report on the Committee’s recommendations made in relation to publication of the register of senior officers’ business interests.
  - ix. Social Media Guidance – to note the updated guidance issued by the WLGA and commended to all Councillors by the Committee.
  - x. Observation of meetings - to note the Committee’s feedback following observation of meetings of full Council.
  - xi. APW Sanctions Guidance – the Sanctions Guidance issued by the Adjudication Panel for Wales was considered, and it was agreed this would be a useful reference for the Committee’s Hearings Panel.

- xii. Ombudsman's Annual Letter 2017/18 – was considered by the Committee, in so far as it related to Member conduct issues, and to note the Committee's observations.
  - xiii. Caselaw Update – to note the decision of the High Court in *Harvey v Ledbury Town Council* [2018] in relation to the lawfulness of a grievance process instigated against a councillor.
  - xiv. Leaders and Whips meeting – to note that the next meeting is to be scheduled for Spring 2020 (which will allow discussion of results from the next Members Survey).
- e) Complaints about Member conduct – to give an overview of complaints reported during the year.
  - f) Future work priorities, to reflect the Committee's Forward Work Plan 2019/20
  - g) Committee members biographies and Committee meeting attendance figures
  - h) Contact details for the Chair, the Monitoring Officer and the Ombudsman
6. The Committee is invited to consider the contents of its Annual Report 2018/19 and provide any appropriate comments.

### **Legal Implications**

7. There are no direct legal implications arising from this report.

### **Financial Implications**

8. There are no direct financial implications arising from this report.

### **RECOMMENDATION**

The Committee is recommended to:

- 1) Provide comments on the contents of the Committee's Annual Report 2018/19;
- 2) Delegate authority to the Monitoring Officer, in consultation with the Chair, to draft and finalise the Annual Report, having regard to comments provided by Members of the Committee; and
- 3) Ask the Chair to present the Annual Report to full Council in January 2020.

**Davina Fiore**

**Director of Governance and Legal Services and Monitoring Officer**

28<sup>th</sup> November 2019

Background papers

Council report 'Standards & Ethics Committee Annual Report', November 2018; and minutes

Standards and Ethics Committee minutes 13<sup>th</sup> June 2018; 5<sup>th</sup> December 2018; and 6<sup>th</sup> March 2019