

(SC/03/17)	
Report title: Essex County Council - Standards Review of 2016”	
Report to: Essex CC and Essex FA Joint Standards Committee	
Report author: Paul Turner – ECC Monitoring Officer	
Date: 25 January 2017	For: Decision
Enquiries to: Paul Turner – paul.turner@essex.gov.uk 03330 134591	
County Divisions affected: All Essex	

1. Purpose of Report

- 1.1 To present an overview of standards issues and developments at Essex County Council over the last year.

2. Recommendations

- 2.1 That the report be noted.
- 2.2 That the Committee decide who they think should undertake training following the 2017 ordinary elections to the County Council.

3. Review

- 3.1 The Joint Standards Committee is charged with the development and maintenance of high standards of conduct by members and co-opted members of the Council and the Fire Authority. This report sets out issues and developments of note relating to calendar year 2016. It is intended that a similar report should be made annually.

Registration of interests

- 3.2 In recent years the Council has not sent regular reminders to Members asking them to review their entry on the code of conduct. In February 2016 the Standards Committee asked the Monitoring Officer to send reminders at six monthly intervals. Mailings were sent in March, May and November 2016. The March mailing was undertaken at the request of the Committee and the May mailing was needed as a result of the adoption of a new code of conduct at the annual meeting of the Council in May 2015 which changed the rules about what was registrable.
- 3.3 An automated system has been created so that all members can be sent a personal link to their register of interest page in a few moments. Each reminder to Members has resulted in a significant number of changes to the register. The view of the monitoring officer is that reminders sent at six month intervals continue to be appropriate, but this should be kept under review.

- 3.4 Work has also been done in an effort to improve Members' experience in registering interests. For the first time, comprehensive guidance on registration of interests has been sent to all members of the Council. In addition, the form has been redesigned to emphasise the importance of registering the interests of the Member's spouse or partner as well as their own interests. To date, we have not required all members to respond to the reminder or use the new form, but we but intend to require all members to complete a new form following the May 2017 elections to the County Council.
- 3.5 From the public perspective, the publication of the register of interests has been improved so that the register is now shown as printed text on the website. This is a significant improvement over the previous register, which was a series of scanned forms, some of which had been amended numerous times and were becoming difficult to follow. We are working with the external supplier of the web based database to further improve to how the register is displayed. At present the interests of members and their spouses/partners are not displayed separately.

Declaration of Interests at meetings

- 3.6 Guidance on declaring interests has been provided on a proactive and reactive basis by the Monitoring Officer and his deputy. A guidance note has been produced for consideration by the Joint Standards Committee.

New Code of Conduct

- 3.7 In May the Council adopted a new code of conduct. The new code simplifies the rules on declaring interests and clarifies a number of provisions of the code. The Essex Fire Authority adopted an identical code of conduct at its annual meeting in June 2016.

Training

- 3.8 A 1 hour training session was offered to all ECC members around the time of the annual meeting in 2016. Approximately 20 members attended the training session.
- 3.9 A two of training sessions will be arranged following the May 2017 elections to the County Council, to ensure that all members have the opportunity to attend. If this proves insufficient, further events will be provided.
- 3.10 The training is expressed to be mandatory and attendance records are kept but those records have not been more widely considered.
- 3.11 The Committee is asked whether it wishes to receive a report on attendance and who should attend. The options are:
- All members
 - All members other than those re-elected to ECC in 2017.

- All members who have not previously received standards training at another Essex local authority since 2012.

3.12 At present around 75% of ECC members are members of another local authority. It could be seen as duplication to ask all councillors to attend ECC training if they have recently attended training provided by an Essex District Council. However, whilst the ECC code is similar to that used by Essex districts, in practice each authority has customised a standard code and the rules are not exactly the same between any two councils.

Dispensations

3.13 This year, following uncertainty over whether remunerated membership of another public body is a 'disclosable pecuniary interest', Standards Committee agreed that dispensations could be granted to twin hatted members. Dispensations are now routinely granted. This aligns the current position at ECC with that under the old code and minimises the risk that a member could be accused of participating with a DPI arising from a member of another local authority.

Webpage

3.14 A brief webpage has been added to the ECC website to explain how members of the public can make complaints against Councillors.

Complaints received

3.15 A total of 9 complaints were received in 2016, including one self-referral. The outcome of those complaints was:

Complaint formally withdrawn: 1

Not proceeded with by complainant: 3

This commonly arises where the complaint has been submitted in a letter which gives insufficient information and the complainant has been asked to complete the ECC complaint form but has not done. Sometimes we have received informal information from the complainant or otherwise which suggests that the issue has been resolved.

Decision not to investigate: 3

Investigated but not referred to committee following consultation with independent person: 1

Investigated and referred to committee: 1

Categories of complaint:

3.16 The complaints can broadly be categorised as follows:

Non-response to correspondence: 2

Registration/Declaration of interests: 1

Failure to treat with respect: 5

Service complaint: 1

Commentary on complaints received.

- 3.17 This is the first full year that comprehensive statistics have been maintained for complaints against Members. It is not possible to give any information about trends. Seven complaints were received in the first half of 2016 compared to two in the second half of the year. The complaints do not appear to give rise to any general concerns about standards at Essex County Council.

Elections

- 3.18 In readiness for the elections the social media protocol has been updated and guidance is being sent to members about particular issues relating to standards and communications.

4. List of background papers

None