

East Herts Council Report

Standards Committee

Date of meeting: Tuesday 16 January 2024

Report by: Head of Legal and Democratic Services

Report title: Standards Update

Ward(s) affected: (All Wards);

Summary – The report updates Members of the Committee on standards issues generally.

RECOMMENDATIONS that:

- a) That the Committee receive the report and provide any observations to the Head of Legal and Democratic Services and Monitoring Officer.**

1.0 Proposal(s)

- 1.1 As above

2.0 Background

- 2.1 Within its terms of reference, the Standards Committee has a function “to promote and maintain high standards of conduct of Members and Co-opted Members of the Council” and “to receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members’ Code of Conduct”.

2.2 Paragraph 7.5.1 of the Constitution also states that “The Monitoring Officer will present a general report on standards matters at each Committee meeting, updating the Committee on the workload of the Monitoring Officer and current standards issues”.

2.3 The Committee will therefore receive update reports from the Monitoring Officer on matters that relate to, or assist to govern, Member conduct.

East Herts complaints/ issues update.

2.4 The complaints made to the Monitoring Officer since the last report to the Standards Committee on 5 July 2023 are as follows:

Complaint about: Parish/Town or District Councillor	Summary of complaint	Action taken
Complaint 04/2023 Complaint against District Councillor.	Offensive social media comments.	Member not “in capacity” under s.27(2) Localism Act.
Complaint 05/2023 Complaint against Parish Councillors	Misuse of social media.	Discontinued due to lack of communication from complainant.
Complaint 06/2023 Complaint against Parish Councillor	Disrespectful behaviour to fellow town councillor	Dismissed under Appendix 1 of the Complaints Procedure – The complaint

		appears to be minor, trivial or otherwise not sufficiently serious.
Complaint 07/2023 Complaint against Parish Councillor	Improper use of position as a Parish councillor and bullying.	Resolved informally (training), bullying allegation dismissed.
Complaint 08/2023 Complaint against Parish Councillor	Apparent lack of understanding of topic.	Dismissed under Appendix 1 of the Complaints Procedure – The complaint appears to be minor, trivial or otherwise not sufficiently serious.
Complaint 09/2023 Complaint against District Councillor	Offensive social media comments.	Member not “in capacity” under s.27(2) Localism Act.
Complaint 10/2023 Complaint against District Councillor	Improper use of position as a District councillor and bullying.	To be resolved informally (apology).
Complaint 12/2023 Complaint against Town Councillor	Impartiality and improper use of position as a Town councillor	Ongoing.
Complaint 13/2023 Complaint against District Councillor	Disrespectful behaviour towards another councillor.	Ongoing.

2.5 Please note that where complaints are withdrawn by the complainant before they are considered by the Monitoring Officer and Independent Person, they are not included in the table above.

3.0 Reason(s)

3.1 To ensure good governance within the Council.

4.0 Options

4.1 Not providing updates to Members on standards issues. This option is NOT RECOMMENDED, as to do so would weaken the Committee's ability to adequately promote and maintain the Ethical Standards Framework, and to maintain an oversight of the council's arrangements for dealing with complaints.

5.0 Risks

5.1 Appropriate reporting processes and policy frameworks help to ensure good governance of the Council and therefore reduce risk of poor practice or unsafe decision making.

6.0 Implications/Consultations

6.1 The Independent Person is consulted on all complaints as is required under the Localism Act 2011.

Community Safety

No

Data Protection

Yes – All information pertaining to the complainants, Councillors complained of and the Parish and Town Council involved have been removed to maintain confidentiality.

Equalities

Yes – Where complainants make it known that they require assistance in making their complaints e.g. with language issues, the Monitoring Officer took additional steps to assist them in this regard.

Complaint that highlight a failure to promote equal opportunities allows the Council to address these and provide confidence to the residents of East Herts that the Council treats these issues seriously.

Environmental Sustainability

No - There are no environmental implications to this report.

Financial

No - There are no capital or revenue implications arising from the content of this report. Complaints are dealt with by the Monitoring Officer and Deputy Monitoring Officer, with the potential for some referrals to be made externally should the Procedure indicate that this is appropriate, or because of resource implication within the Service in dealing with it inhouse.

Health and Safety

No

Human Resources

No - The work outlined within the report is within the caseload of the Monitoring Officer. Implications are otherwise touched on under financial implications above.

Human Rights

No

Legal

Yes – The Standards Committee has a function under paragraph 7.4.1(a) and (f) to promote and maintain high standards of conduct of Members and Co-opted Members of the Council and receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members' Code of Conduct.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 None

Contact Member

None

Contact Officer

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