

# **STANDARDS COMMITTEE**

## **STANDARDS BOARD CASE REFERRALS 2005/06**

**15 December 2005**

### **Report of Corporate Director (Central Services)**

#### **PURPOSE OF REPORT**

To update the Committee on both the national and local position of the Standards Board workload.

This report is public.

#### **RECOMMENDATION**

That the report be noted and the Committee consider if any action is required.

#### **REPORT**

##### **1 NATIONAL POSITION**

- 1.1 In 2005/06, the total number of allegations received by the Standards Board up to the end of October was 2,427.
- 1.2 The statistics show that, 64% of these were received from members of the public and 29% from fellow councillors. 41% of the allegations received were in respect of Parish Councils and 25% in respect of District Councils.
- 1.3 Of the allegations received, a total of 655 cases (27%) have been referred for investigation.

An analysis of the nature of the allegations investigated shows that the most common areas for complaint concern –

Prejudicial interest (23%)  
Bringing authority into disrepute (23%)  
Failure to treat others with respect (14%)  
Failure to disclose personal interests (13%)  
Using position to confer or secure an advantage or disadvantage (13%)

- 1.4 Of these cases, 56% are in respect of Parish Councils and 21% in respect of District councils.

- 1.5 To date, 253 cases have been referred to Monitoring Officers to investigate however, the statistics show that in recent months, over half of all cases referred for investigation have been referred back locally to Monitoring Officers. Of those referred to date, 74 have been completed and 51 of these have been determined by local standards committees. In 28 of these, the Standards Committee decided that the member had not breached the code. In the remaining 23 cases, the following outcomes were determined :-
- 12 members were censured
  - 1 was suspended for 1 month
  - 1 was suspended for 3 months
  - 3 were required to make an apology and undergo appropriate training
  - 6 had no sanction imposed
- 1.6 Overall, of those cases investigated so far, either by an Ethical Standards Officer or locally by a Monitoring Officer, 59% were concluded as requiring no further action, 16% no evidence of a breach, 10% referred to Monitoring Officers, and 15% referred to the Adjudication Panel.
- 1.7 Of the 309 cases referred to the Adjudication Panel, 267 have now been determined. Of those determined, 30% were found to have brought the authority into disrepute, 15% had failed to declare a prejudicial interest and 12% had failed to treat others with respect. The sanctions imposed had resulted in the disqualification of 167 councillors for periods ranging from 2 months to 5 years, and a further 49 suspensions ranging from 5 days to 1 year.
- 1.8 The Standards Board provides regular bulletins that not only give the latest position on their statistics, but also a general update of current standards issues. In particular, the Board issue 3 publications namely :-
- Standards Committee News
  - Standards Board Bulletin
  - Town and Parish Standards

All three are targeted at different audiences and are available on the Standards Board website. For illustration and information, the latest copy of the Standards Committee News (No 4) is attached.

## 2 LOCAL POSITION

- 2.1 Locally, I can confirm that the Standards Board have received a total of 45 allegations of misconduct in respect of City and Parish Councillors. A summary of the position is set out below.

	City	Parish
Allegations Received	35	11
Proceed to Investigation	26	8
Resolved to Date	22	6
- No breach	15	--
- Breach but No Action Required	6	6
- Breach Referred to Adjudication Panel	1	--

- 2.2 Currently there are 6 cases being investigated; 4 by Ethical Standards Officers in respect of City Councillors, and 2 by the Monitoring Officer in respect of Parish Councillors. On completion of his investigations, the Monitoring Officer will report to the Committee. In cases where the report identifies evidence to support a breach, the Committee will be required to undertake a hearing. It is anticipated that the Monitoring Officer will have completed his investigations early in the new year.

### FINANCIAL IMPLICATIONS

There are no financial implications of this report.

### SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments to add.

### LEGAL IMPLICATIONS

Legal Services have been consulted and have no comments to add.

### DEPUTY MONITORING OFFICER'S COMMENTS

The Deputy Monitoring Officer has been consulted and has no comments to add.

### BACKGROUND PAPERS

None.

**Contact Officer:** Roger Muckle

**Telephone:** 01524 582022

**E-mail:** rmuckle@lancaster.gov.uk