



**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL**

**1<sup>st</sup> December 2021**

**Report of the Director of Legal and Democratic Services and Monitoring Officer**

**Annual Report of the Chairman of the Governance, Ethics and Standards Committee**

**1. Purpose**

- 1.1 To receive the Report of the Chairman of the Governance, Ethics and Standards Committee.

**2. Information and Analysis**

- 2.1 The terms of reference for the Governance, Ethics and Standards Committee as outlined at Article 11 of the Constitution require the Chairman to provide an Annual Report to full Council. This report outlines the work done by the Committee over the last year and provides an indication of the work programme for the next municipal year.
- 2.2 The report of the Chairman of the Governance, Ethics and Standards Committee is attached at Appendix 2.

**3. Alternative Options Considered**

- 3.1 The Chairman of the Governance, Ethics and Standards Committee could not provide an annual report. However, this would not be in

accordance with the Terms of Reference for the Governance, Ethics and Standards Committee which do require such a report to be prepared.

#### **4. Implications**

4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

#### **5. Consultation**

5.1 As this is with regard to an administrative function, consultation is not required.

#### **6. Background Papers**

6.1 There are no background papers to this report.

#### **7. Appendices**

7.1 Appendix 1 – Implications.

7.2 Appendix 2 – Report of the Chairman of the Governance, Ethics and Standards Committee.

#### **8. Recommendation(s)**

8.1 That the Council receives and notes the report of the Chairman of the Governance, Ethics and Standards Committee attached at Appendix 2.

#### **9. Reasons for Recommendation(s)**

9.1 The Council's Constitution requires an annual report to be provided by the Chairman of the Governance, Ethics and Standards Committee to be presented to Council.

**Report Author:** Elizabeth Wild, Principal Solicitor  
**Contact details:** [Elizabeth.wild@derbyshire.gov.uk](mailto:Elizabeth.wild@derbyshire.gov.uk)

**Implications**

**Financial**

- 1.1 There are no financial implications as this relates to a reporting requirement.

**Legal**

- 2.1 The Terms of Reference for the Governance Ethics and Standards Committee as set out at Article 11 of the Constitution require the Chairman of the Governance, Ethics and Standards Committee to provide an annual report to full Council.

**Human Resources**

- 3.1 There are no HR implications as this relates to a reporting requirement.

**Information Technology**

- 4.1 There are no IT implications as this relates to a reporting requirement.

**Equalities Impact**

- 5.1 There are no equality implications as this relates to a reporting requirement

**Corporate objectives and priorities for change**

- 6.1 None

**Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

- 7.1 None

CONTROLLED

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL**

**1<sup>st</sup> December 2021**

**Annual Report of The Chair of the Governance, Ethics and Standards  
Committee for the Year 2020- 2021**

**Introduction from Councillor R Flatley, Chairman of the Governance, Ethics  
and Standards Committee**

*Having been appointed as Chairman of the Governance, Ethics and Standards Committee following the elections this May, I would like to pay tribute to the work of my predecessor Cllr Chris Short in his role as Chairman of this Committee of the past four years as well as the Committee's former Vice Chairman Cllr Kevin Buttery.*

*As a Committee, we are continuing with several work streams that commenced last year including reviewing the Council's constitution and looking at the authority's standards régime.*

*As Derbyshire recovers from the pandemic, this Committee has an important role to play in ensuring that the Council's structures and governance are fit for purpose. This is rightly where we will be focusing our efforts over the next Council term.*

**Councillor R Flatley**

**Chairman of the Governance, Ethics and Standards Committee**

## **Membership of the Governance, Ethics and Standards Committee**

### **Membership for September 2020 to April 2021**

Councillor N Atkin  
Councillor K Buttery (Vice-Chairman)  
Councillor J Coyle  
Councillor K Gillott  
Councillor L Grooby  
Councillor W Major  
Councillor C R Moesby  
Councillor C Short (Chairman)

### **Membership from April 2021**

Councillor R Flatley (Chairman)  
Councillor S Swann (Vice-Chairman)  
Councillor C Cupit  
Councillor L Grooby  
Councillor D Muller  
Councillor W Major  
Councillor K Gillott  
Councillor B Woods

During the municipal year of 2020 – 2021 the Committee met on four occasions. All four were held virtually due to the pandemic. However, meetings are now in person and attended. The meeting on 1<sup>st</sup> July 2021 was the Committee's first attended meeting and took place at County Hall.

The Committee would also like to thank the Independent Persons, Lloyd Newby and Ian Orford for the commitment, contribution and support to the Committee. Particular thanks go to Mr Newby who has supported the Committee since the current standards regime came into place in 2012. Mr Newby has served two full terms of office, which his second term being extended by a further 12 months to enable the Panel to benefit from his knowledge and experience during a process of recruitment and review. Mr Newby's term of office will be drawing to a close at the end of this year.

The Committee was pleased to welcome Mr Orford who was appointed to the role of Independent Person in February 2021.

### **Review of the Standards Regime**

Following the review undertaken by the Committee for Standards in Public Life and the publication by the LGA of a model Code of Conduct for Elected Members, the Committee has convened two working groups to consider and review the Council's current Code of Conduct and the arrangements for dealing with complaints against Councillors. It is intended that revised arrangements and a revised code will be developed to be presented to Council during this municipal year.

Under the terms of reference, it is the Governance, Ethics and Standards Committee which considers dispensations for Elected Members. These arrangements mean that it is difficult for dispensations to be considered quickly and in urgent situations. Therefore, one of the working groups is looking at those arrangements and is considering options for dispensations to be considered in a more timely and efficient manner.

In addition, the support which the Committee requires from the independent persons is being reviewed. One of the working groups is considering the optimum number of Independent Persons which the Council requires and the arrangements for an allowance for those independent persons.

From the end of December 2021, the Council will only have one independent person due to the term of office for Mr Newby coming to an end. Should the review determine that the Council requires more than one Independent Person, then the Committee will authorise officers to undertake the required recruitment process.

### **The Constitution**

Work continues to be undertaken on the Constitution to ensure that it remains up to date and reflects any changes made to the Council's way of working.

### **Complaints received that Members have breached the Code of Conduct**

The Committee continues to support the Monitoring Officer in the consideration and determination of any such complaints. The Committee is also grateful for the support received from the Independent Person in determination of these complaints.

### **Work Programme for the next municipal year (May 2021 – 2022)**

It is proposed that the work programme for the Committee for the next municipal year will include the following projects in addition to the business set out in the Terms of Reference:

1. Further review of the Constitution as necessary;
2. Review of the standards regime, including the Code of Conduct for Elected Members and the arrangements for dealing with complaints made that Elected Members have breached the Code of Conduct.