

DERBYSHIRE COUNTY COUNCIL
GOVERNANCE, ETHICS AND STANDARDS COMMITTEE
ANNUAL REPORT OF THE GOVERNANCE, ETHICS AND STANDARDS COMMITTEE FOR THE
YEAR 2022-2023

Introduction from Councillor S Swann, Chairman of the Governance, Ethics and Standards Committee

I have been Chairman of the Governance, Ethics and Standards Committee since December 2021 and during that time I am pleased that its members have engaged in a collaborative manner to facilitate the effective working of the Committee.

I would like to thank Councillor Flatley for his dedication in the role of Vice-Chairman of the Committee during the last year while acknowledging the contributions of all Members, as well as the professional support provided by the officers.

During the last year, the Committee has continued its work of keeping the Council's Constitution, structures, and governance under review to ensure that they remain fit for purpose. These matters, along with other work undertaken by the Committee, are outlined further in the report below.

1. Membership of the Governance, Ethics and Standards Committee

1.1 Membership from May 2022 to May 2023 was:

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

1.2 During the municipal year of 2022-2023 the Committee met in person on 4 occasions.

1.3 Recognition is given to the Independent Person, Ian Orford for his contribution, commitment and support to the Committee. Approval has been given by Council for there to be two independent persons to support the Committee. The second position remains vacant although it is proposed that a recruitment exercise will be undertaken during this next municipal year.

2. Review of the Standards Regime

2.1 The Committee undertook considerable work to develop a new Code of Conduct for Elected Members and a procedure for dealing with complaints made under the Code of Conduct. The new Code was adopted by the Council on 1st April 2022 together with the new procedure for dealing with complaints.

2.2 Following the adoption of the Code, the Committee also oversaw training which was delivered to all Elected Members to ensure awareness of obligations under the new Code, particularly with regard to changes in the regime for registering interests.

3. Complaints received that Members have breached the Code of Conduct

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

4. Corporate Complaints and referrals to the Local Government to Social Care Ombudsman

4.1. The Committee considered the annual report on Complaints and Compliments dealt with by the Council in 2021/22, together with a trend analysis for the last six years. The Committee also received the annual letter of the Local Government and Social Care Ombudsman (LGSCO) for the period ending 31 March 2022.

5. Constitution

5.1. Work has continued in respect of reviewing the Constitution to ensure it remains up to date and reflects any changes made to the Council's way of working. During 2022-23 the Committee agreed a number of changes to the Constitution and referred them to full council for formal approval. The updates have included the review of terms of references to the Appointments and Conditions of Service Committee and the Health and Wellbeing Board (HWB) to ensure that they remain effective in reflecting the purpose and objectives of the forum in question; the inclusion of terms of reference for the new Integrated Care Board (ICB) to support the partnership working between the ICB and the HWB; delegations to officers in the areas of public health and trading standards to ensure prompt and efficient decision-making; and a review of the Officer Employment Procedure Rules.

5.2 The Committee has noted evidence of the success of the new streamlined process for decision making in ensuring that the Constitution remains up to date as a result of

receiving a number of reports from the Monitoring Officer to make minor amendments to the Constitution.

6. Member Development Working Group

6.1. The Committee received an update on the completion of the Member Induction Programme and the progress of the Member Development Working Group in increasing participation to enable Members of the council to be motivated, well-equipped and confident to be able to carry out their roles effectively.

7. Independent Remuneration Panel and Members Allowances Scheme

7.1 The Committee considered the recommendations of the Independent Remuneration Panel and advised the Council in connection with the appropriate Members Allowances for 2022-24.

7.2 The Committee also oversaw a successful recruitment process whereby Matthew Holden, Gemma Shepherd-Etchells and Robin Morrison were appointed to the Panel to join existing members Peter Clifford and Peter Clay. The Panel now has a full complement of five members.

Work Programme for the next municipal year (2023-2024)

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, including further work on the Scheme of Delegations and the Budget and Policy Framework documents;
2. Further review of the Code of Conduct and the procedure to deal with complaints in relation to members who have breached the Code as necessary.
3. Continue to have oversight of the performance of the Corporate Complaints process and Local Government Ombudsman referrals.
4. Oversight of a review of the call-in procedures, including the associated amendments to the Constitution.
5. Conduct a recruitment exercise for the vacant Independent Person position.