
Ethics Committee

14 December 2017

Name of Cabinet Member:

N/A- Ethics Committee

Director Approving Submission of the report:

Deputy Chief Executive, Place

Ward(s) affected:

Not applicable

Title: Review of Ethical Standards in Parish Councils

Is this a key decision?

No

Executive Summary:

The Committee's work programme includes a report on the operation of the ethical standards regime in parish councils within the city. The Committee last considered this topic in December 2016.

In 2016, the Acting Monitoring Officer contacted the Clerks to all three parish councils and asked them to provide information about how ethical standards are maintained within the parish councils. The information provided was summarised in the report to this Committee in December 2016.

The Committee is asked to note that the Acting Monitoring Officer, and the City Council, has a limited role in the operation of Parish Councils. That role is limited to maintaining and publishing the register of interests for parish councillors and dealing with complaints about parish councillors under their Code of Conduct.

The Committee is asked to note the current provision with regard to ethical standards in the parish councils and consider whether it wishes to undertake further work on this topic. In addition it is recommended that the Acting Monitoring Officer be requested to offer suggestions to parish clerks on where their good practice on ethical standards might be further improved.

Recommendations:

- (1) The Ethics Committee is recommended to consider the report and decide whether any further work on this topic should be undertaken; and
- (2) The Acting Monitoring Officer be requested to offer any suggestions to the parish clerks on where their good practice on ethical standards might be further improved.

List of Appendices included:

None

Other useful background papers:

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Review of Ethical Standards in Parish Councils

1. Context (or background)

- 1.1 The Committee's work plan for 2017/18 includes an item to review the operation of ethical standards in parish councils in the City Council's area. The Committee last considered this matter in December 2016.
- 1.2 This report sets out some background information about parish councils nationally and then gives some general information about the three parish councils in Coventry. The final section gives more detailed information about how ethical standards, openness and transparency are maintained within the three councils. However it is fair to say that little, if anything, has changed with regard the governance of parish councils since the last time the Committee considered this issue.

2. Options considered and recommended proposal

2.1 Status and Functions of Parish Councils

- 2.1.1 Parish councils are the most local tier of elected local government. The size of parishes, their electorates and spending power vary from one council to the next. Parish councils can adopt one of a number of different 'styles' such as 'village', 'town', 'neighbourhood' or 'community' council but they remain as parish councils and the style adopted has no effect on the status or legal powers available to the council. Much of the workings of parish councils is still governed by the Local Government Act 1972.
- 2.1.2 There are around 9,500 parish councils in England but these only cover about 30% of the population and are mainly found in rural areas. However, following changes in the legal mechanism for establishing parish councils, there has been a growth in parish councils being created in urban and suburban areas. Finham is one such parish council, its first councillors being elected in May 2016.
- 2.1.3 Parish councils may raise a 'precept' on the council tax bills produced by their local billing authority (in our case, the City Council). This is essentially a demand for a sum to be collected through the council tax system. Council tax-payers cannot refuse to pay it, and the billing authority cannot refuse to levy it. It is the only source of tax revenue available to parish councils. Parish Councils may set allowances for their members but in practice it is understood that few do.

2.2 Parish Councils in Coventry

There are three parished areas within Coventry City: Allesley, Finham and Keresley. Each has a parish council which meet around 8 to 10 times a year. The table below sets out some information about the financial position and operation of the three parish councils.

	Allesley Parish Council	Finham Parish Council	Keresley Parish Council
Number of Seats on Council	8	10	7

Number of councillors (as at 20 November 2017)	7	10	7
Members' or chair's allowance paid?	Yes: Chair's allowance £50 per annum	No	No
Funding for 2017-18:	Precept 8,125 Grant <u>1,474</u> TOTAL <u>£9,599</u>	Precept 20,601 Grant <u>3,665</u> TOTAL <u>£24,266</u>	Precept 1,545 Grant <u>266</u> TOTAL <u>£1,811</u>
Precept charge per Band D property	£24.80 per annum	£13.81 per annum	£6.61 per annum

2.3 Operation of Ethical Standards in Parish Councils

2.3.1 The role of the Acting Monitoring Officer and of the City Council itself in the operation of parish councils is limited. The Acting Monitoring Officer is required to publish the register of interests of parish councillors and to deal with complaints about parish councillors under their code of conduct. In all other areas of ethical standards and governance the Acting Monitoring Officer, and the City Council, can only advise parish councils on good practice and cannot require them to take a particular course of action. How the parish council operates is a matter for the parish council.

Because the information provided by the parish clerks about their governance arrangements does not vary much from year to year, the Acting Monitoring Officer has conducted a table top exercise to check what information is available to the public on the parish council websites.

2.3.2 Adoption of Code of Conduct

All Parish Councils have adopted a Code of Conduct as required by the Localism Act 2011. Allesley Parish Council's code was adopted on 22nd October 2012 and is based on the National Association of Local Council's Model Code of Conduct. Finham and Keresley Parish Councils' codes are both based on the City Council's code and were adopted on 19th May 2016 and 25th September 2012 respectively and are published on their websites.

2.3.4 Completion and Review of Register of Disclosable Pecuniary Interests

All parish councillors have completed declarations in respect of their Disclosable Pecuniary Interests and any other interests that they are required to declare under their council's Code of Conduct. The Register of Interests for all three councils appears on the City Council's website and on the website of each parish council.

Finham Parish Council has a standing item on its agenda reminding councillors to keep their register under review and has indicated that forms will be reviewed annually. Keresley councillors review their declarations annually.

2.3.5 Declaration of Interests at Meetings

All three Parish Councils have a standing item on each agenda asking members to declare any interests. In the last 12 months, there have been one individual declaration of interest at a Finham Parish Council meetings and one at Keresley.

Requirement to leave room: The Localism Act only requires councillors with a Disclosable Pecuniary Interest in an item to refrain from participating in the discussion or voting on the matter. There is no requirement to leave the meeting room. However, the Act allows councils to include a provision in its Standing Orders excluding members with an interest from the room. Both Finham and Keresley have such a requirement in their standing orders.

2.3.6 *Standing Orders*

Standing Orders are a set of procedural rules that govern how meetings are run and the financial and contract procedures for parish councils. They are usually based on model standing orders. Publishing the Standing Orders of a parish council allows residents and others to see how the parish council operates and promotes transparency.

Both Finham and Keresley publish their Standing Orders on their website. Keresley last reviewed its standing orders at its annual meeting in May 2016 and may have done so again in 2017 but the minutes were not available on its website at the time of writing this report. Finham confirmed approval of its standing orders in July 2017.

2.3.7 *Publication of Meeting Dates, Agendas, Reports and Minutes on Website*

All three parish councils have a website. The extent to which the dates of meetings, agendas, reports and minutes are published on the website varies from council to council.

2.3.9 *Complaints about Parish Councillors*

Since July 2012 there have been no complaints made to the Monitoring Officer against parish councillors.

Allesley does not have any information on their websites about how members of the public can complain about councillors, however Finham does have a copy of the City Council's Complaints Protocol which sets out how complaints will be dealt with and now has a short complaints procedure for dealing with complaints about the council and councillors. Keresley publishes its complaints procedure. All have information about how to get in touch with the parish council or clerk.

2.3.10 *Public Engagement with Parish Councils*

All three councils have an item at the beginning of the meeting where members of the public can speak on items of concern on the agenda. Finham has on average nine members of the attending meetings and Keresley around eight.

2.4 *Conclusions and Recommendations*

2.4.1 *Conclusions*

All three parish councils have good procedures in place to ensure that their councillors comply with their legal duties to register their statutory interests as well as prompts on agendas to remind them to declare them. All have websites which provide useful information for the public on the work of the parish councils although the completeness of

this information varies between councils. It should be remembered that parish clerks have limited resources available to them and there are not the same legal obligations on parish councils to publish documents such as agendas, reports and minutes on their websites as apply to the City Council. The minimum legal requirement is to give notice of a meeting in a conspicuous place in the parish and to allow minutes to be inspected. There is no legal requirement to publish documents on their websites.

All parish councils have a session at the start of each meeting to allow members of the public to speak on matters of concern which helps to promote good engagement with the community and an understanding of what the parish council does.

The Acting Monitoring Officer will continue to liaise with the parish councils' clerks on standards issues and queries as and when required.

2.4.2 Recommendations

The Committee is recommended to:

- (1) to consider the report and decide whether any further work on this topic should be undertaken; and
- (2) the Acting Monitoring Officer be requested to offer any suggestions to the parish clerks on where their good practice on ethical standards might be further improved.

3. Results of consultation undertaken

None as the report builds on consultation carried out in 2016.

4. Timetable for implementing this decision

Not applicable

5. Comments from Deputy Chief Executive, Place

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

This review forms part of the process of managing risk within the parish councils and ensuring high standards of ethical behaviour.

6.3 What is the impact on the organisation?

Any proposals arising from this report will help to promote high standards amongst elected members in accordance with the Localism Act.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

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