

Agenda



HYNDBURN
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Standards Committee

Tuesday, 5 August 2025 at 4.00 pm,
Scaitcliffe House, Ormerod Street, Accrington

Membership

Chair: Councillor Stephen Button
Vice-Chair: Councillor Clare Yates

Councillors Melissa Fisher, Bernard Dawson MBE, Ethan Rawcliffe, Marlene Haworth, Danny Cassidy and Zak Khan

A G E N D A

1. Apologies for absence, Declarations of Interest and Dispensations

2. Minutes of Last Meeting (Pages 3 - 6)

To submit the Minutes of the last meeting held on the 10th October 2024 for approval as a correct record.

Recommended – That the Minutes be received and approved as a correct record.

3. Local Government Ombudsman (LGO) Letter 2025 (Pages 7 - 12)

This report informs the Committee about the annual summary of complaint statistics from the Local Government Ombudsman for the year ending 31st March 2025.

Recommended – That the Committee welcomes the Ombudsman's letter for 2024/25 and notes the report.



4. Review of Standards Complaints 2024/25 (Pages 13 - 16)

The report provides the Committee with a summary of standards matters relating to 2024/25.

Recommended – To note the contents of this report.

5. Exclusion of the Public

Recommended

- That, in accordance with Section 100A(4) Local Government Act 1972, the public be excluded from the meeting during the following item, when it is likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that there will otherwise be disclosure of exempt information within the Paragraphs at Schedule 12A of the Act specified at the item.

6. Privacy of the Standards Process

Jane Ellis – Verbal Update

STANDARDS COMMITTEE

Thursday, 10th October, 2024

Present: Councillor Clare Yates (in the Chair), Councillors Danny Cassidy, Zak Khan, Stephen Button, Bernard Dawson MBE, Melissa Fisher and Ethan Rawcliffe

Apologies Marlene Haworth

Councillor Clare Yates stepped up from Vice Chair to Chair this meeting.

187 Apologies for absence, Declarations of Interest and Dispensations

Apologies for Absence were given by Councillor Marleen Haworth.

Councillors Clare Yates, Stephen Button and Ethan Rawcliffe declared an interest in Agenda Item 3 – Dispensations, on the grounds that they had submitted an application for the granting of certain dispensations to be considered at this meeting.

There were no declarations of interest.

188 Minutes of Last Meeting

The Minutes from the Hearing Sub Committee on the 20th of October 2022, Standards Committee 15th of August 2024 and Hearing Sub Committee 19th of September 2024 were submitted for approval as a correct record.

Resolved - That the Minutes be received and approved as a correct record

189 Grant of Dispensations

In June 2012, Hyndburn Borough Council and Altham Parish Council each adopted a new Code of Conduct following the introduction of the new standards regime under the Localism Act 2011. Unlike the previous codes, the new Codes do not expressly enable Councillors to speak and vote on a number of specific issues where a large number would have an interest, e.g. setting the Council Tax. Or in the case of Altham Parish Council, the setting of the precept. Therefore, Standards Committee will need to consider granting dispensations on those issues where legislation does not specifically allow Hyndburn and Altham Parish Councillors to speak and vote.

Following the Elections in May 2024, a number of councillors were newly elected: Hyndburn Councillors Vanessa Alexander, Edward Blake, Stewart Eaves, Shabir Mohammed Fazal, Andy Gilbert, Clare McKenna, Clare Pritchard, Ethan Rawcliffe, Tina Walker and Clare Yates were elected and have submitted individual requests for dispensations and copies of the request forms are attached at Appendix 1.

The requests relate to dispensations to speak and vote on the following matters:-

- An allowance, payment or indemnity given to Members; and
- Ceremonial honours given to Members; and

- Setting Council Tax or a precept under the Local Government and Finance Act 1992 as amended from time to time or any superseding legislation
- Setting a local Council Tax reduction scheme for the purposes of the Local Government Finance Act 2012 as amended from time to time or any superseding legislation
- Setting a local scheme for the payment of business rates, including eligibility for rebates and reductions, for the purposes of the Local Government Finance Act 2012 as amended from time to time and any superseding legislation

Renewal reminder emails have also been sent to existing Members who were returned at the Elections held in 2024 and had existing dispensations which were due to expire in 2024, comprising of Councillors Judith Addison, Noordad Aziz, Stephen Button, Paul Cox, Munsif Dad and Kathleen Pratt.

All request forms have been returned and are also included at Appendix 1 for consideration by the Committee.

Dispensations, in the above terms, have previously been granted to the remaining 19 Hyndburn Borough Councillors and are not due to expire until either 2026 or the end of their respective terms of office.

Similarly, legislation is silent on the issue of Parish Councillors being able to speak and vote on the setting of a parish precept even though most, if not all of them, could have an interest in the decision as local residents. Councillor Helen Hummerston and Miles Parkinson have been invited to apply for a dispensation to speak and vote in respect of the setting of a precept under the Local Government and Finance Act 1992 (as amended from time to time) or any superseding legislation.

The forms have been returned and are included at Appendix 2, for consideration by the Committee.

The Government takes the view that a dispensation is unnecessary in certain circumstances and that councillors do not have a disclosable pecuniary interest in decisions relating to the setting of council tax levels.

The matter has not been decided by a court, however, and there is scope to argue that Hyndburn Borough and Altham Parish Councillors do potentially have a disclosable pecuniary interest when making decisions of this type, as they reside in the Borough / Parish and would be required to pay any new level of council tax or precept. However, legal grounds exist to grant the requested dispensations pursuant to the Localism Act 2011.

Standards Committee needs to decide whether to grant dispensations to allow each Councillor to speak and vote on the relevant issues.

A dispensation must specify the period for which it has effect and the period specified may not exceed four years. Currently there are 6 Hyndburn Councillors that have dispensations in place which are due to expire or have already expired and all 10 newly elected Members have no dispensation in place. Two Parish Councillors have also submitted an application for a dispensation.

Hyndburn Councillors – Judith Addison, Vanessa Alexander, Noordad Aziz, Edward Blake, Stephen Button, Paul Cox, Munsif Dad, Stewart Eaves, Shabir Mohammed Fazal, Andy Gilbert, Clare McKenna, Kathleen Pratt, Clare Pritchard, Ethan Rawcliffe, Tina Walker and Clare Yates.

Altham Parish Councillors – Councillor Helen Hummerston and Miles Parkinson.

The Committee may grant a dispensation to speak only or may grant a dispensation to speak and vote. A dispensation can be granted if the Committee is satisfied on any of the following grounds:

- The number of members prevented from speaking or voting would be so great as to "impede the transaction of business"; or
- The political balance at the relevant meeting would otherwise be sufficiently affected as to alter the likely outcome of the vote; or
- The dispensation is in the interests of people living in the area; or
- All the members of the Cabinet are affected by the interest; or it is otherwise appropriate to grant the dispensation.

Councillor Clare Yates clarified that for Altham Parish Councillors this is only in regards to setting Parish Precepts.

Monitoring Officer Jane Ellis confirmed this is correct.

Councillors Clare Yates, Stephen Button and Ethan Rawcliffe did not vote on their own dispensations.

Resolved **(1) That the requests from Hyndburn Borough Councillors; Judith Addison, Vanessa Alexander, Noordad Aziz, Edward Blake, Stephen Button, Paul Cox, Munsif Dad, Stewart Eaves, Shabir Mohammed Fazal, Andy Gilbert, Clare McKenna, Kathleen Pratt, Clare Pritchard, Ethan Rawcliffe, Tina Walker and Clare Yates to grant dispensations to speak and vote on the issues set out in Section 3.2 of the report, be approved, to have effect for the period 10th of October 2024 to the 9th of October 2024**

2) That the request from Altham Parish Councillors; Councillor Helen Hummerston and Miles Parkinson to grant dispensations to speak and vote on the issues set out in Section 3.5 of the report, be approved, to have effect for the period 10th of October 2024 to the 9th of October 2024.

190 Hearing

Monitoring Officer Jane Ellis presented an update to the Committee on the procedures and outcome of the previous Hearing Sub Committee on the 19th of September.

Miss Ellis reflected on the previous hearing and found that the procedural changes made worked well and asked for any feedback from Councillors.

Councillor's feedback that they were happy with how the hearing was operated and noted that it felt like a fair proceeding.

Signed:.....

Date:

Chair of the meeting
At which the minutes were confirmed

Agenda Item 3.

Report to: Standards Committee

Date: 5th August 2025

Report Author: Executive Director (Legal & Democratic Services)

Title of Report: Annual Ombudsman's Letter 2024/25 And Review Of Complaints Procedures

1. Purpose of Report

1.1 This report informs Committee about the annual Local Government Ombudsman's ("LGO") letter for 2024/25 and reviews the operation of the Council's complaints procedure over the past year.

2. Recommendations

2.1 That Committee welcomes the Ombudsman's letter for 2024/25 and notes this report;

3. Background and Reasons for Recommendations

3.1 The LGO has now published its annual complaint figures in respect of each local authority for the period 1st April 2024 to 31st March 2025. This data is produced in respect of every local authority in the same format and a copy of the same is attached to this report.

3.2 The Ombudsman's letter does not specifically flag up any areas of concern about either the Council's services or its procedures for dealing with complaints. For many years, the LGO has received a low level of complaints about Hyndburn, which makes it difficult to identify trends from the statistical information provided. The low level of complaints may however reflect good service delivery and / or a good internal complaint handling process.

3.3 During 2024/25, the LGO received 10 complaints about the Council, but, of these, only 1 was deemed to merit detailed investigation. That complaint, which related to a council tax enforcement matter, was upheld, but the Council was judged to have provided a satisfactory remedy to the complainant following the Ombudsman's investigation and findings. This is reassuring as the LGO changed its investigation process in 2022/23 which has resulted in a national increase in the number of complaints upheld following a formal investigation.

3.4 The table below shows a comparison between the Council's position and that of neighbouring District Councils over the same period. This exercise does not indicate any obvious cause for concern in respect of the Council, with Hyndburn's performance being comparable to its Lancashire neighbours. In addition, the level of complaints across the County is so low as to make it difficult to draw any specific conclusions from the statistics available:

Council	Number of complaints to LGO	Complaints investigated	Complaints upheld
Hyndburn	10	1	1
Burnley	6	2	1
Pendle	9	1	0
Rossendale	10	1	1
Ribble Valley	7	0	0
Chorley	14	0	0
South Ribble	6	1	1
Preston	15	0	0
West Lancs	27	5	3
Lancaster	14	0	0
Wyre	9	2	1
Fylde	9	2	2

3.5 In 2023 the Council reviewed and updated its complaints policy to ensure it remained effective and fit for purpose. The review was driven by a wish to provide a quick and effective response to complainants, whilst ensuring the complaints process was not unduly burdensome for those involved. It was decided to reduce the complaints process from a three to a two stage process as summarised in the table below:

Old complaint policy	New complaint policy
Stage 1: complaint dealt with informally by the relevant Council service at point of customer contact	Stage 1: complaint dealt with informally by the relevant Council service at point of customer contact
Stage 2: complaint considered by the service manager (or a supervisor) and a written response provided	Stage 2: complaint considered by the service manager (or a supervisor) and a written response provided
Stage 3: the complainant has a right of appeal to an independent chief officer who will consider the matter afresh and provide a written response If the complainant remained dissatisfied they may make a complaint to the Local Government Ombudsman.	If the complainant is dissatisfied with the service manager's reply they may make a complaint to the Local Government Ombudsman. There is no appeal to an independent chief officer.

In addition, training in complaint handling (delivered by the Head of Internal Audit, Head of Policy & OD and Executive Director – Legal & Democratic Services) was delivered to all service managers and supervisors who may be called upon to deal with stage 2 complaints and this was particularly well received.

3.6 The new process enables complainants to progress more quickly to the LGO and it was therefore anticipated that the number of complaints made to the Ombudsman may increase over the next few years. It was agreed that the operation of the new policy would be monitored closely over the first few years of its operation in terms of its impact. The new procedure has now been in operation for two years and, contrary to our initial expectations, there is nothing to date to suggest that the new complaints process is leading to an increase in adverse findings by the LGO. Over the last 10 years the position re complaints upheld by the LGO is as follows:

year	complaints upheld	year	complaints upheld
2016	1	2021	1
2017	1	2022	0
2018	0	2023	0
2019	0	2024	1
2020	0	2025	1

3.7 We have reviewed the stage 2 complaints received from August 2023 – July 2024 and from 2024-2025 (we do not formally log stage 1 complaints). In summary the position is as follows:

2023-24	2024-25
Stage 2 complaints: 8 Of those: Regen & Housing 1 Contact Centre 4 Waste Services 1 Licensing 1 Planning 1	Stage 2 complaints: 15 Of those: Regen & Housing 3 Contact Centre 3 Waste Services 1 Licensing 1 Planning 6 Community Services 1
Dealt with on time 100%	Dealt with on time (75%)
Outcomes: Upheld 2 Partially upheld 2 Not upheld 4	Outcomes: Upheld 1 Partially upheld 2 Not upheld 12

The numbers of complaints are still low, and it is a little early to spot trends. However, there is nothing at this stage to suggest either that there are deficiencies in our complaints process or that the number of complaints relating to a particular service area is a cause for concern.

4. Alternative Options considered and Reasons for Rejection

4.1 None. This is a report for information.

5. Implications

Issue	Comments
Financial (including mainstreaming)	No costs identified.
Legal	No issues identified. The Ombudsman's letter gives a general indication of the Council's approach to dealing with complaints. A fair and open complaint handling process is one indicator of the strength of the Council's corporate governance arrangements. Nothing in letter indicates that there is cause for concern about the Council's current arrangements.
Assessment of Risk	No risks identified.
Equality	No equality issues identified.

6. Consultations

6.1 None.

7. Local Government (Access to Information) Act 1985: List of Background Papers

Ombudsman's letter dated July 2025

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

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Agenda Item 4.

Report to: Standards Committee

Date: 5th August 2025

Report Author: Executive Director (Legal & Democratic Services)

Title of Report: Standards Review 2024/25

1. Purpose of Report

1.1 This report provides Committee with a summary of standards matters relating to 2024/25

2. Recommendations

2.1 That Committee notes this report.

3. Background and Reasons for Recommendations

Complaints

3.1 The following standards complaints were received in 2024-25:

No.	Assessment Panel Decision	Complainant	Outcome
1	Referred for investigation Complaint determined at Standards Committee	Anonymity granted	upheld
2	Referred to monitoring officer for informal resolution	councillor	Not applicable
3	Referred to monitoring officer for informal resolution	councillor	Not applicable

In addition, we received two further complaints about member conduct from members of the public during this period. These related to two different councillors and two separate issues. In both cases the monitoring officer determined that there was no, or insufficient, evidence of a breach of the code of conduct to merit further investigation or a referral to the Assessment Panel.

3.2 For comparison, the position in 2023/24 was as follows:

No.	Assessment Panel Decision	Complainant	Outcome
1	Formal investigation	employee	Ceased to be a councillor before determined

In addition, in 2023/24 a further complaint was received from an employee about a councillor, which the monitoring officer and the employee concerned agreed was suitable for informal resolution. This complaint was therefore not referred to the Assessment Panel.

Member Training

3.3 Code of conduct training is run annually and is usually delivered in-house by the Executive Director (Legal & Democratic Services), who is the Council's monitoring officer. Since April 2025, 25 members have attended code of conduct training, which is a significant increase on 2024/25 when only 14 members attended. There are 7 members, who have not attended code of conduct training in either 24/25 or to date in 25/26, but we will run a mop-up session in the Autumn, and we will endeavour to obtain attendance from these individuals.

In addition, all members of the Planning and Judicial Committee have attended training on their role since May 2025. Only 6 members of the Licensing Committee have attended training to date and again we hope to provide mop-up training for the remaining 8 councillors. This is not viewed as particularly urgent as the Committee does not meet regularly.

4. Alternative Options considered and Reasons for Rejection

4.1 None. This is a report for information.

5. Implications

Issue	Comments
Financial (including mainstreaming)	No costs identified. In-house standards training has no cost. The member training budget was increased to £5,000 in respect of 2024/25 and we are currently completing one-to ones with all councillor's to determine their training needs and preferred methods of delivery. Once this process is complete we expect to produce a member development plan for approval by the Learning And Development Panel and then by Cabinet.
Legal	No issues identified, although the matters discussed in this report are all aspects of good governance.
Assessment of Risk	No risks identified.
Equality	No equality issues identified.

6. Consultations

6.1 None.

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**

None

8. Freedom of Information

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.

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