

AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

25th September 2014

MONITORING OFFICER'S REPORT – STANDARDS REGIME

Relevant Portfolio Holder	Councillor John Fisher, Portfolio Holder for Corporate Management
Portfolio Holder consulted	
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and Monitoring Officer
Wards affected	All Wards
Ward Councillor consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report sets out the position in relation to key standards regime matters which are of relevance to the Audit, Governance and Standards Committee since the last meeting of the Committee on 3rd July 2014.
- 1.2 It is proposed that a report of this nature be presented to each meeting of the Committee to ensure that Members are kept updated as to any relevant developments. Any further updates arising after publication of this report will be reported orally by the Monitoring Officer (MO) at the meeting.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

the report of the Monitoring Officer, together with any additional updates provided by the Monitoring Officer at the meeting, be noted and commented upon as appropriate.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising out of this report.

Legal Implications

- 3.2 The Localism Act became law on 15th November 2011. Chapter 7 of Part 1 of the Localism Act 2011 introduced a new standards regime effective from 1st July 2012. The Act places a requirement on authorities to promote and maintain high standards of conduct by Members and co-opted (with voting rights) Members of an authority. The Act also requires the authority to have in place arrangements under which allegations that either a district or parish

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councillor has breached his or her Code of Conduct can be investigated, together with arrangements under which decisions on such allegations can be made. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 were laid before Parliament on 8th June 2012 and also came into force on 1st July.

Service / Operational Implications

Member Complaints since 30th June 2014

- 3.3 Since the end of June the MO has received one complaint about a Member. The allegation was that the Member may have had access to confidential information which was being inappropriately acted upon by the Member. On preliminary investigation, the MO established that no confidential information had been passed to the Member. The MO met with the complainant who was satisfied that the complaint had been taken seriously and dealt with internally, and thanked the MO for her efforts.

Member Training

- 3.4 Since the last report a number of Member development sessions have been held at Redditch including:
- Overview and Scrutiny workshop on 14th June – aimed at all committee members and open to others;
 - Licensing Committee training on 12th June – mandatory for Members new to the Committee and those who had previously served on it but who had not attended mandatory training during the past year;
 - Safeguarding for all councillors on 25th June; and
 - Audit, Governance and Standards Committee training on 3rd July.
- 3.5 At the time of drafting this report upcoming sessions include:
- Chairing Skills on 17th September (hosted by Bromsgrove DC) – aimed at chairs and vice-chairs of Council committees;
 - Equalities on 18th September – for all councillors; and
 - Loan sharks on 23rd September – increasing awareness to support councillors in their ward role – for all councillors.

Feckenham Parish Council Representative and Deputy Parish Council Representative on the Committee

- 3.6 Following the resignation as a parish councillor of the former post holder Fiona Hawker, Feckenham Parish Council has appointed Kevin White to the

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role of Parish Council Representative, and Pat Dormer to the role of Deputy Parish Council Representative, on the Audit, Governance and Standards Committee.

- 3.7 The Parish Council Representative role on the Committee – which is a non-voting co-opted position – enables Feckenham Parish Council to have input into standards matters, which is desirable given that the standards regime applies to both parish and borough councillors.
- 3.8 A Deputy Parish Representative is also appointed in the event the Parish Representative is unable to attend a meeting. The Deputy Parish Representative is invited to, and welcome to attend, all meetings of the Committee (including those at which the Parish Representative is present) in order to gain an insight into the workings of the Committee. Both Parish Councillors White and Dormer have therefore been invited to attend the meeting of the Committee on 25th September 2014.
- 3.9 A separate 'Feckenham Parish Council Representative's Update Report' item appears next on the Committee's agenda. This provides opportunity for the Parish Representative to update the Committee orally on any relevant standards-related matters.

Customer / Equalities and Diversity Implications

- 3.10 Any process for managing standards of behaviour for elected and co-opted Councillors must be accessible to the public. It is therefore proposed that an impact assessment will be carried out on the complaints process when established, to ensure accessibility.
- 3.11 In addition, it is proposed that the new arrangements will be publicised on the Council's website and that Officers will work to ensure that members of the public are made aware of the process for making a complaint through all existing community engagement events.

4. RISK MANAGEMENT

The main risks associated with the details included in this report are:

- Risk of challenge to Council decisions; and
- Risk of complaints about elected Members.

5. APPENDICES

None

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6. BACKGROUND PAPERS

Chapter 7 of the Localism Act 2011.

Complaint papers and various reports to and minutes of meetings of the Standards Committee and Full Council, as detailed in the report.

AUTHOR OF REPORT

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