

# **AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

**2nd July 2015**

## **MONITORING OFFICER'S REPORT – STANDARDS REGIME**

Relevant Portfolio Holder	Councillor John Fisher, Portfolio Holder for Corporate Management
Portfolio Holder consulted	Yes
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 23rd April 2015.
- 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 at the meeting.

### **2. RECOMMENDATIONS**

**The Committee is asked to RESOLVE that**

- 1) 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; and**
- 2) the membership of the Hearings Sub-Committees, as detailed at paragraph 3.10 of this report, be agreed.**

### **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

## **AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

2nd July 2015

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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 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 last meeting of the Committee

- 3.3 One complaint has been received (against a Borough Councillor) since the last meeting of the Committee. This relates to declarations of interest and is currently on-going.

#### Member Training

- 3.4 Since the elections, training events have been held introducing Members to the work of the Planning Committee. The training was hosted by Bromsgrove District Council as they had “all out” elections this year. Trevor Roberts Associates delivered two evenings of training, which included setting out the policy background to planning and the role that councillors have in development control generally and the Planning Committee specifically. Whilst the first meeting of the Licensing Committee isn’t due to take place until later in July, quasi-judicial training has been held prior to the first meeting of the Licensing Sub-Committees to support Members in their role.
- 3.5 Code of Conduct training was held at the Town Hall on 3rd June 2015. Borough Councillors were also offered the opportunity to attend the training aimed at parish councillors on 24th June in Bromsgrove; similarly parish councillors were invited to attend the Borough Council event if the 24th June date was not convenient for them.
- 3.6 General (non-mandatory) training on the Audit, Governance and Standards Committee will take place immediately prior to this evening’s meeting. The training is aimed to support members of the Committee and any Members who may wish to sit as substitutes on the Committee. The training will outline the role of the Committee and what types of reports the Committee will consider from a Standards, Finance and Internal Audit perspective. Separate training from the Council’s External Auditors, Grant Thornton, will take place later in the year and there will also be an Officer Briefing on the Statement of Accounts taking place on 10th September 2015. Separate quasi-judicial

## **AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

**2nd July 2015**

---

training is required for the conduct of any Standards Hearing, which would be arranged if required.

- 3.7 The next tranche of training for Borough Councillors, including safeguarding and equal opportunities, is currently being planned.

### Hearings Sub-Committees

- 3.8 As part of the Council's Arrangements for Managing Standards Complaints under the Localism Act 2011 Hearings Sub-Committees exist, the membership of which needs to be agreed annually should a complaint reach Hearing stage.
- 3.9 As set out in the Committee Memberships report to the Annual Meeting of the Council on 21st May 2015, the chairing of the Hearings Sub-Committees will vary according to the circumstances of the Hearing (Labour Chair for a hearing about a Conservative Member and Conservative Chair for a hearing about a Labour Member).
- 3.10 The parent Committee of the Hearings Sub-Committees – previously the Standards Committee and now the Audit, Governance and Standards Committee – establishes membership of the Sub-Committees. Based on the same formula which was previously applied to the Sub-Committee memberships proposed memberships are set out below, which Members are asked to consider.

### Hearings Sub-Committee 1

Cllr Thain (Chair), Cllr Brookes and Cllr Fisher.

### Hearings Sub-Committee 2

Cllr Witherspoon (Chair), Cllr Chalk and Cllr Prosser.

### Hearings Sub-Committee 3

Cllr Potter (Chair), Cllr R Smith and Cllr Fry.

### Feckenham Parish Council Representative on the Committee

- 3.11 The Audit, Governance and Standards Committee comprises 9 elected Members (Redditch Borough Councillors), 1 Independent Member (non-voting co-opted) for the purpose of Audit and Governance and 1 Feckenham Parish Council Representative (also non-voting co-opted) for the purpose of

## **AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

**2nd July 2015**

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Standards. The Parish Council also seeks to appoint a Deputy Parish Representative to substitute for the Parish Representative should they be unable to attend a meeting.

- 3.12 As advised by Officers at the April meeting, Mr Kevin White who was the Parish Council Representative on the Committee stood down as a Parish Councillor at this year's Elections. Mrs Pat Dormer, Deputy Parish Representative, remains a Parish Councillor as has been sent the papers for this evening's meetings. Officers will liaise with the Parish Council Clerk regarding future Parish representation on the Committee and will report back to Members on this as appropriate.

### **Customer / Equalities and Diversity Implications**

- 3.13 Any process for managing standards of behaviour for elected and co-opted councillors must be accessible to the public.
- 3.14 A copy of the arrangements for handling complaints against councillors are available via the Monitoring Officer and Officers will work to ensure that members of the public are made aware of the process for making a complaint through any relevant 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

## **6. BACKGROUND PAPERS**

Chapter 7 of the Localism Act 2011.

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

## **AUTHOR OF REPORT**

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