

AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

7th July 2016

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 21st April 2016.
- 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 with any relevant standards matters.
- 1.3 Any further updates arising after publication of this report will be reported orally by Officers at the meeting.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

- 1) subject to Members' comments, the report be noted; 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

7th July 2016

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 2012

Service / Operational Implications

Member Complaints

- 3.3 At the time of drafting this report no complaints had been received by the Monitoring Officer since the last meeting of the Committee in April.

Member Training

- 3.4 Since the beginning of the new municipal year Planning Committee training has taken place. The training, which was delivered by Trevor Roberts Associates, was hosted by Redditch Borough Council and included Member attendees from Redditch, Bromsgrove and Stratford-on-Avon Councils. The training comprised two evening sessions: 'A Short Briefing on Planning for Councillors' and 'The Role of Councillors in Planning: Propriety and Good Practice'. The training set out the scope and context of the planning system, including the associated policy and legal frameworks, together with the different roles that councillors play in the planning process and the potential conflicts between these roles. The training was very well received with positive feedback from both Members and Officers.
- 3.5 Training sessions have also been held on data protection, with a further date arranged for October, and safeguarding and prevent. There have also been briefing sessions open to all Members, hosted by the Planning Advisory Panel, about the local plan as it enters the next stage of decision-making, following receipt of the Inspector's modifications.
- 3.6 Future training plans include chairing skills and finance. The external auditors will also be running a training event, date to be arranged, on important governance issues. This will be similar to an event hosted at Wychavon District Council last year and will be open to other authorities to attend.
- 3.7 General (non-mandatory) training for the Audit, Standards and Governance Committee will take place immediately prior to this evening's meeting. The

AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

7th July 2016

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 (s151 Officer) and Internal Audit perspective. Separate quasi-judicial training is required for the conduct of any standards hearings (none required since the introduction of the current standards regime in July 2012), which will be arranged as and when required.

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 by the Committee should a complaint reach hearing stage.
- 3.9 As previously agreed, 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 the proposed Sub-Committee memberships are set out below, which Members are asked to approve.

Hearings Sub-Committee 1

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

Hearings Sub-Committee 2

Cllr Witherspoon (Chair), Cllr Chalk and Cllr Baker-Price.

Hearings Sub-Committee 3

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

Customer / Equalities and Diversity Implications

- 3.11 There are no direct implications arising out of this report. Any process for managing standards of behaviour for elected and co-opted councillors must be accessible to the public. Details of the Member complaints process are

AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

7th July 2016

available on the Council's website and from the Monitoring Officer on request.

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.

Various reports to, and minutes of, Council and Committee, as detailed in the report.

AUTHOR OF REPORT

Name: Debbie Parker-Jones

Email: d.parkerjones@bromsgroveandredditch.gov.uk

Tel: 01527 881411