

# AUDIT, GOVERNANCE AND STANDARDS COMMITTEE

25th October 2018

## MONITORING OFFICER'S REPORT – STANDARDS REGIME

Relevant Portfolio Holder	Councillor Matthew Dormer, Portfolio Holder for Planning, Governance and Partnerships
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 30<sup>th</sup> July 2018.
- 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, including any standards issues raised by the Feckenham Parish Council Representative(s), will be reported by the Monitoring Officer (MO) at the meeting.

### 2. RECOMMENDATIONS

**The Committee is asked to RESOLVE that, subject to Members' comments, the report be noted.**

### 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 standards regime effective from 1st July 2012. The Act places a requirement on authorities to promote and

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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 came into force on 1st July 2012

## **Service / Operational Implications**

### Member Complaints

- 3.3 There has been one complaint made by a member of the public about a Borough Councillor since the last meeting of this Committee in July. The investigation of this complaint remains ongoing.

### Member Training

- 3.4 At the last meeting of the Committee it was reported that social media training would be provided to Members in September at political party group meetings. Since then the date of the group meetings in September changed to allow Members to meet before the rearranged Council meeting in September, the date of which was moved forward to 17<sup>th</sup> September. Social media training will now therefore take place in November 2018.
- 3.5 During the next meeting of the Member Support Steering Group Members are due to discuss any Member training needs for the remainder of the municipal year and the potential to make greater use of some functions on the website using the modern.gov committee administration system. The next meeting of the group will take place after the agenda for this meeting of the Audit, Governance and Standards Committee has been published. Members will therefore be provided with a verbal update on the outcomes of this meeting.
- 3.6 At the Members Support Steering Group meeting, Members will also be invited to explore the potential to reduce the amount of paperwork printed for Committee meetings. This follows the receipt of a number of complaints from Members about the length of recent agenda packs for Committee meetings, with some Members suggesting that paperless meetings or reduced paperwork should be explored.

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- 3.7 A training session in respect of data protection, which provided an update in respect of GDPR, was provided on 11<sup>th</sup> October 2018. This will be the second data protection session this municipal year. Six Members attended a data protection training session in June and seven Members attending the training in October.

## **Constitution Review Working Party**

- 3.8 The Constitution Review Working Party held two meetings in July and August. During these meetings Members reviewed a number of sections of the constitution including the Scheme of Delegations to officers, the Planning Code of Practice and the Members' Role Descriptors. The group's ten recommendations in respect of changes to the Council's constitution were considered and approved by full Council at a meeting on 17<sup>th</sup> September 2018.
- 3.9 The Constitution Review Working Party has been working very effectively in enabling constructive changes to the constitution to be made and in keeping all Members informed.
- 3.10 At least one further meeting of the Constitution Review Working Party is due to be held this municipal year. During this meeting Members will be asked to consider proposed changes to the Licensing Code of Practice and employment appeals processes.

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

- 3.10 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 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

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**6. BACKGROUND PAPERS**

Chapter 7 of the Localism Act 2011.  
Confidential complaint papers (where applicable).

**AUTHOR OF REPORT**

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