
MONITORING OFFICER'S REPORT

Relevant Portfolio Holder	To be confirmed
Portfolio Holder Consulted	-
Relevant Head of Service	Claire Felton
Report Author Claire Felton	Job Title: Head of Legal, Democratic and Property Services Contact email: c.felton@bromsgroveandredditch.gov.uk
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Audit, Governance and Standards Committee is asked to RESOLVE that:-

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

2. BACKGROUND

- 2.1 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 update provided at the meeting of the Committee in March 2023.
- 2.2 It has been 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.
- 2.3 Any further updates arising after publication of this report, including any relevant standards issues raised by Parish Councils, will be reported on orally by Officers at the meeting.

3. FINANCIAL IMPLICATIONS

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

4. LEGAL IMPLICATIONS

4.1 Chapter 7 of Part 1 of the Localism Act 2011 ('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 councillor has breached his or her Code of Conduct can be investigated, together with arrangements under which decisions on such allegations can be made.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

5.1 It is important to ensure that the Council manages standards regime matters in an appropriate manner. The issues detailed in this report help to ensure that there is an effective and sustainable Council.

Climate Change Implications

5.2 There are no specific climate change implications.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

6.1 There are no direct implications arising out of this report. Details of the Council's arrangements for managing standards complaints under the Localism Act 2011 are available on the Council's website and from the Monitoring Officer on request.

Operational Implications

6.2 Member Complaints

Since the last meeting of the Committee, a number of electoral related complaints that have resulted in the need for the Monitoring Officer to review the local pre-election protocols. A report in respect of this will come to this Committee later in the municipal year.

There have also been four Borough Council complaints all relating to the same incident. Whilst the complaints have been managed locally, they were again related to the use of social media. As a result, the training for new Members has been reinforced in this regard and it has been agreed that additional more targeted training will be delivered throughout the municipal year.

6.3 Independent Member

In 2012 the Localism Act 2011 introduced changes to the rules governing how Councils uphold standards in public life. This resulted in the introduction of a new Code of Conduct for Members, changes to the way complaints were investigated and sanctioned and new rules relating to the disclosure of interests, including the possibility of police action in cases of non-disclosure of disclosable pecuniary interests.

Amongst the new measures brought in was the requirement that each council should appoint at least one "Independent Person" whose views should be sought and taken into account by the authority before it decides on an allegation that it has decided to investigate (section 27 (7)(a) Localism Act 2011). The Localism Act also provided that the Independent Person could be consulted by a Member whose conduct had been complained about, this option being available to both District Council members and Parish Council members.

Members will be aware that as and when an Independent Person has been needed for complaints relating to Redditch Borough Council or Feckenham Parish Council, arrangements have been made for the Independent Person for Bromsgrove District Council (Mr Mel Nock) to be made available and to assist and support the Monitoring Officer in the investigation process.

Whilst this arrangement has worked well and provided both Borough and Parish Councillors based in Redditch with access to an Independent Person, his term has come to an end and requires review, and the Monitoring Officer is currently exploring the options moving forward.

The options under consideration by the Monitoring Officer are either carrying out a local recruitment process or arranging for the Council to join the existing retained pool of Independent Persons that was set up by six other authorities in Worcestershire working together in 2012. The lead authority for this group is Worcestershire County Council and the Monitoring Officer is liaising with colleagues at Worcestershire County Council to progress this option.

The county wide shared pool operates on the basis that the five appointed independent persons can be used by any of the member authorities and the costs of remunerating the Independent Persons and recruiting new ones are shared.

Were members minded to move to the County model, it is proposed that the Council still retain the independent services of Mr Nock to support the Monitoring Officer in the management of Member to Member complaints. This will help to ensure that there is ongoing support from an experienced independent source throughout the process.

A report to Members giving more details of the proposal to replace the Independent Person will be submitted to a future meeting of this Committee once the full details are known. In the meantime, the Committee can be re-assured that, notwithstanding his continuing independent support to the process moving forward, Mr Nock has also agreed to continue in the formal Independent Person role on a temporary basis to cover the transition to the new arrangements which are expected to be put into effect by the autumn of 2023.

Member Support Steering Group

- 6.4 The Member Support Steering Group (MSSG) is responsible for reviewing Member training, induction and ICT support. Meetings of the

MSSG are due to take place throughout the 2023/24 municipal year, with the first meeting scheduled to occur on 28th June 2023.

Constitutional Review Working Party

- 6.5 The Constitutional Review Working Party (CRWP) is responsible for reviewing the Council's constitution and makes recommendations to full Council regarding any proposed changes to the content of the constitution.
- 6.6 The CRWP holds regular meetings throughout the year. The first scheduled meeting of the CRWP is due to take place in June 2023.

Member Training

- 6.7 Following the local elections in May 2023, a comprehensive Member training programme has been arranged for both new and returning Members.
- 6.8 The training sessions that have taken or due to take place include:
- New Member Induction Evening – 9th May 2023.
 - Code of Conduct Training – 11th May 2023.
 - Planning Refresher Training – 15th May and 1st June 2023.
 - Members' Data Protection and Safeguarding Training – 16th May 2023.
 - Detailed Planning Training – 17th and 18th May 2023.
 - Modern.gov app training – 25th May 2023
 - Audit, Governance and Standards Committee Member Training – 30th May 2023.
 - Redditch Members' Overview and Scrutiny Training – 5th June 2023.
 - Local Government Finance Training – 12th June 2023.
 - Shareholders Committee training – 15th June 2023
 - Licensing Training – 22nd June 2023
- 6.9 As requested by the MSSG, many of the training sessions that are due to be delivered to Members in 2023 will be provided as joint training to Members from both Redditch Borough Council and Bromsgrove District

Council. However, there are some sessions, such as the Overview and Scrutiny training, where Members agreed that bespoke training should be provided to Redditch Members only and, in these cases, separate training has been arranged.

6.10 In the 2022/23 municipal year the Member Support Steering Group requested that the training delivered as part of the new member induction process, at least for the first two months, should be delivered in person. This arrangement has been implemented for the 2023 induction programme. However, since the elections, feedback has been received from Members indicating that they would in fact appreciate an opportunity to join training remotely wherever possible. Action is being taken to try to accommodate this where requests are received, and where reasonable notice has been provided, from specific members to attend training sessions remotely, although this may not always be possible to arrange.

6.11 At an early meeting of the MSSG Members will be asked to review the training provided as part of this induction programme and this will provide an opportunity for lessons to be learned for the future.

7. RISK MANAGEMENT

- 7.1 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.

8. APPENDICES and BACKGROUND PAPERS

No appendices.

Chapter 7 of the Localism Act 2011.

9. REPORT SIGN OFF

Department	Name and Job Title	Date

REDDITCH BOROUGH COUNCIL

**Audit, Governance & Standards Committee
2023**

30th May

Lead Director / Head of Service	Claire Felton - Head of Legal, Equalities and Democratic Services and Monitoring Officer	18 th May 2023
Financial Services	N/A	
Legal Services	Claire Felton - Head of Legal, Equalities and Democratic Services and Monitoring Officer	18 th May 2023