

REDDITCH BOROUGH COUNCIL

**STANDARDS
COMMITTEE**

13th October 2010

MONITORING OFFICER'S REPORT

Relevant Portfolio Holder	Councillor Michael Braley, Portfolio Holder for Corporate Management
Relevant Head of Service	Claire Felton, Monitoring Officer
Non-Key Decision	

1. SUMMARY OF PROPOSALS

This is the second report of the Monitoring Officer. It was agreed at the last meeting that a report of this nature would be presented to each meeting of the Standards Committee to advise the Committee on a number of items.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

the report of the Monitoring Officer be noted and commented upon as appropriate.

3. BACKGROUND

Member Training

- 3.1 There has been no general Member training on the Code of Conduct at Redditch this current municipal year, although a session was held in Bromsgrove in early June to which it had been hoped to invite Redditch Members. New Members elected in May 2010 did receive training on the Code of Conduct as part of their overall induction process.
- 3.2 It is anticipated that further training and advice will be made available to all Members on the Code of Conduct in due course.

Standards for England Regime

- 3.3 Members will be aware of the Government's announcement of its intention "to abolish the Standards Board regime". Further information in this regard, including a possible timeframe for introduction of the legislation required to implement the changes and the closure of SfE, are detailed in Standards for England's *Bulletin* No. 48, a copy which can be found at agenda item 8 (Publications). The *Bulletin* also details SfE's revised business plan for 2010 and 2011 in the light of the proposed changes, together with updates relating to monitoring returns, SfE's acceptance of complaints and the

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reappointment of independent members on the Standards Committee. Also attached at Item 8 is the latest press release from the Department for Communities and Local Government outlining the measures which are intended to replace the present Standards regime.

- 3.4 Until the changes are introduced the local standards framework remains in place and standards committees and monitoring officers have an obligation to keep the current system operating. Officers will keep the Committee informed of any developments in this regard as and when they arise.

Member Investigations

- 3.5 Members are advised that the investigation into complaint reference 01/2010, has been completed and the report referred to the subject Member for comment. The report was subsequently considered by a meeting of a Consideration Sub-Committee on 20th September at which it was determined that the matter should be considered locally and that the Hearing and the information considered at the hearing should all be in the public domain. The Pre-Hearing process is ongoing and a date for the Hearing established shortly.
- 3.6 An Investigating Officer was appointed for complaint references 02/2010 and 03/2010, the investigations are ongoing and reports will be finalised in due course.
- 3.7 The Committee is asked to note that the details of only those complaints which have already been assessed by the relevant Assessment Sub-Committee are included in this report. Any complaints or other matters (for example, matters referred back to the Assessment Sub-Committee by the Monitoring Officer under Regulation 16 of the Standards Committee (England) Regulation 2008) which are currently awaiting assessment, or for which Assessment Sub-Committee decisions are in the process of being issued, are not included as the Subject Members concerned will not be aware that a complaint has been made against them until after the assessment stage.

4. KEY ISSUES

None

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5. FINANCIAL IMPLICATIONS

None

6. LEGAL IMPLICATIONS

The Local Government Act 2000 introduced primary legislation to enable the implementation of a Members' Code of Conduct, and this was amended by the Local Government and Public Involvement in Health Act 2007 insofar as it related to the application of the Members' Code of Conduct to their private lives. Further details have been provided by the Local Authorities (Model Code of Conduct) Order 2007 and the Relevant Authorities (General Principles) Order 2001. The local assessment regime was introduced by the LGPIHA 2007, and further expanded in the Standards Committee (England) Regulations 2008 which also set out the rules and procedures governing the investigation and determination of complaints.

7. POLICY IMPLICATIONS

None

8. COUNCIL OBJECTIVES

This item does not link directly with any Council objectives

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY
CONSIDERATIONS**

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.

10. CUSTOMER IMPLICATIONS

None

11. EQUALITIES AND DIVERSITY IMPLICATIONS

None

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12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET
MANAGEMENT

None

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

None

14. HUMAN RESOURCES IMPLICATIONS

None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

None

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF
CRIME AND DISORDER ACT 1998

None

17. HEALTH INEQUALITIES IMPLICATIONS

None

18. LESSONS LEARNT

None

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

None

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director (S151 Officer)	No

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Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

21. WARDS AFFECTED

All Wards

22. APPENDICES

None

23. BACKGROUND PAPERS

None

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