

# **STANDARDS COMMITTEE**

20th March 2013

## **MONITORING OFFICER'S REPORT**

Relevant Portfolio Holder	Councillor Mark Bullivant
Portfolio Holder consulted	No
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 matters which are of relevance to the Standards Committee.
- 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.
- 1.3 Any further updates arising after publication of this report will be reported orally at the meeting.

### **2. RECOMMENDATIONS**

**That the Committee note the report and comment on any aspects of this, as appropriate.**

### **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 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)

# **STANDARDS COMMITTEE**

**20th March 2013**

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Regulations 2012 were laid before Parliament on 8th June 2012 and also came into force on 1st July.

## **Service / Operational Implications**

### **Member Complaints**

- 3.3 A total of 12 Member to Member complaints were received between the commencement of the new standards regime in July and the end of December 2012.
- 3.4 All of the complaints have been resolved under the local resolution procedures with the co-operation of the Independent Person, subject Members, complainants and Group Leaders.

### **Independent Persons**

- 3.5 An event took place at County Hall on 23rd January 2013 which provided an opportunity for Independent Persons and Monitoring Officers throughout the county to meet to discuss the Independent Person role. This was attended by the Monitoring Officer and Mr. Mel Nock, Independent Person.
- 3.6 Arrangements are being made for the Monitoring Officer to meet with Ms. Debbie Jinks, Independent Person, to complete the induction process.

### **Member Training**

- 3.7 There has been a full programme of Member development opportunities during the year. The main areas covered were:
  - Planning training for all councillors, which was well attended and included parish councils;
  - Training on regulatory functions including a mock licensing hearing;
  - Introductions to the new Standards regime and Code of Conduct, as well as the new Standards Committee arrangements. These sessions were well attended by district councillors and parish council representatives;
  - Introductions to the work of various Committees including the Audit Board;
  - Data protection and Freedom of Information; and
  - Financial awareness.

# **STANDARDS COMMITTEE**

**20th March 2013**

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- 3.8 Arrangements have been made for a meeting of the Member Development Steering Group to confirm the programme for 2013/14. This is likely to include sessions on Safeguarding Children and Vulnerable Adults and further training on the quasi-judicial roles of Councillors.

## **Parish Council matters**

- 3.9 A Monitoring Officer Liaison Meeting has been arranged with the Parish Council Clerks and Executive Officers which will be taking place on 21st March 2013.
- 3.10 The Democratic Services Officer (DSO) for Standards now attends the Bromsgrove Area Meetings of the Worcester County Association of Local Councils, and also now acts as the Parish Councils' Liaison Officer which serves as a point of contact for the Parish Clerks/Executive Officers who have difficulties in contacting District Council Officers, either direct or via the Worcestershire Hub, on any matters.

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

- 3.11 Any process for managing standards of behaviour for elected and co-opted councillors must be accessible to the public. It is therefore proposed that an impact assessment will be carried out on the complaints process when established, to ensure accessibility.
- 3.12 In addition, it is proposed that the new arrangements will be publicised on the Council's website and that Officers will work to ensure that members of the public are made aware of the process for making a complaint through all existing 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.

**STANDARDS  
COMMITTEE**

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**20th March 2013**

**AUTHOR OF REPORT**

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