

STANDARDS COMMITTEE

15th January 2015

MONITORING OFFICER'S REPORT

Relevant Portfolio Holder	Councillor Margaret Sherrey
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

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 A report of this nature is 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 by Officers 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) Regulations 2012 were laid before Parliament on 8th June 2012 and also came into force on 1st July 2012.

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Service / Operational Implications

Member Complaints

- 3.3 At its meeting in October the Committee asked that I bring to this meeting details of Members complaints received under the new Standards regime, starting from July 2012. It also asked that the details include the number of complaints, any emerging trends and how the complaints were resolved. My report setting out the information requested by members is attached at the appendix.
- 3.4 With regard to trends that can be identified from the information, I would highlight the following:-
- In the early months following the introduction of the new standards regime the majority of the complaints were between District members and the most common subject matter was comments that had been made in the context of meetings or in the press.
 - More recently the trend has been towards fewer member/ member complaints at District level and an increase in the number of complaints from members of the public and in relation to Parish Councils. Overall approximately 35% of the complaints made since 2012 have been from members of the public.
 - Use of the Independent Person and input from the Group Leaders has led to a marked decrease in the need for complaints to be formally investigated. To date all complaints have been resolved locally without the need for the Standards Committee to be called upon to adjudicate on whether there has been a breach of the code.
 - The complaints made in relation to Parish Councils although not great in number have highlighted that the need for Parishes to make sure that their processes in running meetings are clear to members of the public and that their members understand the rules around declarations of interests. It is acknowledged that this is a difficult area for Parishes who do not enjoy the same level of support as District Councillors. Where appropriate I have offered extra support to the Parishes I have been in contact with and will continue to do so. A training session on the Code of Conduct for Parishes will be included in the member training programme following the 2015 elections.

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- 3.5 With regard to new complaints, since the last meeting of the Committee one further complaint about a District Councillor has been made, bringing the total number for January 2014 to December 2014 to 7.

Member Training

- 3.6 At the last meeting it was reported that charring skills training planned for 17th September had to be postponed as the trainer had been taken ill that day. The session was rearranged for 16th December and was well attended, with Councillors from Bromsgrove, Worcester City and Redditch present. A parish Councillor also attended. Feedback from the event was very positive and should this be repeated – and it is felt appropriate - we could perhaps extend the invitation to future events to those parish councillors with charring responsibilities.
- 3.7 An in-house training session on media awareness was held in October which covered what the Communications team do and what they can and can't do for District Councillors; the restrictions in publicity during election periods and an introduction to the use of social media.
- 3.8 The Member Development Steering Group has met and agreed an outline approach to training opportunities after the elections in May; the Group will meet again shortly to run through the detail of this so that information on likely commitments for potential successful candidates can be made available well in advance of polling day. We will continue to offer training on the Code of Conduct and Standards for Parish Councillors in the new Municipal year.

Standards Committee & Constitution Working Group

- 3.9 As reported at the last meeting of the Committee this Working Group comprising of all the Group Leaders, has met on a few occasions over the autumn. As yet it has not considered the Standards element but this will be part of its work programme going forward.

Customer / Equalities and Diversity Implications

- 3.10 There are no direct implications arising out of this report. Full details of the Councils process for complaining about members are available on the Council's website.

4. RISK MANAGEMENT

The main risks associated with the details included in this report are:

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- Risk of challenge to Council decisions; and
- Risk of complaints about elected Members.

5. APPENDICES

Summary of complaints received under the new Standards regime.

6. BACKGROUND PAPERS

Chapter 7 of the Localism Act 2011.

AUTHOR OF REPORT

Name: Claire Felton
Email: c.felton@bromsgroveandredditch.gov.uk
Tel: 01527 881429