

BROMSGROVE DISTRICT COUNCIL

STANDARDS COMMITTEE

16 OCTOBER 2008

MONITORING OFFICER'S REPORT

Responsible Portfolio Holder	Cllr Roger Smith
Responsible Head of Service	Claire Felton, Monitoring Officer
Non-Key Decision	

1. SUMMARY

- 1.1 The Standards Committee has requested the Monitoring Officer to report to each meeting of the Standards Committee on a number of items, and this report sets out the latest position in relation to those items.

2. RECOMMENDATION

- 2.1 Members are requested to note the report.
- 2.2 Members are requested to consider the development of a training programme for parish councils and how this should be approached.
- 2.3 Members are requested to consider whether any further training on the ethical governance should be included in the Member Development Programme, and if so, to give thought as to how this can be best approached, the content of the training and how it should be delivered.

3. BACKGROUND

Member Investigations and Associated Matters

- 3.1 A complaint was made to the Standards Board for England (SBE) in February 2008 (and was therefore not subject to the local assessment process which did not come into effect until May 2008) relating to a district councillor ref: SBE21553.08. The SBE decided to retain the matter for investigation by one of its Ethical Standards Officers who has decided that no further action should be taken. The SBE has prepared a Case Summary which is appended to this report as Appendix 1. No action is required; the Committee is simply asked to note the Case Summary.
- 3.2 The Standards Committee recently carried out a final determination of a complaint against a district councillor; this arose from a complaint made before the local assessment regime came into force. All complaints made prior to the introduction of the local assessment regime have now been disposed of.

- 3.3 Of the complaints received since the introduction of the local assessment regime, currently, 4 complaints (2 of which arise from the same incident) are being investigated by the SBE. It is not known when those investigations are likely to be concluded. No matters are subject to local investigation and there are no other outstanding complaints at present.

Complaints for Local Assessment

- 3.4 Since the last meeting of the Standards Committee no complaints have been received and none have been assessed by the Assessment Sub-Committee. A table showing the cumulative totals is attached to this report as Appendix 2.

Member Training

- 3.5 The Monitoring Officer will provide an oral update on any training relating to ethical governance issues which has been undertaken since the date of the last meeting of this Committee.

- 3.6 The following training on ethical governance issues has been arranged:

- Standards Committee training – 3 November 2008; this has been extended to all Bromsgrove District Councillors, all Redditch Borough Councillors, key officers of both Bromsgrove District Council and Redditch Borough Council and to the Chairmen of the parishes within Bromsgrove and Redditch. The training will be provided by Beth Evans of Bevan Brittan.

Training - Parish Councils

- 3.7 Officers are arranging a further workshop session on declaring interests with a parish council which should take place before the next meeting of the Standards Committee.

- 3.8 Members are also requested to consider the issue of developing a training programme for parish councils on ethical governance issues. Clearly it would be appropriate to liaise with the parish councils in the district on this, either through the Parish Forum or through the Area CALC meetings. Members are requested to give thought as to how this can be best approached, the content of the training and how it should be delivered.

Review of the Ethical Framework elements of the Member Development Programme

- 3.9 Members are requested to consider whether any further training on the ethical governance should be included in the Member Development Programme, and if so, to give thought as to how this can be best approached, the content of the training and how it should be delivered.

Oral Update

- 3.10 The Monitoring Officer will provide an oral update on any other matters at the meeting.

4. FINANCIAL IMPLICATIONS

4.1 None

5. LEGAL IMPLICATIONS

5.1 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.

6. COUNCIL OBJECTIVES

6.1 This item does not link directly with any Council objectives.

7. RISK MANAGEMENT

7.1 The main risk associated with the details included in this report is:

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

7.2 These risks are being managed as follows:

- Risk Register: *Legal, Equalities and Democratic Services*
Key Objective Ref No: 3
Key Objective: *Effective ethical governance*

8. CUSTOMER IMPLICATIONS

8.1 None

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 None

10. VALUE FOR MONEY IMPLICATIONS

10.1 None

11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	<u>Yes</u>
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	<u>Yes</u>
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

All wards

14. APPENDICES

Appendix 1 Case summary of the Standards Board for England in relation to complaint ref: SBE21553.08

Appendix 2 Table showing complaints received during the municipal year

15. BACKGROUND PAPERS

None

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