

BROMSGROVE DISTRICT COUNCIL

STANDARDS COMMITTEE

11TH NOVEMBER 2009

MONITORING OFFICER'S REPORT

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and 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 key items.
- 1.2 Any further updates will be reported on orally at the meeting.

2. RECOMMENDATION

Members are requested to note the report and to comment on any aspects of this as appropriate.

3. BACKGROUND

Member Investigations and Associated Matters

- 3.1 The final determination of the complaint considered by the Standards Committee at its last meeting will be considered by the Committee at this meeting.
- 3.2 Two related complaints in relation to which the Assessment Sub-Committee decided to take no further action were reviewed by the Review Sub-Committee on 13 October 2009 and a decision was reached to refer the complaints to the Monitoring Officer for Other Action.

Complaints for Local Assessment

- 3.3 Since the last meeting of the Standards Committee 88 complaints have been received all of which have been assessed by the Assessment Sub-Committee. A table showing the cumulative totals is attached to this report as Appendix 1. Requests for reviews of a number of those decisions have been received but at the date of writing this report those reviews have not been undertaken.

Meeting with Standards for England

- 3.4 A meeting was held with Standards for England's (SfE) Relationship Manager and one of its investigators on 14 October 2009, and as a result SfE have written confirming the outcome of the meeting. A copy of that letter is attached to this report as Appendix 2 for the Committee's consideration.

Standards for England's Annual Review

- 3.5 Standards for England has published its Annual Review. This is available on its website at:

<http://www.standardsforengland.gov.uk/media/Annual%20Review%202008-09.pdf>

Bromsgrove District Council features in this Review as a case study of good practice. A copy of the feature is attached to this report as Appendix 3.

4. FINANCIAL IMPLICATIONS

None

5. 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.

6. COUNCIL OBJECTIVES

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**

None

9. **EQUALITIES AND DIVERSITY IMPLICATIONS**

None

10. **VALUE FOR MONEY IMPLICATIONS**

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 Local Assessment Statistics
Appendix 2 Letter from Standards for England
Appendix 3 Standards for England Annual Review 2008/09 - Bromsgrove District Council Case Study

15. BACKGROUND PAPERS

None

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