

## GOVERNANCE COMMITTEE

17 JANUARY 2013

### REPORT OF MONITORING OFFICER

#### CODE OF CONDUCT – UPDATE ON PROGRESS

##### 1.0 PURPOSE OF REPORT

- 1.1 To update the Committee on the latest position with regard to standards matters including the Code of Conduct, the Registration of Disclosable Interests and any complaints dealt with under the new system.

##### 2.0 RECOMMENDATIONS

- 2.1 **The update on the position of standards matters including Parishes' Codes of Conduct, Registration of Disclosable Interests and complaints dealt with under the new system is noted.**

##### 3.0 KEY ISSUES

###### 3.1 Registration of Disclosable Interests

Since the last meeting of the Committee several Councillors have completed the ad hoc interests form and these have been added to the website. Members have been made aware that should a matter be raised at a meeting or at any time in which they have a disclosable interest that is not included on their initial form, they will need to complete a new shortened version of the Registration of Interests form as soon as possible. The new summarised version of the form is available from Committee Administrators at Council and Committee meetings and a completed form needs to be forwarded to the Monitoring Officer within 28 days of the Member being aware of the interest.

###### 3.2 Code of Conduct – Parish Councils

Liaison with the parishes is ongoing for them to adopt a new Code of Conduct which includes the requirements of the Localism Act. Some Parish Councils meet only a few times per year, therefore progress with the adoption process for those parishes is slow.

We are continuing to work with the parishes to help them in publishing their Parish Councillors' registration of disclosable interests' forms to a website, whether it is the MBC site or their own.

###### 3.3 Complaints Process

The new Complaints Process has been applied to 4 complaints so far. In accordance with the new procedure the full detail of the complaint was made available to the Councillors concerned. The Monitoring Officer liaised or met with the Councillors involved as part of the initial informal resolution part of the process and reported back to the complainant on the outcome of these consultations. So

far one of the complainants has indicated that they wish the matter to be progressed further and a meeting of the Governance Committee is to be convened specifically for this purpose.

### 3.4 Committee Training

Further training is being arranged to support the Committee, specifically on the hearings procedure. An overview training session on the Code of Conduct and complaints process for Councillors and Parish Councils is being organised by the Deputy Monitoring Officer.

### 3.5 Independent Persons

The Monitoring Officer and Independent Persons met on 28 November 2012 and the complaints process was discussed in detail. Whilst in the building, the Independent Persons were also introduced to the Chief Executive.

It may be helpful to note that the Independent Persons are available for consultation by Members who are the subject of a complaint. However, such contact is to be made via the Monitoring Officer as any liaison would immediately exempt that Independent Person from being part of the complaint process for that Subject Member in the future.

One of the Independent Persons attended the Council Meeting on 12 December 2012 and they have also been invited to the Governance Committee meeting on 17 January 2012. In both cases, they are invited as members of the public.

### 3.6 Monitoring Officer Advice

Since the last meeting of the Committee, the Monitoring Officer has given advice on the following :-

- Close friendship with possible business supplier to the Council
- To include home address on Parish Councillor interest forms
- Decision-making of a Council policy that affects all of the Borough – whether there is a Councillor interest when on a Committee that uses the policy
- Conduct at a Parish Council meeting

## 4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 Strong Corporate Governance is important in order to ensure high standards of conduct are maintained.

## 5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 The implementation of the new requirements is impacting on Democratic Services resources with particular regard to the Parish requirements.

## 6.0 **LEGAL IMPLICATIONS/POWERS**

6.1 Of particular note in the new Localism Act is the change making the non-registration of a discosable pecuniary interest within 28 days a criminal offense.

## 7.0 **COMMUNITY SAFETY**

7.1 There are no specific community safety implications in this report.

## 8.0 **EQUALITIES**

8.1 All equalities implications have been considered.

## 9.0 **RISKS**

9.1 The impact of the changes and implementation to meet the requirements of the Localism Act will need to be managed to minimise any risk to the Council's reputation or otherwise.

## 10.0 **CLIMATE CHANGE**

10.1 Publishing Registration of Disclosable Interest forms and information on the Councillor Complaints process to the website encourages paper free access to information and helps to meet the Council's green targets.

## 11.0 **CONSULTATION**

11.1 There has been consultation with Parish Councils on options for meeting the new legislation.

## 12.0 **WARDS AFFECTED**

12.1 All indirectly.

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Contact Officer:	Angela Tebbutt, Monitoring Officer
Date:	January 2013
Appendices:	None
Background Papers:	Localism Act 2011 Minutes of Council Meeting held on 18 July 2012 Previous Minutes of Standards Committee Previous Minutes of Governance Committee
Reference:	Cttees, Council & Sub-Cttees/Governance/2012-13/170113/Code of Conduct – Update on Progress