

GOVERNANCE COMMITTEE

27 NOVEMBER 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 Pecuniary Interests and Other Interests and any complaints against Councillors dealt with under the Council's process.

2.0 RECOMMENDATIONS

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

3.0 KEY ISSUES

3.1 Registration of Disclosable Pecuniary Interests and Other Interests

Members are continuing to update their original forms as new issues are raised or they are subject to a change in circumstances.

Work with the parishes is ongoing to ensure all Parish Councillors' Registration of Disclosable Pecuniary Interests and Other Interest Forms are completed and are available on the website. Since the last meeting, one more Parish Council has completed this task and we are in contact with two others offering support as required.

3.2 Code of Conduct

Liaison with two parishes is still ongoing to advise which Code of Conduct has been adopted under the requirements of the Localism Act. Some Parish Councils meet only a few times per year, therefore progress with the adoption process for some parishes is slow.

3.3 Complaints Process

The current Complaints Process has been applied to 12 complaints so far and 3 have been completed at informal resolution stage without the need to be referred to the Governance Committee. 6 others have been considered by the Governance Committee; 1 has resulted in being referred for investigation, 1 resulted in other action and the outcome of the other 4 was no action.

At the time of distributing the report, the tenth complaint was due for consideration by the Committee on 21 November and the two other complaints were in process.

With regard to the complaint referred for investigation, the Investigating Officer's report was awaited and when received, this would be considered by the Governance Committee.

In response to Members' concerns on the workings of the current complaints process, there is a separate report at this meeting which offers the opportunity to review the existing arrangements.

3.4 Committee Training

Further training will be arranged to support the Committee in dealing with Code of Conduct matters as required.

3.5 Independent Persons and Parish Representatives

The Independent Persons have been consulted on 7 complaints and provided a view on these cases. Regular update meetings are taking place with the Monitoring Officer. The Independent Persons are due to attend a Conference dedicated to their role on 10 December 2013.

A Parish Representative had been co-opted to the Ad Hoc meeting of the Committee to be held on 21 November 2013 which was to consider a Parish Councillor complaint.

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 democracy related resources with particular regard to the Parish requirements.

6.0 **LEGAL IMPLICATIONS/POWERS**

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

7.0 **COMMUNITY SAFETY**

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

8.0 **EQUALITIES**

8.1 An Equalities Screening Assessment has been completed and is available on the Council's website.

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 the Registration of Disclosable Pecuniary 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.

Contact Officer: Angela Tebbutt, Monitoring Officer

Date: November 2013

Appendices: None

Background Papers: Localism Act 2011
Minutes of Council Meeting held on 18 July 2012
Minutes of Council Meeting held on 17 July 2013
Previous Minutes of Standards Committee
Previous Minutes of Governance Committee

Reference: Cttees, Council & Sub-Cttees/Governance/2013-14/271113/Code of Conduct – Update on Progress