

GOVERNANCE COMMITTEE

28 MARCH 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 Other 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 etc and complaints dealt with under the new system is noted.**

3.0 KEY ISSUES

3.1 Registration of Disclosable Interests and Other Interests

Since the last meeting of the Committee there have been some queries regarding ad hoc interests for Councillors, mainly relating to interests they have already declared on their original forms and therefore an ad hoc form is not required.

There have been some Parish Councillor queries relating to their information being on the website and we are also still pursuing some Parish Councillor interest forms.

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 and 3 have been completed without the need to be referred to the Governance Committee. One complaint has been considered by a specially convened meeting of the Committee and one of our Independent Persons was consulted on the case. This complaint met the requirements of being an exempt matter under paragraphs 1, 2 and 7 and the Committee resolved that other action in the form of training be arranged for the Member concerned.

There is one current complaint in process.

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 sourced externally by the Deputy Monitoring Officer.

3.5 Independent Persons and Parish Representatives

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.

The Monitoring Officer recently met with one of our Parish Representatives and a further meeting has been arranged to meet with the other two representatives. The meeting focussed on the complaints process and how it relates to the Code of Conduct and the Registration of Declaration of Pecuniary Interests and Other Interests.

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 disclosable 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 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:	March 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/2012-13/280313/Code of Conduct – Update on Progress