

GOVERNANCE COMMITTEE

20 SEPTEMBER 2012

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

That Members:

- 2.1 **Note that the Registration of Disclosable Interests forms for Melton Borough Councillors are now available on the Council's website.**
- 2.2 **Consider the draft summarised Registration of Disclosable Interests form which will be made available at Committee and Council meetings in case of a new Member interest being raised (Appendix A).**
- 2.3 **Note that the Monitoring Officer is working with Parish Councils to ensure that they have adopted a Code of Conduct that meets the new legislation and have published completed Registration of Disclosable Interests forms to their own or the Council's website.**
- 2.4 **Consider the latest position on complaints.**

3.0 KEY ISSUES

3.1 Registration of Disclosable Interests

Since the Council Meeting on 18 July, 2012, Councillors have been requested to submit their completed Registration of Disclosable Interests form and these have all been received. To meet the new legislation, these forms have been published to the Council's website.

Members are aware that should a matter be raised at a meeting in which they have a disclosable interest that is not included on their completed form, they will need to complete a form as soon as possible after the meeting and this too will be published to the web. To help with this, a new summarised version of the form will be available at Council and Committee meetings for Members to complete and forward to the Monitoring Officer within 28 days. This summarised form is attached at Appendix A.

3.2 Code of Conduct – Parish Councils

Since the adoption of the Council's Code of Conduct and the new Registration of Disclosable Interests form at the Full Council meeting on 18 July 2012, Parish Councils have been offered the opportunity to adopt the MBC Code of Conduct and Registration of Disclosable Interests form. There have been training sessions for the parishes on the new legislation in the run up to it being introduced and parishes were offered various options for adopting a new Code of Conduct that met the new legislation. Extensive correspondence and liaison is currently taking place with them whilst they finalise their arrangements.

There have been several decisions for them to make i.e. which code to adopt and there is also the issue of the interests form they use, as this needs to link to the code they adopt. It appears that some parishes are favouring the National Association of Local Councils (NALC) model Code of Conduct. Unfortunately this does not have a co-ordinating disclosable interests form so some parishes are using the old interests form. We are currently working with the parishes to help them in lining up these documents and in publishing their registration of disclosable interests forms to a website, whether it is the MBC site or their own.

3.3 New Complaints Process

The new Complaints Process has been applied to one complaint so far concerning Parish Councillors. In accordance with the new procedure the full detail of the complaint was made available to the Councillors complained about. The Monitoring Officer met with the Parish Councillors involved as part of the initial informal resolution part of the process and reported back to the complainant on the outcome of the meeting. To date, there has been no recourse by the complainant. Officers will remain with a watching brief on this matter hopefully to an informal resolution.

3.4 Committee Training

To ensure the Committee is able to deal with Code of Conduct complaints, the Monitoring Officer has arranged a training session for the date of this meeting. Further training will also be commissioned to support members in this process and for Councillors and Parish Councils more generally.

3.5 Independent Persons

The Council's appointed Independent Persons have provided a short biography in the August edition of the Members' Bulletin as an introduction to Councillors.

The Monitoring Officer is in contact with the Independent Persons and a meeting is to be held with them shortly to brief them on their role and the workings of the Council. This is unfortunately later than anticipated due to an earlier meeting having to be cancelled.

The Independent Persons are to attend a training event at Lincoln on 18 October which is being specifically held in the region for such persons. This event will also provide them with the opportunity to network with other Independent Persons and bring back experiences and knowledge from other authorities to the Council.

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 offence.

7.0 COMMUNITY SAFETY

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

8.0 EQUALITIES

8.1 An equality impact assessment has been completed and is available with the papers.

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.

Contact Officer: Christine Marshall, Monitoring Officer
Date: 6 September 2012
Appendices : A – Summarised Registration of Interests Form
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 : X:\Governance\2012 13\200912