

GOVERNANCE COMMITTEE

31 MARCH 2015

REPORT OF MONITORING OFFICER

CODE OF CONDUCT – UPDATE

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' Registration of Disclosable Pecuniary Interests and Other Interests and complaints against Councillors dealt with under the provisions of the Localism Act 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.

3.2 A letter has been received from LRAC regarding Buckminster Parish Council advising they have received two consecutive qualified audits for the years 2012-13 and 2013-14

3.3 Complaints

The Complaints Process has been applied to the following complaints to date :-

	Totals	Referred to Police re DPI	Referred to Gov Cttee for decision	Informal Resolution Stage	Withdrawn	Stage 1 – Gov Sub Cttee 1 for initial assessment	Stage 2 – Referred for investigation & Gov Sub Cttee 2 (Hearing)
Complaints received in total since July 2012	42						
Completed	32	1	2	7	2	19	1
In progress	10						
Breakdown of those in		1		4			5

progress							
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3.4 With regard to the recommendations of Governance Sub Committee 1 held on 1 May 2014 referred to Bottesford Parish Council, it is understood that this matter was considered at the Parish Council Meeting held on 19 January 2015 and it was decided that there be 'no further action'. The published minute states that *'The source of the complaints is mainly from one person. All Councillors have received training that includes the Code of Conduct, they confirmed they understood & abided by it.'*

3.5 Independent Persons and Parish Representatives

The Independent Persons have provided opinion reports on all complaint cases referred to the Governance Sub Committees and both of the Independent Persons have been involved in meetings with Subject Members and the Monitoring Officer to assist with informal resolution.

The Independent Persons continue to meet on a regular basis with the Monitoring Officer to discuss any issues and generally keep up to date on standards matters. They are also involved in meetings with the Leicestershire group of Monitoring Officers which provides an opportunity to share experiences and learning with others in the same role. They attended such a meeting on 6 March 2015 at Harborough District Council.

At its meeting on 25 February 2015, the Full Council approved an annual allowance of £300 to the Parish Representatives to recognise their role in dealing with Parish Councillor complaints under the Localism Act. The sum was to compensate them for the time involved in attending meetings, considering and reading reports for Sub Committee meetings as well as being suitably trained in the Code of Conduct and the Complaints process.

A Sub Committee was held on 5 March 2015 and the same Parish Councillor who had been involved in the previous 3 Governance Sub Committee meetings attended and due to him being the only Parish Representative who had made a contribution to the function to date, he had been awarded an additional one-off sum of £300.

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 outlines the Council's responsibilities with regard to matters within the report under the Localism Act.

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. There is consultation with relevant parties relating to complaints against Councillors as well as views sought from the Independent Persons.

12.0 WARDS AFFECTED

12.1 All indirectly.

Contact Officer: Angela Tebbutt, Monitoring Officer

Date: March 2015

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
Minutes of Council Meeting held on 11 December 2013
Previous Minutes of Standards Committee
Previous Minutes of Governance Committee

Reference: Cttees, Council & Sub-Cttees/Governance/2014-15/310315/Code of Conduct – Update on Progress