

GOVERNANCE COMMITTEE

19 SEPTEMBER 2017

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

Registration of Disclosable Pecuniary Interests (DPI) and other interests appears to have become the norm for Borough and Parish Councillors to complete when there is any change. Updates from both Borough and Parish Councillors are generally received when there is change to the submitted form or when new Councillors are appointed and these updates are added to the Council's website.

3.2 Complaints

The five complaints reported to the last Governance Committee related to one Parish Council and were considered by Governance Sub Committee 1 on 20 July 2017 and 'Other Action' in the form of training was recommended to the Parish Council in each case. It was specified that the training cover the procurement process and declarations of interest and this be provided by Melton Borough Council and be offered to the whole Parish Council. Training on the role of Chair was also agreed.

- 3.3 The Parish Council had subsequently agreed to take up the training and a date of 28 September had been set for the declarations of interest training and this would be led by the Monitoring Officer and the Deputy Monitoring Officer. With regard to the procurement process training, the Welland Procurement Unit had provided a link to the NALC Procurement Toolkit which specifically related to Parish Councils. It was noted that the Welland Procurement Unit did not have the capacity to provide specific training to the Parish Council but offered an invitation for the Parish Councillors to attend officer training if this was considered appropriate.

- 3.4 Also since the recommendations had been forwarded to the Parish Council, the Parish Council had raised some queries with the Monitoring Officer and LRALC as to dealing with an imminent procurement matter.

3.5 Independent Persons and Parish Representatives

Two Independent Persons were formally appointed by the Full Council at its meeting on 19 July 2017. These being Gordon Grimes who has been reappointed and Adam Lowe. The term of office for these appointments is five years.

3.6 Liaison between the Monitoring Officer and the Independent Persons was under review and training would also be available to them.

3.7 With regard to the Parish Representatives, it is usually the case these are appointed early in the new Civic Year by the Melton Branch of the Leicestershire and Rutland Association of Local Councils, however as this group is not currently meeting and there has been no information to suggest a change in representation, the two existing Parish Representatives have remained in these roles.

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 administrative 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 risks associated with the report are considered to relate to managing the requirements of the Localism Act and the implications of this not being followed by Councillors impacting on the Council's decision-making process and reputation.

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|--|----------|--------------------------|-------------------------|-----------------------|-----------------------|---------------------------|
| L I K E L I H O O D | A | Very High | | | | |
| | B | High | | | | |
| | C | Significant | | | | |
| | D | Low | | 1 | | |
| | E | Very Low | | | | |
| | F | Almost Impossible | | | | |
| | | | Negligible 1 | Marginal 2 | Critical 3 | Catastrophic 4 |

IMPACT

| Risk No | Risk Description |
|----------------|---|
| 1 | Decisions of the Sub Committees challenged due to processes not followed in line with legislation and the Council's agreed process. |

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 is consultation with the Independent Persons on Member complaints that are not informally resolved as well as consultation with the Parish Representatives on Parish Councillor complaints.

12.0 WARDS AFFECTED

12.1 All indirectly.

Contact Officer: Keith Aubrey, Monitoring Officer
Date: September 2017
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: Governance/2017-18/190917/Code of Conduct – Update on Progress