

GOVERNANCE COMMITTEE

20 NOVEMBER 2018

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 be 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 such as change of address or when new Councillors are appointed and the Council's website is updated with such amendments.

3.2 Complaints

There are two complaints in progress and two that have been closed since the last meeting. At the time of writing this report, the two live complaints are under consideration by the Monitoring Officer and are at the informal resolution stage.

3.3 Independent Persons and Parish Representatives

There were no responses to the recent advertisement for an Independent Person which closed on 26 October 2018. Therefore the Monitoring Officer intends to review the arrangement in light of the difficulties in recruiting to this role.

The Council continues to have one Independent Person to consult on Member complaints.

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 Any financial implications are able to be met from existing resources. However following the Borough and Parish elections the registering of Members' interests and publishing these to the website will have a significant impact on the Council's democratic services resources.

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.

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 as well as consultation with the Parish Representatives on Parish Councillor complaints.

12.0 WARDS AFFECTED

12.1 All indirectly.

Contact Officer: Adele Wylie, Monitoring Officer
Date: November 2018
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/2018-19/200918/Code of Conduct – Update on Progress