

COUNCIL

26 MAY 2015

REPORT OF THE SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

REGULATION OF MEMBERS CONDUCT

PURPOSE

To advise Members on the number of complaints received for the period 01 May 2014 until 30 April 2015 in relation to alleged breaches of the Code of Conduct arising from implementation of Part 1 Chapter 7 of the Localism Act 2011 which introduced provisions to assist with the regulation of standards of conduct for elected and co-opted Councillors.

RECOMMENDATIONS

Members are requested to endorse the findings of the contents of the report.

EXECUTIVE SUMMARY

Since the establishment of the new Code of Conduct in July 2012 the new Standards regime has been well received by members. In the year from 01 May 2014 until 30 April 2015 members have maintained high standards of conduct and abided with the rules regarding interests, declarations and predetermination. Accordingly I can advise that in the period from 01 May 2014 until to 30 April 2015 only two complaints were received.

The complaints were received on 1 March 2015. The complaints were reviewed by the Monitoring Officer and consultation took place with the Independent Person. Further information was obtained from the complainant prior to making a decision. The complaints merited no further investigation. The complaints were rejected. The Complainant and members concerned have been advised of the outcome.

RESOURCE IMPLICATIONS

The operation of the arrangements relating to Standards of Conduct does not have any additional resource implications for the Authority, however the process of investigation would have financial implications as it would be necessary to utilise external support in such circumstances. In the year to 30 April 2015 the Council will have paid £90 for Independent Person consultation by the Monitoring Officer in relation to the complaints received on 1 March 2015.

LEGAL/RISK IMPLICATIONS BACKGROUND

Effective arrangements to deal with complaints provides the mitigating action necessary to ensure that the Authority meets its statutory obligations under the Localism Act 2011.

SUSTAINABILITY IMPLICATIONS

The arrangements ensure that the staff of the Council and the citizens of Tamworth benefit from a robust, open and transparent complaints process.

BACKGROUND INFORMATION

The Localism Act 2011 repealed Section 55 of the Local Government Act 2000 which provided the previous Standards regime. There still remains a requirement to deal with conduct issues and associated case-work. Accordingly the Audit and Governance Committee membership was increased and its remit was extended to deal with regulation of Members Conduct. In addition an Independent Person was appointed to assist the process albeit such person is not a member of the Committee.

REPORT AUTHOR

For further information please contact Jane M Hackett, Solicitor to the Council & Monitoring Officer on Extn: 258

LIST OF BACKGROUND PAPERS

Localism Act 2011
Code of Conduct for Members and arrangements for dealing with complaints

APPENDICES

None