

## COUNCIL

22 MAY 2018

### 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 2017 until 30 April 2018 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 2017 until 30 April 2018 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 2017 until to 30 April 2018 one complaint was received. There is also an unresolved complaint from 4 July 2016.

The complaint was received on 5 March 2018. The complainant decided to pursue the complaint through another route thus the matter was closed.

The unresolved complaint is under investigation and a report will be made to Audit and Governance Committee for consideration.

##### 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.

## **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The Localism Act 2011 repealed Section 55 of the Local Government Act 2000 which provided the previous Standards regime.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