

16 MAY 2013

REPORT OF THE SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

REGULATION OF MEMBERS CONDUCT

EXEMPT INFORMATION

None

PURPOSE

To advise Members on the number of complaints received for the period 01 July 2012 until 30 April 2013 in relation to alleged breaches of the Code of Conduct from the implementation of the part of the Localism Act 2011 which changed the system of 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 and changes to the complaints process from July 2012 I can confirm that in the period from then to 30 April 2013 one complaint was received.

The complaint was considered in terms of the adopted arrangements for dealing with complaints regarding members of the Council in terms of Section 28 of the Localism Act 2011. Following investigation the member met with the complainant and apologised thus the matter was resolved to the complainant's satisfaction and accordingly this finalised matters.

RESOURCE IMPLICATIONS

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The Localism Act 2011 repealed Section 55 of the Local Government Act 2000 which provided the previous Standards regime.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

Report to Council 19 June 2012

APPENDICES

None