

TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 10th MARCH 2011

UPDATE ON A DECISION OF THE REFERRALS SUB-COMMITTEE

REPORT OF HEAD OF GOVERNANCE AND MONITORING OFFICER

1. PURPOSE

To update the Standards Committee as to action undertaken at the direction of the Standards Committee Referrals Sub-Committee following a complaint alleging a breach of the Code of Conduct

2. RECOMMENDATION

- 2.1 That the Standards Committee confirm that they are satisfied with the outcome of the action undertaken by the Monitoring Officer following the decision of the Referrals Sub-Committee on 4th August 2010.**

3. SUMMARY

Following a complaint to the Standards Committee, the Referrals Sub-Committee directed that the Monitoring Officer provide training to Councillor Adrian Williams. The Committee are required to consider whether they are satisfied with the action undertaken by the Monitoring Officer in accordance with the direction given.

4. PREVIOUS MINUTES

Standards Committee Referrals Sub-Committee – 4th August 2010

5. INFORMATION

5.1 Background

On the 4th August 2010 the Referrals Sub-Committee of the Standards Committee met to consider a complaint made by two members of the public alleging a breach of the Code of Conduct by Councillor Adrian Williams. Having considered the complaint and taken advice the Sub-Committee decided that they would direct the Monitoring Officer to provide Code of Conduct training to Councillor Williams.

The Sub-Committee did not make any finding of fact and accordingly did not reach a conclusion as to whether Councillor Williams failed to comply with the Code of Conduct in relation to the complaint.

A copy of the public summary is attached at Appendix 1.

Following this direction the Monitoring Officer wrote to Councillor Williams and what followed was an exchange of correspondence which included an outline of the Code of Conduct in relation to two areas of the code, namely; bullying and using your position as a member improperly to confer or secure an advantage or disadvantage. Whilst Councillor Williams did not agree to attend the Civic Offices to undertake training in person, the Monitoring Officer is satisfied that the areas of the code that the sub-committee asked to be covered in the training have been addressed during the exchange of correspondence with Councillor Williams.

It is a requirement that when any other action is directed by the Standards Committee (or Sub-Committee to the Standards Committee) that the outcome is reported back to the Standards Committee within three months of the decision being made or as soon as possible thereafter. In this particular instance there were ongoing investigations into a code of conduct matter relating to similar issues and involving the same complainants. Accordingly this matter is being referred back to the sub-committee now as that matter has now concluded.

It is also a requirement that the Standards Committee have to confirm whether or not they are satisfied with the outcome achieved. Accordingly, the Committee are required to consider the action undertaken following the decision made by the Referrals Sub-Committee on 4th August and decide whether the matter can be considered closed.

5.2 Equality and Diversity

The Monitoring Officer will ensure that any equality and diversity issues are addressed in respect of Code of Conduct training.

5.3 Environmental Impact

No implications

5.4 Legal Comment

The Referrals Sub-Committee of the Standards Committee referred the allegation against Councillor Williams to the Monitoring Officer with the direction that the Councillor undertake training. This was in accordance with their authority under Section 57 A (2) (a) of the Local Government Act 2000 (as amended by Section 185 of the Local Government and Public Involvement in Health Act 2007 and the Standards Committee (England) Regulations 2008 Act Regulation 13 (3) (a)).

In accordance with the Standards Committee (England) Regulations 2008 Act Regulation 13 (4) (c) the Standards Committee are required to make a decision as to whether or not they are satisfied with the action which is being undertaken as a result of the referral to the Monitoring Officer. If no further action is required notification is to be given to the Member who is subject to the report and the person who made the allegations (in accordance with the Standards Committee (England) Regulations 2008 Act Regulation 13 (7)).

5.5 Links with Corporate Priorities

Processing complaints in accordance with statutory guidelines together with ensuring that appropriate action is taken in order to resolve issues raised by the complaints, assist the Council in meeting the corporate priority of being an efficient and effective Council.

5.6 Opportunities and Risks

The opportunities and risks associated with providing this Code of Conduct training in complying with the direction from the Referrals Sub-Committee has been identified and assessed. Arrangements have been put in place to manage the risks and maximise the opportunities that have been identified.

5.7 Financial Implications

The cost of the training provided was funded from within existing budgets.

6. WARD IMPLICATIONS

District wide implications

7. BACKGROUND PAPERS

Local Government and Public Involvement in Health Act 2008

The Standards Committee (England) Regulations 2008

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