

TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 10TH JULY 2013

STANDARDS UPDATE FROM THE MONITORING OFFICER

REPORT OF ASSISTANT DIRECTOR: LAW, DEMOCRACY AND PUBLIC PROTECTION

1. PURPOSE

To update the Committee on matters relating to the ethical framework during 2013 to date.

2 RECOMMENDATIONS

2.1 That the report is noted;

2.2 That the Committee review the Terms of Reference and the Code of Conduct attached at Appendices 1 and 2 respectively

3. SUMMARY

3.1 There have been 4 new code of conduct complaints made during the calendar year so far, none have been referred for investigation

4. PREVIOUS MINUTES

4.1 Standards Committee – 13th December 2012, 19th September 2012

5. INFORMATION

5.1 The Monitoring Officer provides the following updates on the following matters

Complaints

There have been 4 complaints received during the calendar year to date. All have been from Parish/Town Councils. The Independent Member, Michael Tebbutt, has attended the Council offices to consult with the Monitoring Officer on whether further investigation of the complaints was needed. The outcome has been that in three cases the complaints were assessed and it was decided that the matters

should not be looked into any further. In the fourth case the complainant, after discussing the matter with the Monitoring Officer, decided not to pursue the complaint.

In addition to these formal complaints the Monitoring Officer and Deputy Monitoring Officer have continued to give advice and information to elected members from both the Borough and Parish Councils on Code of Conduct matters.

Training

At the time of preparing this report, dates are being scheduled for the autumn for an hour long training session for elected members on current Code of Conduct issues. This had been discussed previously and it had been hoped that training could have been arranged earlier but a date in or around September now seems to be the best option. In order to keep costs down we propose to use the Council offices as a venue and for officers to present the training. This will provide some constraints regarding the size of the venue but more training can be set up if there is sufficient interest. Officers would welcome the views of the Committee on the training provisions suggested.

Independent Person

Our two Independent Members, Michael Tebbutt and Chris Humphries, now have Independent support from Hoey Ainscough, a company formed by former employees with Standards for England. The cost is £300 per year and ensures that the Independent Persons get independent training, guidance and support in their role. This is particularly important given that the new rules allow members who are subject to a complaint the option of contacting the Independent Members directly during the complaints process.

Terms of Reference

It is good practice for the Committee to review its terms of reference at the start of the new municipal year. The terms of reference are attached at appendix 1 for consideration by the Committee. The Monitoring Officer has recommended one change to the terms of reference at this time which is set out as a track change to on the document and relates to the quarterly updates.

Code of Conduct

The work plan agreed by the Committee at the meeting on 19th September suggested that the new Code of Conduct should be reviewed in March 2013. As there was no March meeting the Code is attached at appendix 2 for review now. The Monitoring Officer has not recommended any change to the Code of Conduct at this time.

5.2 Equal Opportunities

No implications

5.3 Environmental Impact

None

5.4 Legal Comment

The statutory requirements for Code of Conduct and ethical framework for Councillors is set out at part 1, chapter 7 of the Localism Act 2011.

Part of the responsibilities in the statute relate to adopting a Code of Conduct. In this report the Committee are asked to review the Code of Conduct previously adopted and approved by full Council. When doing so the Committee have to be mindful that any code adopted by the Council must comply with the provisions of section 28 of the Localism Act 2011 namely that any Code of Conduct must consist of the following principles

selflessness;
integrity;
objectivity;
accountability;
openness;
honesty;
leadership.

The current code of Conduct complies with this requirement.

The Committee are also asked to review its Terms of Reference. It should be noted that any decision made by this Committee to change the terms of reference must be put forward as a recommendation for full Council to approve before it can take effect.

5.5 Links with Corporate Priorities

The work of the Committee contributes to the Council's co-operative values of openness and honesty, fairness and respect and ownership.

5.6 Opportunities and Risks

Risks relating to this particular report are low provided statutory provisions are followed. Opportunities are identified in the report to improve the terms of reference and to improve the elected member's knowledge of the Code of Conduct through training opportunities.

5.7 Financial Implications

The cost of standards investigations together with the management and administration of the Standards Committee are currently met from within the Legal Services revenue budget. Any variations will be reported as part of the financial monitoring process. No other financial implications arise from this report.

6. WARD IMPLICATIONS

No ward specific implications

7. BACKGROUND PAPERS

None

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