

ANNUAL REPORT OF THE MONITORING OFFICER

Cabinet member for Finance & Democracy

Date: 9 May 2018

Agenda Item: 6

Contact Officer: Bal Nahal

Tel Number: 308002

Email: bal.nahal@lichfielddc.gov.uk

Key Decision? YES

Local Ward Members Full Council



AUDIT & MEMBER STANDARDS COMMITTEE

1. Executive Summary

- 1.1 To inform the Audit & Member Standards Committee of the number of complaints received by the Council since my last Annual Report under the Localism Act 2011.

2. Recommendations

- 2.1 For Members of the Audit & Member Standards Committee to note this report.

3. Background

3.1 Local Government Standards

The Localism Act 2011 introduced the provisions around Member Conduct Issues and removed the ability of Local Authorities to suspend Members as a sanction for poor behaviour. It introduced a new offence of Failing to Declare or Register a Disclosable Pecuniary Interest. The Council adopted their own Code of Conduct which is based on the Seven Principles of Public Life and appointed an Independent Person to be consulted during the investigation of any complaint against members.

- 3.2 The Council has adopted a Code of Conduct which can be found at Appendix A.

4. Complaints Received

- 4.1 Since 15 March 2017 (the last Annual Report to Standards Committee) the Authority dealt with 2 complaints as follows:-

- (1) CO/28/30 Complaint that a Member of a Parish Council had breached the Members' Code of Conduct for posting defamatory comments on social media about another Councillor. The Member was directed to formally apologise to the Councillor concerned and did so, so no further action was taken.
- (2) CO/28/31 A complaint by a member of the public against a Member of the District Council. It was decided that no formal action was required.

| | |
|--|---|
| Alternative Options | 1. None. |
| Consultation | 1. With independent person in the event an investigation is required. |
| Financial Implications | <p>1. If any allegations of breach of the Code of Conduct is the result of an investigation by the Monitoring Officer or the Deputy Monitoring Officer, then the Committee has to consider the resources that will be required in dealing with such investigations.</p> <p>2. Code of Conduct/Equalities Training sessions held on Wednesday 26th July 2017, Wednesday 27th September 2017, Wednesday 25th October 2017 and Tuesday 28th November 2017.</p> |
| Contribution to the Delivery of the Strategic Plan | 1. The Council that is Fit for the Future for Members to maintain high standards of conduct in public life. |
| Equality, Diversity and Human Rights Implications | 1. No equality, diversity or human rights implications. |
| Crime & Safety Issues | 1. No crime and safety issues. |

| | Risk Description | How We Manage It | Severity of Risk (RYG) |
|---|---|---|------------------------|
| A | That the Audit & Member Standards Committee was unable to comply with legislative requirements. Likelihood impact low-high | <p>Updates and training is undertaken for Members of the Audit & Member Standards Committee.</p> <ul style="list-style-type: none"> That monitoring of the potential financial implications takes place. That training and guidance is provided by the Audit & Member Standards Committee/Monitoring Officer to Members to ensure high standards are maintained "prevention rather than cure" approach. | Yellow |
| B | | | |
| C | | | |

| | |
|----------------------|--------------------------|
| Background documents | Members' Code of Conduct |
|----------------------|--------------------------|

| | |
|--------------------|---|
| Relevant web links | https://www.lichfielddc.gov.uk/Council/Live-meetings/Audit&MemberStandards-committee.aspx |
|--------------------|---|