

Body: **AUDIT AND GOVERNANCE COMMITTEE**

Date: **18 September 2013**

Subject: **Members and Standards: an update**

Report Of: **LAWYER TO THE COUNCIL AND MONITORING OFFICER**

Ward(s) All

Purpose To assist the Audit and Governance Committee in fulfilling its obligations in relation to member standards.

Recommendations: That the Committee note the following:

- The information supplied to it regarding complaints against members either received in or determined since the last quarterly report
- Other relevant information regarding member training related to Standards

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1.0 Background

- 1.1 Members will recall their longstanding invitation to the Monitoring Officer to provide quarterly updates on Standards-related matters.
- 1.2 This report aims to update the Committee on the standards and related issues which have arisen since the Committee's last meeting.

2.0 Complaints

- 2.1 The last quarterly report was considered alongside an oral update on the three member complaints which had been made during that quarter.
- 2.2 Members noted the outcomes of the two complaints which had at the time of the last meeting been determined. One of those two complaints resulted in a finding that the Code of Conduct had been breached by the relevant member. The sanction imposed by the Standards Panel was that the relevant member be mandated to attend an additional training session on the Code of Conduct (see below, at 4.2), which would be open to all members.
- 2.3 Only one formal complaint was outstanding at the time of the last meeting and thus fell to be dealt with during this quarter. Members are invited to note that following formal investigation, a decision was made by the Monitoring Officer not to take any further action in relation to that complaint. The parties were notified accordingly and that matter is now at an end.
- 2.4 No new formal complaints against members have been received in during this quarter. As a result no complaints await determination at time of writing.

3.1 Dispensations

3.2 No dispensations have been applied for since the last report to this Committee.

4.1 Member training

4.1 Insofar as member training is concerned, a session additional to the usual programme has been arranged on a date in November 2013. As well as providing an update on Standards and related matters it will – as directed by the Standards Panel – focus on the relationship between the Code of Conduct for Members in the light of the Protocol for Member/Officer Relations. The latter protocol sets out requirements which both members and officers are expected to comply with and failure by members to do so may lead to their breaching the Code.

4.2 The above training session has been devised at the behest of the Standards Panel. When imposing sanctions in relation to the complaint referred to above in 2.2, the Panel indicated that the attendance of the member who they found had breached the Code of Conduct would be mandatory. The Panel also considered that training with this remit would be of a broader interest and hence all members are invited to attend the session.

4.3 Attendance figures for this and future training will be reported back to this Committee, in accordance with usual practice.

5.0 Consultation

5.1 There has been no consultation.

6.0 Resource Implications

6.1 None.

7.0 Financial

7.1 None.

8.0 Staffing

8.1 None.

9.0 Conclusion

9.1 The requirement that authorities have in place arrangements to monitor member conduct and to promote effective decision-making remains a feature of the current Standards regime. This report updates the Committee and assists it in discharging its responsibilities in this regard.

Victoria Simpson

LAWYER TO THE COUNCIL AND MONITORING OFFICER

Appendices

None.

Background Papers:

Previous reports and minutes of the Committee and Panel.

Articles in the Local Government Lawyer

ACSeS bulletins