

CONDUCT COMMITTEE

6 September 2016

CONDUCT COMMITTEE ANNUAL REPORT

Report of the Monitoring Officer

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	Not relevant	
Contact Officer(s):	Debbie Mogg, Director for Resources	01572 758358 dmogg@rutland.gov.uk
Ward Councillors	Not relevant	

DECISION RECOMMENDATIONS

That the Committee notes the content of the report

1 PURPOSE OF THE REPORT

- 1.1 To inform the Committee of the work associated with the Code of Conduct during 2015/16 and the work planned for 2016/17.

2 BACKGROUND

- 2.1 The Localism Act 2011 places local authorities under a duty to promote high standards of conduct by Councillors. To that end, local authorities are required to adopt a code of conduct which is consistent with the seven Nolan Principles.
- 2.2 Local Authorities must also have arrangements in place for dealing with any allegations that the code has been breached, including the appointment of an independent person whose views must be sought as part of the decision making in respect of such allegations.
- 2.3 The Council's Monitoring Officer must maintain a register of interests for both County and Town/Parish Councillors, in which the disclosable pecuniary interests of each Councillor must be disclosed. All Councillors are obliged to register their disclosable and other interests within 28 days of becoming a councillor, and must also notify the Monitoring Officer of any changes as and when they arise.
- 2.4 The Council adopted a revised Code of Conduct for Councillors with effect from March 2015 and has arrangements in place for dealing with allegations that the

code has been breached. These arrangements, and the Conduct Committee apply to both County and Town/Parish Councillors within Rutland.

2.5 The Code is set out in the Council's constitution and the arrangements are published on the Council's website.

2.6 During 2015/16 the members of the Conduct Committee were:

County Council Members:	Mr E Baines (Chair), Mr K Bool (Vice-Chair), Mr R Clifton, Mr T King, Mr M Oxley, 1 vacancy.
Town/Parish Councillors:	Mr Alex Crombie, Mr Simon Aley

2.7 The Council has appointed Mr Ian Shatford and Mr Gordon Grimes as its two Independent Persons. The Independent Persons are not members of the Committee but assist in the assessment of allegations that a code of conduct has been breached.

2.8 Local Authorities have a statutory duty to appoint a Monitoring Officer. The Council's Monitoring Officer is the Director for Resources, Debbie Mogg. The Deputy Monitoring Officer is the Head of Corporate Governance, Diane Baker. The functions of Monitoring Officer are set out in Article 13 of the Council's constitution.

3 COMPLAINTS ABOUT COUNCILLORS

3.1 In 2012, following the implementation of the Localism Act 2011 and associated changes to the Standards regime, it is the responsibility of the Monitoring Officer to receive complaints of failure to comply with the Code of Conduct. The Monitoring Officer has delegated authority to determine whether a complaint merits further investigation. Wherever possible and appropriate, the Monitoring Officer seeks informal resolution of the complaint.

3.2 During the period 1 April 2015 to 31 March 2016 a total of 40 complaints were received by the Monitoring Officer. This is significantly higher than in previous years and has had a significant impact on staff resources during the year.

- a) Source of the complaints – 29 were received from councillors (town and parishes), and 11 received from members of the public.
- b) Subjects by type – no complaints about county councillors, 36 complaints about town councillors and 4 about parish councillors.
- c) Outcomes – 21 no further action, 3 resolved informally, 16 referred as a single investigation, breach of code found and recommendations made.

3.3 The complaints received during the year highlighted the need for a better understanding of the neighbourhood planning process within parish councils, particularly in respect of declarations of interest. As a result, guidance has been developed and published on the Council's website and this is shared with parish councils when they commence the neighbourhood planning process.

4 ADVICE AND TRAINING PROVIDED

4.1 During 2015/16 the Monitoring Officer and Deputy Monitoring Officer regularly provided advice on ethical, constitutional and procedural matters to:

- County Councillors
- Town/Parish Councillors
- County Council Officers
- Town/Parish Clerks

4.2 In partnership with the Leicestershire and Rutland Association of Local Councils (LRALC), training on ethical standards was offered to all parish clerks in 2015, however the turnout was disappointing with only three clerks attending.

5 WORK PLAN FOR 2016/17

5.1 The increase in the number of complaints has been sustained so far during 2016/17 and continues to impact upon resources. As such it is considered timely and necessary to review the arrangements for dealing with complaints to ensure that they remain fit for purpose and enable complaints to be efficiently and effectively managed. It is intended to present the findings of this review to the Committee at its next meeting in March 2017.

5.2 Further guidance and training is planned for Parish Councils in respect of the Members Planning Code of Good practice, starting with a briefing session at the Parish Council Forum in October.

6 BACKGROUND PAPERS

6.1 Complaint files for 2015/16

7 APPENDICES

7.1 None

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.