

## STANDARDS COMMITTEE – 15TH MARCH 2010

### Report of the Monitoring Officer

#### ITEM 5 UPDATE FROM STANDARDS PANEL

##### Purpose of Report

To provide the Committee with an update on the complaints made to the Committee for local assessment.

##### Recommendation

That the current position in respect of complaints made to the Committee for local assessment and decisions made by the Standards Panel be noted.

##### Reason

To keep the Committee informed of the work of the assessment Standards Panel.

##### Background

Since 8th May 2008 the Committee has been responsible for receiving complaints that members of the Borough Council and the 27 Parish and Town Councils in the Borough have failed to comply with the Code of Conduct. Since then, the Committee has received reports at each meeting on the number and pattern of the complaints considered by the Standards Panel and the decisions made by the Panel to enable the Committee to consider whether the number and pattern of complaints highlight issues for the Committee to address.

In 2009/10 to date four complaints have been received. The first was considered by the Standards Panel in June and referred for investigation. The investigation of the complaint is progressing and the investigation report will be submitted to the Standards Panel once it is completed.

Since the Committee's last meeting in December two further complaints have been received bringing the total to four. The complaints were considered by the Standards Panel and the Panel decided to take no further action in respect of the complaints. The complaints were made about two Borough Councillors and related to a single meeting. Guidance from Standards for England and the Committee's procedures set a target of 20 working days for the Standards Panel to meet after a complaint is received. In this case the Panel met 16 working days after the complaint was received.

##### *Issues for the Committee to address*

The two most recent complaints relate to the issue of disclosing interests at scrutiny committee meetings as set out in paragraph 11 of the Code.

‘11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where:

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority’s executive or another of your authority’s committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.’

Guidance relating to this issue had previously been circulated to councillors and has recently been reissued. This guidance has therefore been included with the six-monthly report on guidance, which appears elsewhere on this agenda, for the Committee to consider and comment upon.

#### Financial Implications

There are no direct financial implications associated with this report.

#### Risk Management

The risks associated with the decisions the Committee is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
The Committee does not discharge its local assessment and determination functions appropriately	Low	Medium	The Committee continues to receive monitoring reports at each meeting which include details of any changes to legislation or guidance

Background Papers:                      None

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