

# Harborough District Council

## Report to the Audit and Standards Committee of 28<sup>th</sup> June 2022



<b>Report Number:</b>	1
<b>Title:</b>	Update on Standards Matters and Complaints
<b>Status:</b>	Public
<b>Key Decision:</b>	No
<b>Report Author:</b>	Babs Morris – Interim Monitoring Officer
<b>Portfolio Holder:</b>	Councillor Dann
<b>Appendices:</b>	A – Update on Complaints 2020 to 2022

### Executive Summary

To update the Committee on a number of changes in the standards regime, training and the complaints received and being dealt with under the Council's arrangements. A matrix is attached at Appendix A which gives details of these covering 2020 to date.

### Recommendations

1. That the Committee note the Report.

### Reasons for Recommendations

To update the Committee on Standards related matters and complaints.

### 1. Purpose of Report

To update the Committee on the current position regarding standards matters and complaints received in respect of alleged breaches of the Members Code of Conduct.

### 2. Background

Due to a number of issues including the Pandemic and change in staffing arrangements a Report has not been brought to this Committee to update Members on what has been happening in relation to Standards matters and updating on Complaints received alleging breaches of the Code of Conduct since March 2020.

### 3. Details

- 3.1 Members will be aware that a new Model Code of Conduct was developed by the Local Government Association which has subsequently been adopted by all the



Leicestershire Councils including HDC at its meeting on 21 February 2022. This new Code has also been sent to all Town and Parish Councils in the District with a recommendation that they adopt the Code. This will ensure consistency throughout the County when dealing with complaints relating to allegations of breach. As a county-wide Panel of Independent Persons already exists to assist Monitoring Officers when dealing with complaints, this aligns well and takes away the variations in the adopted Codes that can exist.

- 3.2 Training on the new Code of Conduct was delivered to HDC Members on 19 April 2022 by an external provider. The training gave a good insight to the provisions contained in the Code. The training was also recorded for future use. This recording has been offered to Town and Parish Councils to view.
- 3.3 In light of the adoption of a new Code all members have been asked to complete new Registration of Interest Forms. These have been sent out and at the time of writing this report 32 have been received. It should be noted that these forms are published online and are open to inspection by all. The Town and Parish Council members across the District are also required to adhere to the same requirements as District members and we have therefore sent updated Register of Interest Forms to of them for completion. We will monitor their return.
- 3.4 The Guidance that supports the Councils' Standards Complaints process has been revised. This went to the Constitutional Review Committee on the 8<sup>th</sup> June 2022 and agreed that recommendations for the revisions be approved be considered by Council on the 20<sup>th</sup> June 2022. The revisions were needed to ensure compliance with the new Code of Conduct and to address the need to streamline the procedure. The main change is that going forward any HDC Member Complaints are assessed by the Monitoring Officer in consultation with the Independent Person rather than just automatically being referred to a Hearings Sub-Committee to decide if they will be investigated. This change enables the Complaint to be measured against an agreed Assessment Criteria which is contained in the Guidance to ensure only matters that fall within the Standards regime proceed. Often complaints are found to not fall within the regime or relate to procedural issues. Any complaint received is resource intensive and by the very nature of the process can take considerable time to deal with especially if an investigation is required. It is hoped that the change to the Guidance will help to ensure only complaints that fall within the regime go forward to investigation and that timeframes to conclude complaints which should not be in the regime be reduced.
- 3.5 Looking to the future following May 2023 Election further training will be needed as part of the Induction Programme for elected members on the Code of Conduct and the other key protocols that exist to deal with conduct and behaviour. These include the Member and Officer Relations Protocol, Gifts and Hospitality, Planning and Licensing Protocols. The Member Development Group have these on their radar to include them in the Induction process.

- 3.6 At Part 5 of The Constitution all of these key documents can be found. They will be monitored and reviewed to ensure they remain up to date and fit for purpose to deliver good governance with appropriate member behaviour and conduct in place across the District.
- 3.7 It is also of note that an Officers Code of Conduct is also in place and monitored and reviewed.

## **4. Implications of Decisions**

### **4.1. Corporate Priorities**

The Report contributes to the overall good governance and transparency of the Council.

### **4.2. Financial**

Complaints that are referred to the Monitoring Officer for investigation can be outsourced at the discretion of the Monitoring Officer. There is no specific budget for this, but the costs will be allocated from the Council's contingency budget.

The budget for external training is met from existing resources.

### **4.3. Legal**

Localism Act 2011 and as set out in the report.

### **4.4. Policy**

No policy issues arise directly from this report.

### **4.5. Environmental Implications including contributions to achieving a net zero carbon Council by 2030**

No environmental issues arise directly from this report.

### **4.6. Risk Management**

There are no direct risk management implications arising from the report.

### **4.7. Equalities Impact**

There are no direct equalities implications arising from the report.

### **4.8. Data Protection**

There are no direct data protection implications arising from the report.

## **5. Summary of Consultation and Outcome**

None as far as this report is concerned.

## **6. Alternative Options Considered**

Not applicable.

## **7. Background papers**

None