

BRECKLAND DISTRICT COUNCIL

Report of: Executive Director of Strategy & Governance/Monitoring Officer - Maxine O'Mahony

To: Governance & Audit Committee – 25 July 2019

Author: Sarah Wolstenholme-Smy, Legal Services Manager

Subject: Annual report on Standards Arrangements

Purpose: to update Members on the work undertaken on standards matters and complaints received against District, Town and Parish Councillors from 1 April 2018 to 31 March 2019

Recommendation(s):

- 1) That members note the contents of the report.

1.0 BACKGROUND

- 1.1 At the meeting of full Council on 5 July 2012, the arrangements for dealing with complaints against members were approved in line with the requirements of the Localism Act 2011.
- 1.2 As part of the arrangements it was agreed that the role of monitoring Standards issues would be delegated to the Governance and Audit Committee.
- 1.3 This report updates members on the work undertaken on Standards complaints received from 1 April 2018 to 31 March 2019.
- 1.4 The current arrangements for dealing with complaints against Members were approved at the meeting of full Council on 6 April 2017. These arrangements can be found on the Council's website at: <https://www.breckland.gov.uk/article/6697/Complaints-about-Councillors>
- 1.5 At full Council on 16 May 2019, Bob Davis was re-appointed as the Council's Independent Person until the Annual Council meeting in May 2023.

2.0 Annual Report on Standards 2018/19

- 2.1 Details of the number of complaints that have been received, and the relevant outcomes are as follows.

	Number of complaints (1 April 2017 – 31 March 2018)	Number of complaints (1 April 2018 – 31 March 2019)
Stage 1 (Initial consideration of a complaint)		
Complaints received	30	21

Complaint does not relate to a breach of the code	17	17
Resolved under informal resolution and matter closed	0	0
Referred to Police	5	1
Case file still open as at 1 July 2019 (date report written)	10 (inc 5 referred to Police)	3 (inc 1 referred to Police)
% of complaints completed within 3 months	50%	61%
Stage 2 (Formal consideration of a complaint)		
Considered by Monitoring Officer to not merit further consideration	0	0
Referred to Standards Panel as deemed inappropriate for Monitoring Officer to consider	0	0
Resolved through informal resolution	0	0
Stage 3 (Investigation)		
Referred for investigation	3	1
No failure to comply found by the Monitoring Officer following investigation.	2	0
Hearing Panel held and finds failure to comply	1	0
Hearing Panel held and finds no failure to comply	0	1
Resolved through informal resolution	0	0
Of the above cases where sanctions recommended and accepted by District/Town/Parish council	1	0

3.0 OPTIONS

3.1 None, the report is for information

4.0 REASONS FOR RECOMMENDATION(S)

4.1 None, the report is for information

5.0 EXPECTED BENEFITS

5.1 The agreed arrangements for dealing with complaints received against elected members within the Breckland area requires the Monitoring Officer to provide an annual report to the Governance & Audit Committee.

5.2 This enables the committee to monitor the number of complaints received and whether the arrangements are fit for purpose.

5.3 Bringing the report to members ensures compliance with the Standards arrangements of Breckland Council in line with the requirements of the Localism Act 2011.

6.0 IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

6.1.1 Constitution & Legal

6.1.1 Breckland Council has a duty placed upon it by the Localism Act 2011 to have in place arrangements for dealing with complaints against members of the District, Town and Parish Councils within the District. These arrangements have been adopted by Full Council as required.

6.1.2 The Terms of Reference for the Governance & Audit Committee can be found in the Council's Constitution and they outline the Committee's duties to monitor standards arrangements and receive updates.

7.0 WARDS/COMMUNITIES AFFECTED

7.1 All wards are potentially affected by the contents of this report.

8.0 ACRONYMS

8.1 None.

Background papers:- None

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Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report: None