

BRECKLAND COUNCIL

Report of the Monitoring Officer to the STANDARDS COMMITTEE – 27 OCTOBER, 2009

REVIEW OF STANDARDS COMMITTEE: MAY 2008 – OCTOBER 2009

1. Purpose of Report

- 1.1 An overview of the last 18 months of the Standards function is followed by a request for the views of the Committee on the future role of the Committee.

2. Recommendations

- 2.1 The view and comments of the Committee are requested.

Note: In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

3. Assessment of last 18 months

- 3.1 From May 2008, the law was changed so that all formal complaints against councillors in the Breckland District (from both district and town/parish councils) have to be made to and assessed/dealt with initially by Breckland's Standards Committee and Sub-Committees. At the time, the new laws also required the Chairmen of the Standards Committee and any sub-committees to be one of the independent members (i.e. a non-councillor).
- 3.2 For the Standards function, the main factors during the first 18 months of this new regime have been:
- ⤴ a consistent but fairly low level of enquiries about member behaviour
 - ⤴ a lower than expected number of formal complaints received by the Council
 - ⤴ the formal drafting and approval of standards procedures in accordance with the new regulations
 - ⤴ satisfactory testing of the new procedures with 7 assessments, 1 consideration of Investigating Officer reports and 1 hearing, all of which proceeded well and within statutory timescales
 - ⤴ 2 issues of the Standards Town and Parish Newsletter
 - ⤴ specific targeted advice sessions for Watton Town Council, Weasenham All Saints Parish Council and Scarning Parish Council
 - ⤴ investigation of a general complaint by Weeting Parish Council
 - ⤴ clarification of and continuing advice to Breckland members on the LDF process
 - ⤴ detailed reply to Consultation from the Department of Communities and Local Government on proposed changes to the Code of Conduct.
 - ⤴ Informal training from time to time on the application of the Code to planning, licensing, etc.

3.3 While a small number of scheduled Standards Committees have been cancelled (4) for lack of business, various Sub-Committees have been held as and when required during the period.

3.4 The above record would appear to indicate that the Standards function has been satisfactorily discharged.

4. The next 12 to 18 months

4.1 With the recent changes to the Council's structures and the new Monitoring Officer, it is an appropriate time to re-assess where Standards is going in Breckland, and whether any changes in procedures or emphasis would be beneficial.

4.2 For example, the committee may:

- ^ wish to seek a closer spirit of co-operation and integration with the rest of the Council
- ^ consider that they have a valuable role to play in reporting to the Council how members of the public are likely to take what they are saying and doing
- ^ look for a better understanding by the Standards Committee of the pressures on individual members, both generally and particularly with respect to the Code of Conduct
- ^ request Cabinet to give their views on this Report.

4.3 The views and comments of the Committee are requested.

5. Risk and Financial Implications

5.1 Risk

5.1.1 I have completed the Risk Management questionnaire and this report does not require a risk assessment because the issues covered by the recommendations are not significant in terms of risk.

5.2 Financial

5.2.1 None.

6. Legal Implications

6.1 None.

7. Other Implications

- a) Equalities: There are no Equalities implications.
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: None
- e) Human Rights: None.
- f) Other: [e.g. Children's Act 2004] None

8. Alignment to Council Priorities

8.1 Your Council, Your Services:

- a) Strengthen community consultation and involvement.
- b) Involve people in the design and delivery of services which meet their needs.

9. Ward/Community Affected

9.1 All.

Background Papers

None

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Key Decision Status (Executive Decisions only):

Non-Key decision and not on Forward Plan]