

EXTRACT - MINUTES OF COUNCIL MEETING

Thursday, 15th September, 2011

38 PROPOSED CHANGES TO THE STANDARDS REGIME

In May, Council asked the Standards Committee to review its procedures for investigation of complaints with the intention of submitting proposals for the implementation of the Localism Bill currently before Parliament (in respect of the Member conduct aspects of the Bill), and making the system fairer to those people who are the subject of a complaint. This is the report of the Standards Committee.

On a motion from Councillor Nigel Roberts, seconded by Councillor Sally Davis, it was

RESOLVED to agree that:

1. The Council adopts a non-statutory Code of Conduct based on paragraphs 3 - 7 of the current model or a model to be issued by the Local Government Association;
2. A Standards Committee is established;
3. The Committee's membership includes Independent Members and an Independent Member chairs the Committee;
4. Parish/Town Councils within the Council's area which adopt a non-statutory Code of Conduct should, if possible, be offered an opt-in to deal with complaints against Parish/Town Councillors;
5. The current Local Standards Framework should be reviewed with the aim of making the system fairer and streamlining the current processes and procedures, in the following respects:
 - i. The Monitoring Officer or his/her deputy should assess complaints to decide whether the alleged conduct breaches the Code in consultation with the Chair of the Standards Committee;
 - ii. Subject councillors should be given details of the complaint, including the name of the complainant and which parts of the Code they are alleged to have breached. They would be invited to submit comments before the allegation is considered by the Committee;
 - iii. If the Committee considers that there has been a breach which is trivial or has been corrected, it would be dealt with at the meeting. Only serious breaches would be referred for investigation;
 - iv. The complainant should also have the right to address the Committee concerning their grievance in order to respond to the investigating officer's report;

- v. The pre-hearing meeting should be abandoned;
- vi. The notice could be posted in the complainant's local free newspaper or other local media, or in the case of a Town Council complaint, the Town Council's noticeboard; and
- vii. .The Standards Committee should agree with the Monitoring Officer a time line for responses since it is unacceptable to have cases drag on for over a year, as at present. A decision should normally be made within 13 weeks of the initial complaint.

[Note; 1) The above resolution was agreed unanimously. The underlined wording was suggested by Councillor Eleanor Jackson and accepted by the mover and seconder of the original motion.]