

Standards Committee

AGENDA STATUS: PUBLIC

Report Title	Monitoring Report - Local Filter Statistics
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Date of Meeting:	07 March 2011
Directorate:	Borough Solicitor & Monitoring Officer
Ward(s)	All

1. Summary

This report informs members about the statistical analysis of the data compiled by the Monitoring Officer relating to the complaints made to Standards Committee about Councillors.

In recent years data has been submitted to Standards for England through quarterly and annual returns. The quarterly return related to case activity and the profile of Standards Committees. The annual return related to Standards Committees' activities and the Committee's arrangements for supporting ethical governance.

Please note however that in view of the impending abolition of the Standards regime Standards for England have ceased collecting the data through quarterly and annual returns. Therefore although there is no requirement to collect the data for Standards For England, this authority still collects the data but for now, only for its own internal ethical and governance monitoring.

2. Recommendations

The Committee is asked to note the report.

3. Report Background

3.1 Complaints about Councillors

During 2010/11 the Northampton Borough Council Standards Committee determined complaints about Councillors as follows:

- Total number of complaints ***open**** during April 1 2010 to 28 February 2011 = 11
- Total number of new complaints ***made*** during April 1 2010 to 28 February 2011 = 4
- Total number of assessment hearings during April 1 2010 to 28 February 2011 = 3
- Number of review hearings = 0
- Number of Councillors complained about in total within the complaints = 7
- Multiple complaints = 0

- Total number of complaint/investigations/reviews held on behalf of another authority = 5
- Total number of matters opened during April 1 2010 to 28 February 2011 but which have not proceeded to complaint at the time of compiling this report but which have required input from Monitoring Officer/officer time = 6

3.2 Outcomes

- No further action = 3
- No reviews were requested.
- Referred to the Monitoring Officer for other action = 1
- Referred to Standards for England for investigation = 0
- Did not proceed to complaint at the time of compiling this report = 6

Historically, Standards for England provided statistical evidence regarding the average number of complaints received by Councils per quarter on a “cases per Council” calculation. Now that the abolition of the Standards regime has been announced Standards for England’s statistical analysis of this data is no longer available so it is not possible to assess accurately whether during the most recent twelve month period of local assessment Northampton Borough Council’s Standards Committee received more or less than the average number of complaints.

3.3 Complaints Handling Subject matter/ Relevant paragraph(s) of the Code of Conduct

3.3.1 In one of the 4 new complaints registered this year, the Monitoring Officer met with a Subject Member Parish Councillor following the recommendation by the sub-committee that he do so to resolve a complaint (by some other action) in relation to an allegation that the Subject Member may have breached the following paragraphs of the Code of Conduct:

- Disclosing confidential information
- Bringing an office or authority into disrepute
- Using your position as a member improperly to confer or secure an advantage or disadvantage
- Not using the resources of the authority in accordance with their requirements

The purpose of the meeting with the Subject Member was to ascertain his understanding of his obligations and responsibilities under the Model Code of Conduct to ensure he was aware of what these obligations and responsibilities were. The Monitoring Officer was satisfied that he was so aware and, in carrying out this other action, no investigation was necessary and therefore no breach of the code had been committed by the Subject Member.

3.3.2 In another case a Subject Member Councillor was alleged to have failed to comply with the authorities Code of Conduct in relation to her conduct in a committee meeting. The Chair of the relevant Initial Assessment sub-committee in confirming the sub-committee’s recommendation that no further action be taken in relation to the complaint reported that he felt it necessary that a message be sent which explained why the complaint in this case would not be upheld and investigated further. The threat made by the complainant was itself scurrilous and the Chair of the sub-committee recommended

that the Chair at the relevant committee meeting should have intervened prior to this point. The Chair also reported that such complaints could detract potential candidates from standing as Members in future and that it should be known that the Standards Board protected Members and the public. Please note however that in this case a decision has yet to be sent to the parties recording the decision of the sub-committee and therefore it is still possible that the complainant may apply for a review of the sub-committee's decision.

3.3.3 In a third case, the initial assessment has yet to take place so it is not appropriate for a discussion of the case in this meeting.

3.3.4 In the fourth case, the complaint has been filed against a councillor who is also a councillor in a neighbouring authority and the complaint is in relation to his/her conduct as a councillor of that authority. Therefore the complaint is subject to that authority's filter process and the Monitoring Officer of this authority expects to be informed of progress by that authority's Councillor complaints handling officers as the complaint proceeds through the filter process.

4. Implications (including financial implications)

4.1 Resources and Risk

None, other than appear in this report

4.2 Legal

None, other than appear in this report

4.3 Other Implications

None, other than appear in this report

5. Background Papers

Quarterly and Annual Return and associated documents

Report Author and Title: Nikolas Jacob, solicitor on behalf of Francis Fernandes,
Borough Solicitor and Monitoring Officer

Telephone and Email: 837334 ffernandes@northampton.gov.uk