

Appendices: 0



NORTHAMPTON
BOROUGH COUNCIL

STANDARDS COMMITTEE REPORT

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| Report Title | Current level of standards complaints |
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AGENDA STATUS: PUBLIC

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| Committee Meeting Date: | 10 th December 2012 |
| Policy Document: | No |
| Directorate: | Borough Secretary |

1. Purpose

- 1.1 To update the Standards Committee on the current level of standards complaints.

2. Recommendations

- 2.1 The Standards Committee is recommended to note the update provided in this Report on the current level of standards complaints.

3. Issues and Choices

3.1 Report Background

3.1.1 The Localism Act 2011 (the “2011 Act”) has made significant changes to the standards regime in local government. Standards for England and the old Model Code of Conduct for Councillors have been abolished.

3.1.2 The Act required Councils including Parish Councils to adopt locally agreed Codes of Conduct governing elected and co-opted members’ conduct which are consistent with principles contained in the 2011 Act. Parish Councils may adopt the same Code that their district Council has adopted.

3.1.3 The Localism Act required that the Council adopt “arrangements” for dealing with complaints of breaches of the Code of Conduct both by District Council members and by Parish Council members.

3.1.4 On 21st June 2012, the Council therefore adopted:

- a new Code of Conduct; and
- Arrangements for dealing with allegations of breaches of the Council's Code of Conduct and of Codes of Conduct adopted by Parish Councils.

3.1.5 The Code of Conduct and the Arrangements came into effect on 1st July 2012.

3.1.6 The Council's Arrangements for dealing with complaints of alleged Councillor misconduct require the Monitoring Officer to make an initial assessment of any complaint received and decide whether:

- it warrants investigation
- it may be suitable for alternative resolution without investigation; or
- it doesn't warrant any further action.

The Monitoring Officer can consult with an "Independent Person" in making this initial assessment.

3.1.7 Transitional arrangements enable Councils to deal with certain complaints about Councillor conduct that were made before 1st July 2012 (ie. before the new standards arrangements came into force), under their new Arrangements.

3.2 Current level of complaints

3.2.1 The Council currently has 9 complaints at Initial Assessment stage:

- 3 of these complaints are complaints about Parish Councillors.
 - One of these complaints contains allegations about 2 Parish Councillors.
- The remaining 6 complaints are about Northampton Borough Councillors.
 - 4 of these complaints are related.
 - 1 of these complaints contains allegations about 3 Borough Councillors.
- 2 of these complaints were received prior to 1st July 2012.

3.2.2 The Committee is asked to note that the complaints that are at Initial Assessment Stage are at varying points within this stage. The new Arrangements enable the Monitoring Officer to inform the Councillor concerned of the receipt and nature of the complaint and invite their comments. Further, where the Monitoring Officer requires additional information in order to come to an initial assessment decision, they may refer back to the complainant for such information, and may request information from the Councillor who is the subject of the complaint. Therefore, some of the complaints referred to above have been recently received, whereas others may have been subject to a preliminary review and are now awaiting receipt of further information to enable the Monitoring Officer to make an initial assessment decision.

3.2.2 1 complaint is currently the subject of an investigation. An independent investigator has been appointed. This complaint was received prior to 1st July 2012.

3.2.2 3 further related complaints have been received since the commencement of the new Arrangements on 1st July 2012. In each of these 3 cases, the Monitoring Officer concluded at the initial assessment stage that the complaint did not warrant any further action.

4. Implications (including financial implications)

4.1 Policy

4.1.1 N/A

4.2 Resources and Risk

4.2.1 None specifically arising from this Report.

4.3 Legal

4.3.1 Legal implications are contained in the body of the Report.

4.4 Equality

4.4.1 4.4.1 None specifically arising from this Report.

4.5 Consultees (Internal and External)

4.5.1 Not applicable.

4.6 Other Implications

4.6.1 Not applicable.

5. Background Papers

5.1 None

6. Report Author

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