
Update on Ethical Matters – Quarter 1 of 2015/16 - Summary Report

Committee considering report:	Governance and Ethics Committee
Date of Committee:	23 November 2015
Lead Member:	Quentin Webb
Date Portfolio Member agreed report:	N/A
Report Author:	David Holling
Forward Plan Ref:	GE3032

1. Purpose of the Report

- 1.1 To provide an update on local and national issues relating to ethical standards and to bring to the attention of the Committee any complaints or other problems within West Berkshire.

2. Recommendation(s)

- 2.1 Members of the Governance and Ethics Committee are asked to note the report.

3. Implications

- 3.1 **Financial:** There are no financial issues arising from this report. All costs associated with the investigation of complaints are met from within existing budgets.
- 3.2 **Policy:** Revised policy and changes to processes adopted at Council in December 2013
- 3.3 **Personnel:** There are no personnel issues associated with this report
- 3.4 **Legal:** There are no legal issues arising from this report, The matters covered by this report are generally requirements of the Localism Act 2011 and regulations made under it.
- 3.5 **Risk Management:** The benefits of this process are the maintenance of the Council's credibility and good governance by a high standard of ethical behaviour. The threats are the loss of credibility of the Council if standards fall.
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 None

5. Executive Summary

6. Introduction

- 6.1 Following the introduction of the Localism Act 2011 it was agreed that quarterly reports would be provided to the Governance and Ethics Committee. This report sets out the number and nature of standards complaints received, progress made with complaints submitted and highlights any areas where training or other action might avoid further complaints in the future.

7. Key Issues Identified in the report:

- 7.1 During Quarter 2 of 2015/16 fifteen formal complaints were received by the Monitoring Officer. Fourteen of these complaints related to district councillors and one to a parish councillor. All the district council complaints pertained to planning matters. Following the initial assessment by the Monitoring Officer, in consultation with the Independent Person, no further action was taken on any of the complaints against the district councillors. The complaint against the parish councillor (NPC4/15) is being investigated.
- 7.2 A special meeting of the Governance and Ethics Committee took place on the 03rd September 2015 to consider the independent investigator's findings in respect of NPC5/14. The Committee concluded that Mr Uduwera-Perera had breached Newbury Town Council's Code of Conduct by failing to treat others with respect and behaving in an intimidatory and/or bullying manner.
- 7.3 The Committee decided that a formal public notice setting out that Ruwan Uduwera-Perera had breached Newbury Town Council's Code of Conduct, should be published on both Newbury Town Council and West Berkshire Council's website and in the Newbury Weekly News.
- 7.4 No dispensations were granted during Quarter 2 of 2015/16.
- 7.5 A small number of gifts and hospitality have been declared by District Councillors during Quarter 2 of 2015/16.
- 7.6 Training on the Code of Conduct for, Town and Parish Councillors was undertaken on the 13th October 2015 prior to the District/Parish Conference.

8. Conclusion

- 8.1 The number of complaints against District Councillors has risen substantially in Quarter 2 but all of the complaints relate to one particular planning application which was addressed to all members who attended the particular meetings. Following assessment it was determined that no breach had occurred but members were reminded as to standards of behaviour which is appropriate at such meetings.
- 8.2 It is of concern that a large number of Parishes have still provide details of Declarations of Interest in accordance with the Localism Act in order that this Council as responsible authority can ensure that relevant details are provided for the public to ensure transparency. The Monitoring Officer has reminded Clerks and given a deadline of 1st December 2015 in order to respond.

9. Appendices

- 9.1 Appendix A - Supporting Information