

Monitoring Officer's Annual Report to the Governance and Ethics Committee – 2017/18 Year End - Summary Report

Committee considering report:	Council
Date of Committee:	08 May 2018
Portfolio Member:	Councillor Graham Bridgman
Date Portfolio Member agreed report:	E-mailed 11/04/18
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Forward Plan Ref:	C3323

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 Members any complaints or other problems within West Berkshire.
- 1.2 To present the Annual Governance and Ethics Report to Full Council.

2. Recommendation

- 2.1 Members are requested to note the content of the report.
- 2.2 The report to be circulated to all Parish/Town Councils in the District for information.

3. Implications

- 3.1 **Financial:** There are no financial issues arising from this report. However the costs associated with external investigations and a lack of internal resources may lead to a budget pressure.
- 3.2 **Policy:** Revised policy and changes to processes adopted at Council in May 2012 and reviewed in December 2013 and September 2016.
- 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 Local Government Act 2000 in so far as appropriate and the Localism Act 2011 and its supporting regulations.
- 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. Adherence to the requirements of the Code of Conduct also reduce the risk

of the Council's decisions being subject to legal challenge.

3.6 **Property:** There are no property issues associated with this report.

3.7 **Other:** A diminution in standards of behaviour by elected Members could have a significant reputational impact on the Council

4. **Other options considered**

4.1 None

Executive Summary

5. Introduction / Background

5.1 Following the enactment of the Localism Act 2011 a number of changes were made to the Standards Regime. As part of the governance arrangements adopted by West Berkshire Council, it was agreed that the Monitoring Officer would produce an annual report for the Governance and Ethics Committee and that it would be presented to Full Council at the Annual meeting. The report would also be circulated to all Town and Parish Councils.

5.2 The key issues identified in the report are:

- Only one dispensation was granted during 2017/18.
- During 2017/18, 16 formal complaints were received by the Monitoring Officer. Fifteen of these complaints were about parish councillors and one complaint was about a district councillor. This was an increase on the number of complaints received in the previous year 2016/17 when only three complaints were received. However, the figure represents only a slight increase on the average number of complaints received per annum since 2009/10.
- Although there has been a significant rise in the number of complaints since last year, there have been a number of related complaints. It is of note that three of the five complaints received in quarter two related to issues arising at a parish council, all four complaints received in Quarter 3 pertained to the same incident and three of the complaints received in quarter 4 related to the same issue.
- No further action was taken on ten of the complaints following the initial assessment. One complaint was withdrawn, one complaint was referred for investigation and four of the complaints are still being processed.
- A hearing took place in January 2018 in respect of a complaint received in 2016/17 (NPC1/17) which had been subject to an investigation. It was resolved by the Governance & Ethics Committee that a number of breaches of the parish councils Code of Conduct had occurred.
- The number of gifts and hospitality invitations recorded by Members remained very low.

6. Proposal

6.1 Members are asked to note the content of the report and agree that it should be circulated to all Town and Parish Councils for information.

7. Conclusion

7.1 The number of complaints received in respect of alleged breaches of the Members' Code of Conduct during 2017/18 remains relatively low.

7.2 It is considered however that it is reasonable to conclude having regard to all the information in this report, that standards of ethical conduct are high across West Berkshire at both District and at Parish / Town Council levels.

8. Appendices

- 8.1 Appendix A – Supporting Information
- 8.2 Appendix B – Register of Members Gifts and Hospitality
- 8.3 Appendix C – Register of Officers Gifts and Hospitality