



East  
Northamptonshire  
Council

## Joint Standards Complaints Committee – 18 September 2013

### Activity Report of the Monitoring Officer

**Purpose of report:** This regular report provides a brief update on Monitoring Officer activity since the last committee meeting.

#### Attachment(s)

Appendix A -Summary of Register of Interest returns by Town and Parish Council

#### 1.0 Registers of Interest

1.1 At the time of writing this report there are 23 outstanding registers of interest for Town and Parish Councillors – a return rate of 93%. We are aware of 16 vacancies in Town and Parish Councils around the District. A verbal update will be given at the Committee meeting in relation to the latest position in relation to the returns for Twywell and Warmington Parish Council which have the largest number of forms outstanding.

#### 2.0 Monitoring Officer Enquiries

2.1 Since this Committee last met on 19 June 2013 the Monitoring Officer has received 13 enquiries, mostly in relation to the declaration of interests. No requests for dispensations have been received since the last report

#### 3.0 Complaints

3.1 No new complaints have been received at the time of writing this report. Mediation is taking place in relation to the complaint about a Parish Councillor which was referred for 'other action'. The cost of this mediation has been contained within existing budgets so it is not proposed to seek additional funding at this stage.

#### 4.0 Standards Training

4.1 A Standards Training Session for all Town and Parish Councillors took place on Monday 15 July and was attended by 17 Councillors from 11 different Councils.

#### 5.0 Committee for Standards in Public Life 2012-13

5.1 This report included a section on standards arrangements in local government as follows:

*38. Under the Localism Act 2011 the new local government standards regime came into effect on 1 July 2012. The Committee welcomed the introduction of a mandatory requirement for local authorities to adopt a local code of conduct based on the Seven Principles of Public Life and the intention to encourage a greater sense of local responsibility for standards and to reduce the number of vexatious complaints.*

*39. While we recognise that the new system needs time to properly bed in, we do, however, have certain concerns:*

- *Due to the emphasis on local ownership of standards we would expect the new regime, like the previous one, to function well in those areas where party leaders are prepared to provide the necessary leadership and example. It is likely to do*

*less well where such leadership is inadequate. History suggests that problems are most likely in areas with monolithic political cultures and correspondingly little political challenge, where partisan rivalry is most bitter and tit-for-tat accusations most common, or in those predominantly rural areas with significant numbers of independent members without the benefit of party discipline.*

- Under the previous arrangements local authorities and an independent tribunal had the power to suspend members for varying periods of time as a sanction against poor behaviour. The only sanctions now available, apart from through the use of a political party's internal discipline procedures are censure or criminal prosecution for deliberately withholding or misrepresenting a financial interest. We do not think these are sufficient. The last few years have seen a number of examples of inappropriate behaviour which would not pass the strict tests required to warrant a criminal prosecution, but which deserves a sanction stronger than simple censure. While censure may carry opprobrium in the political arena it is often considered unacceptably lenient by the public relative to other areas of their experience. Coercion of other members or officers is one category of offence with which it will be difficult to deal adequately under the new arrangements.*
- Under the previous arrangements allegations about poor behaviour were determined by standards committees independently chaired by individuals who were not themselves members of the local authority. Under the new arrangements every local authority must appoint at least one independent person whose views it will seek, and take into account, before making its decision on an allegation that it has decided to investigate. We doubt that this will be sufficient to provide assurance that justice is being done and, equally important, that it is seen to be done.*
- In the transition to the new system local authorities may have lacked proper time to prepare. In early June 2012 we wrote to all local authorities in England to ask about their preparations for implementing the new regime which came into force on 1 July 2012. The Committee was concerned that so late in the day, nearly half of those who responded had yet to adopt a new code and around four fifths had yet to appoint an independent person. The fact that the Regulations and Order which took effect from 1 July were laid only on 6 June cannot have helped their preparations. Not forgetting that in several prominent recent cases it is the behaviour of leaders themselves that have been under question.*

*40. While inevitably there have been various teething problems with the new regime, the Committee will continue to monitor the implementation and its effectiveness, particularly in relation to public confidence that any wrongdoing is tackled promptly and transparently in the absence of any external investigation and scrutiny.*

## **6.0 Equality and diversity issues**

6.1 There are no known negative equality and diversity issues arising from this paper.

## **7.0 Legal implications**

7.1 This report outlines activities undertaken under local arrangements which reflect the Localism Act 2011 and related regulations.

## **8.0 Risk management**

8.1 The actions reported reduce the risk of non-compliance with legislation, particularly the duty to promote high standards of conduct by Councillors.

## **9.0 Financial implications**

9.1 There are no known additional financial implications arising from this report.

## **10.0 Corporate outcomes**

10.1 The work reported here contributes to the Corporate Outcomes of Effective Management and Strong Community Leadership

## 11.0 Recommendations

11.1 Members are recommended to note the contents of this report.

<b>Legal</b>	Power: <b>Localism Act 2011</b>				
	Other considerations: <b>Constitution</b>				
<b>Background Papers:</b>					
<b>Person Originating Report:</b> Sharn Matthews, Monitoring Officer , 01832 742108, smatthews@east-northamptonshire.gov.uk					
<b>Date: 9/9/13</b>					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

**Registers of Interest Received by the Monitoring Officer**
**Appendix A**

<b>Council</b>	<b>Number received</b>	<b>Total no of seats</b>	<b>No of vacant seats</b>	<b>Comment</b>
Aldwincle	7	7	0	
Ashton	5	5	0	
Barnwell	7	7	0	
Benefield	7	7	0	
Brigstock	11	11	0	
Bulwick	4	5	1	
Chelveston	7	7	0	
Collyweston	5	7	2	
Deene & Deenethorpe	4	6	0	2 forms outstanding
Denford	6	7	1	
Duddington	7	8	1	
Easton	11	11	0	
Glaphorn	6	7	1	
Great Addington	7	7	0	
Hargrave	6	7	1	
Harringworth	7	7	0	
Hemington, Luddington & Thurning	9	9	0	
Higham Ferrers	16	16	0	
Irthlingborough	12	12	0	
Islip	9	9	0	
Kings Cliffe	11	11	0	
Lilford cum Wigsthorpe & Thorpe Achurch	2	6	1	3 forms outstanding
Little Addington	6	7	1	
Lowick	5	7	2	
Lutton	4	5	1	
Nassington	8	9	0	1 form outstanding
Oundle	14	14	0	
Pilton, Stoke Doyle & Wadenhoe	7	9	1	1 form outstanding
Polebrook	7	7	0	
Raunds	12	12	0	
Ringstead	8	9	0	1 form outstanding
Rushden	18	21	0	3 forms outstanding
Stanwick	7	7	0	
Sudborough	5	5	0	
Thrapston	13	13	0	
Titchmarsh	9	9	0	
Twywell	0	7	2	Will be completed at next meeting 29 Aug 13
Warmington	4	9	0	5 forms

				outstanding
Woodford	10	13	1	2 forms outstanding
Woodnewton	7	7	0	
Yarwell	7	7	0	
TOTAL	317	356	16	23 forms outstanding (7 % of known T&PC Cllrs)