

Standards report



20 July 2022

PERIODIC REPORT OF THE MONITORING OFFICER

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Exempt / confidential / not for publication	No
Council Plan reference	Not in Council Plan
Wards affected	All wards

Executive summary

This periodic report is to advise the Committee of standards updates and issues, including complaints and investigations since the Monitoring Officer last reported to the Standards Committee.

1. Recommendations

1.1. That the report be noted.

2. Update on Complaints

2.1. Since the last Standards Committee, there has been one complaint received. The complaint relates to a parish councillor and is currently ongoing.

2.2. In arriving at her judgement on complaints received, the Monitoring Officer applied the following criteria:

- a) Was the individual acting as a councillor at the time of the alleged misconduct?
- b) Does the allegation reveal a prima facie breach of the Code?
- c) Is there a reasonable prospect that the allegation would be upheld?
- d) Is the matter complained of trivial?
- e) Is the allegation an attempt to initiate an investigation to 'embarrass' the Councillor, for e.g. political purposes?
- f) Is the matter essentially a dispute or difference of opinion between Members?
- g) Is the use of the Code of Conduct the appropriate way to resolve concerns?

- h) Given the range of sanctions available to a council is an investigation likely to improve the good working of the Council; in particular is any finding and sanction likely to improve public confidence in the democratic process?
 - i) Consideration of the case law and guidance.
 - j) Any other substantial consideration particular to the allegation.
- 2.3. In all cases where the Monitoring Officer has been required to consider a Code of Conduct complaint she has consulted with the Independent Person, as required by the Localism Act 2011.

3. Training

- 3.1. As a result of the local elections on 5 May, a number of new members have joined the Standards Committee. Councillors Ben Nolan, Peter Geary and Vanessa McPake are now Chair and Vice-Chairs respectively. All newly elected members of Milton Keynes Council undertook Code of Conduct training on 17 May 2022, as part of their induction programme.
- 3.2. Assessment Sub-Committee specific training will occur before each meeting with the relevant Assessment Sub-Committee Members.
- 3.3. The Monitoring Officer can offer Standards Committee training and specific case-based scenario training if the Committee determine that this is necessary.
- 3.4. The Monitoring Officer continues to arrange periodic training on Conduct and the Principles of Public Life ('The Nolan Principals') both the Milton Keynes Council Members and the Members of the Parish and Town Councils in the area.
- 3.5. On the 4 July, the MKC Monitoring Officer presented alongside the Monitoring officer for Buckinghamshire and a law firm that specialises in Code of Conduct matters, at an event hosted by Buckinghamshire and Milton Keynes Association of Local Councils (BKMALC) The event was a Code of Conduct training and information session.

4. Independent Persons

- 4.1. The Council maintains a list of five Independent Persons whose appointments were approved by the Council in September 2020. All of those Persons on the approved list are considered by objective professional view to be competent and experienced.
- 4.2. There have been no issues relating to Independent Persons since the last Committee meeting.

5. LGA Code of Conduct

- 5.1. In June 2022, the LGA Model Code of Conduct was adopted by Full Council, with very minor revisions. As the Code of Conduct has a new interest regime, all Councillors have now been invited to review and resubmit their Register of Interest, whilst additional guidance and interest flow charts have been circulated to Councillors via Councillors' News.

- 5.2. Whilst it is not mandatory for parish councils to adopt the same Code of Conduct as the Principal Area Council, we are hopeful that most parishes will want to do so, as this would introduce consistency and understanding across Milton Keynes. Officers will brief clerks at the next Parishes Forum on 6 September.
- 5.3. The Monitoring Officer will make arrangements to provide a number of sessions for all Councillors and Parishes throughout September. Additionally, specific training for the Standards Committee on the new Code of Conduct can be arranged if deemed necessary.

6. Arrangements For Dealing with Standards Allegations

- 6.1. The focus of this year's Standards Committee will be reviewing the Arrangements for Dealings with Standards Allegations Procedure.
- 6.2. The Monitoring Officer suggests? Recommends? that the Committee sets up a Working Group to review the Procedure to identify the current issues with the Procedure and report back to the Standards Committee how it can be amended and improved and that it do so having invited and considered feedback from parish councils.

Annexes

None

Background papers

[LGA Guidance on the Model Code of Conduct](#)