

LOCALISM ACT – ARRANGEMENTS IN MILTON KEYNES: UPDATE AND WORK PROGRAMME

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1. Purpose

- 1.1 To update the Standards Committee as to the current position with regard to Localism Act arrangements in Milton Keynes

2. Recommendations

2.1 That the Committee note the report

2.2 That the Committee approve the work programme attached at Annex A

2.3 That the Committee agree a working group to conduct a review of the Code of Conduct (as agreed by Council 11 July 2012)

3. Issues and Choices

- 3.1 Since 1 July 2012 both Milton Keynes Council and all Parish/Town/Community Councils in the Milton Keynes area have been under a duty to;

- a) Promote and maintain high standards of conduct
 - b) Adopt a Code which is
 - i. Consistent with the 7 Nolan principles of
 - ii. Which contains provision for the disclosure of Disclosable Pecuniary Interests and other interests
 - c) Place details of Councillors register of interests on their website
- Members individually have been under a duty to;
- d) Disclose Pecuniary Interests in line with legislation
 - e) Complete a register of interests (although not a strict legal provision, suggested as best practice by Central Government Guidance and part of some Codes of Conduct) and send it to the Monitoring Officer

- 3.2 This report details the role of MKC in this process and invites the Committee to make comments regarding work for the future.

Introduction

- 3.3 On 28 June 2012 the Monitoring Officer wrote out to all Parish/Town/Community Councils in Milton Keynes informing them of the new arrangements from 1 July and updating them as to the Milton Keynes Council Code of Conduct. This letter included a template for the disclosure of interests and explained the legal provisions that would be in place from 1 July 2012, encouraging all Councillors to ensure that, if they disclosed a disclosable pecuniary interest during a meeting, to update the template and return to the Monitoring Officer within 28 days of that disclosure.
- 3.4 This letter requested that once adopted, Codes of Conduct be sent to the Monitoring Officer along with confirmation of the date that the Codes were adopted.
- 3.5 Milton Keynes Council adopted its Code of Conduct on 11 July 2012.
- 3.6 On 23 July 2012 a further letter was sent to all Parish/Town Community Councils enclosing the Milton Keynes Council Code of Conduct and confirming training sessions on the Code of Conduct on 19 September and 10 October 2012.
- 3.7 In August, reminders were sent out to all Parish/Town/Community Councils with regard to the training session and an additional evening training session on 24 September 2012.

Codes of Conduct

- 3.8 As at 26 October 2012 21 Codes of Conduct had been received by the Monitoring Officer of Milton Keynes Council from Parish/Town/Community Councils.
- 3.9 6 of these were NALC template Codes, one is a variation of the MKC Code and 14 of the Codes are MKC Codes.
- 3.10 Some Parish/Town/Community Councils adopted the NALC Code in the first instance, however have updated their Code when the MKC version was released. The dates of these changes have been noted.
- 3.11 The Monitoring Officer will be sending a reminder to all Parish/Town/Community Councils to ensure that they adopt Codes and to request that copies are sent to MKC. It is helpful for MKC to have copies of the Codes for the determination of any complaints that may arise.

Declarations of Interests

- 3.12 As set out above, Councillors were informed of their need to declare their interests from 1 July 2012 and that failure to do so could result in a Councillor being prosecuted.
- 3.13 Milton Keynes Council members have all responded to the Monitoring Officer in respect of their registers and communications continue to be received with regard to keeping those registers up to date.

- 3.14 To date (26 October 2012) 22 Parish/Town/Community Councils have submitted registers of interests for some or all of their Members.

Training

- 3.15 Training for Parish/Town/Community Councillors and clerks/managers was run on 19 September 2012, 24 September 2012 and 10 October 2012.
- 3.16 Attendance at these training sessions was good, with 28 people attending on 19 September 2012, 14 attending on 24 September 2012 and 40 attending on 10 October 2012.
- 3.17 The training covered the Milton Keynes Council Code, duties with regard to Disclosable Pecuniary Interests and also personal interests and also administrative issues, such as registration of interests, the process for dealing with complaints under the Code of Conduct and dispensations.
- 3.18 Training for Milton Keynes Council Members took place on 10 September 2012 with individual sessions being arranged for Members who were unable to attend.

Websites

- 3.20 Milton Keynes Council Members registers of interests have, as previously, been placed on the Council's CMIS site.
- 3.21 Milton Keynes Council is also under a duty to place the registers of Parish/Town/Community Councillors on their website and also to provide information to Parish/Town/Community Councils to allow them to place the information on their websites (if they have one).
- 3.22 A database has been set up by Milton Keynes Council in order to allow this information to be added to the website. Parish/Town/Community Councils have been informed that they can link from the database in order to allow the information to be accessed from their websites. A number of Parish/Town/Community Councils have used this facility.
- 3.23 A paper copy of the register is held at the Civic Offices, both in respect of Milton Keynes Councillors and Parish/Town/Community Councillors.

Ongoing work

- 3.23 The Monitoring Officer will write to all Parish/Town/Community Councils in Milton Keynes to encourage them to submit their registers and Codes of Conduct to the Monitoring Officers office, and the risks, with regard to Disclosable Pecuniary Interests, if this is not done.
- 3.24 On 11 July 2012 the Council, whilst agreeing the Code of Conduct stated that it would wish to review the Code in 6 months of its adoption. It is proposed that a working group of the Standards Committee is agreed to carry out this review (starting in January) and that the findings be reported to the Standards Committee for recommendation to Council, as appropriate.
- 3.25 The Standards Committee indicated that it would be keen to commence a recruitment exercise in respect of Parish/Town/Community Council Members to

fill the co-opted positions on the Standards Committee (1 to start soon and the others to commence in July 2013). This will start in January 2013.

Outstanding complaints

- 3.26 There are currently 8 outstanding complaints, two of which are currently in the informal resolution stage. It is important that these are dealt with as soon as possible and once Assessment processes and Independent Person roles are agreed.

Standards Committee Work Programme

From October 2012 – July 2013

<i>Action</i>	<i>Who is responsible</i>	<i>Completion date</i>
1. Undertake Local Assessment of Complaints and (where required), Investigation Reports, resolution reports and conduct Hearings.	Monitoring Officer and Deputy Monitoring Officer to advise Sub - Committees	Ongoing. Localism Act 2011 effective from July 2012. Assessment and other processes to be agreed Case status table to be submitted to each Standards Committee
2. Consider and adjudicate on dispensation requests from Milton Keynes Council	Standards Committee	To be determined as and when requests for dispensations received.
3. Promotion of the role and work of the Standards Committee in supporting town and parish councils	Monitoring Officer & Standards Committee	Monitoring Officer and Deputy Monitoring Officer to organise training as appropriate (and after 2014 elections)
4. Support for Independent Persons and development of the role	Monitoring Officer and Standards Committee	Draft a Memorandum of Understanding to be finalised before December 2012. 6 monthly sessions organised for Independent Persons to meet
5. Standards Training	Monitoring Officer	Code of Conduct training to be run as appropriate and after 2014 elections). Standards Committee training to be run for new Parish co-optees and Standards Committee Members in May/June 2013.
6. Review of Register of Interests	Monitoring Officer	Monitoring Officer to review register of interests of Members of Milton Keynes Council and Town and Parish Councillors at least annually and to issue

Action	Who is responsible	Completion date
		reminders to update the register
7. Linkage with Audit Committee through issues common to ethical governance of Milton Keynes Council	Chair Monitoring Officer S.151 Officer and Head of Audit & Risk	Ongoing
8. Code of Conduct review	Standards Committee working group Monitoring Officer	Commence review in January and report back to next meeting of the Standards Committee (February 2013) for recommendation to Council as appropriate.