
PERIODIC REPORT OF THE MONITORING OFFICER TO THE STANDARDS COMMITTEE

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Director (Law and Governance)

1. Purpose

- 1.1 This periodic report is to advise the Committee of standards issues, including complaints and investigations since the Monitoring Officer last reported to the Standards Committee on 12 March 2019.

2. Recommendations

- 2.1 That the report be noted.
- 2.2 That the Committee agree a method of evaluating and implementing the Best Practice Guidelines in the Committee on Standards in Public Life Report on Local Government Ethical Standards.

3. Update on Complaints

- 3.1 The table at **Annex A** sets out details of current live complaints.
- 3.2 In arriving at her judgement on complaints received the Monitoring Officer applied the following criteria:
- (a) Does the allegation reveal a prima facie breach of the code?
 - (b) Is there a reasonable prospect that the allegation would be upheld?
 - (c) Is the matter complained of trivial?
 - (d) Is the allegation merely an attempt to initiate an investigation to 'embarrass' the Councillor, for e.g. political purposes?
 - (e) Is the matter essentially a dispute or difference of opinion between Members?
 - (f) Is the use of the Code of Conduct the appropriate way to resolve concerns?
 - (g) 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?

- (h) Consideration of the case law and guidance.
- (i) Any other substantial consideration particular to the allegation.

3.3 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.

4. **Training**

4.1 As part of a training session for new Councillors on 9 May 2019 the Monitoring Officer and Deputy Monitoring Officer gave an overview of the Member Code of Conduct, Standards and Interests.

4.2 The Deputy Monitoring Officer has been invited to attend Loughton and Great Holm Parish Council in July 2019 to give a training session on the Code of Conduct and Standards.

4.3 The Monitoring Officer and Deputy Monitoring Officer attended the Lawyers in Local Government Monitoring Officer Conference on 14 June 2019. The conference agenda looked at the Report of the Committee on Standards In Public Life on Local Government Ethical Standards, published in January 2019. While the report makes a number of recommendations that require legislative changes, throughout the report, the Committee highlight best practice directed at local authorities. These are found in **Annex B**. The Committee says ‘Our best practice recommendations are directed to local authorities, and we expect that any local authority can and should implement them. We intend to review the implementation of our best practice in 2020.

The Committee is asked to consider the best way of working through these guidelines, noting some of which are already implemented and determining how to implement others. This can inform any response to the Committee in 2020.

Background Papers: Local Government Ethical Standards – Committee on Standards in Public Life

Attachments: Current ‘live’ Complaints (**Annex A**)
Best Practice Notes from the Report into Local Government Ethical Standards from the Committee on Standards in Public Life (**Annex B**)