
PERIODIC REPORT OF THE MONITORING OFFICER TO THE STANDARDS COMMITTEE

Contact Officer: Sharon Bridglalsingh, Monitoring Officer, Tel: 01908 252095
Service Director (Legal and Democratic Services)

1. Purpose

- 1.1 This periodic report is to advise Councillors and Committee members of standards issues, including complaints and investigations over the last 5 months since the Monitoring Officer last reported to the Standards Committee.

2. Recommendations

- 2.1 That the report be noted.

3. Issues and Choices

- 3.1 Since 1 June and 1 November 2016 there have been:

(a) Three complaints concerning Milton Keynes Council Members:

Date	Complainant	Subject matter	Outcome
June 2016	Member of the public	Councillor's leafleting activities	Rejected – trivial, unsubstantiated
July 2016	Member of the public	Councillor failing to act re highway obstruction	Rejected – trivial, not reasonable, apology offered
August 2016	Member of the public	Contents of Councillor's email to the complainant	Referred to Assessment Panel

(b) One complaint concerning a Milton Keynes Parish Council Member:

Date	Complainant	Subject matter	Outcome
July 2016	Chair of the parish council	Councillor's Facebook posts	Rejected – not acting in her capacity as a Councillor

- (c) One complaint against a Milton Keynes Councillor in his capacity as appointed member of a separate authority, which has been dealt with under that separate authority's Code of Conduct.
 - (d) One complaint regarding a Milton Keynes Councillor's activities in conducting car parking surveys which did not escalate to a Code of Conduct complaint and was resolved by Highways staff corresponding with those concerned.
- 3.2 There have been no matters referred to the Committee for investigation.
- 3.3 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.
- 3.4 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. **Implications**

- 4.1 The continuing fairly low number of formal complaints brought against councillors in Milton Keynes is not untypical of councils across the region since the Localism Act 2011 revised the standards regime in England.
- 4.2 Whereas the standards regime in fact exerts little control over the behaviour of individuals on a day to day basis, the method of evaluating and concluding complaints at an early stage where possible has been streamlined by the Act, which is a welcome development.

- 4.3 The Monitoring Officer periodically presents Code of Conduct training to elected members of both Milton Keynes Council and those of its numerous parish councils. Parish council training was conducted on 10 October 2016 at which there were 38 attendees.
- 4.4 The Monitoring Officer is consulted fairly regularly by parish councillors and their staff seeking guidance on conduct issues, help with interpreting constitutions and other matters concerning the conduct of parish council business. Occasionally, members of the public raise concerns about their parish councils not amounting to formal complaints and the Monitoring Officer has been able to assist in resolving the issue.

Background Papers: None