

Standards Report



Periodic Report of the Monitoring Officer

Report author

Sharon Bridglalsingh

Director, Law and Governance

01908 252095

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for publication

No

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 3 October 2019.

2. Recommendations

2.1 That the report be noted.

3. Update on Complaints

3.1 The table at the attached **Annex** sets out details of current live complaints.

3.2 There have been no Sub-Committee hearings during this period. One Sub-Committee hearing had been scheduled but unfortunately the Subject Councillor could not attend on the date scheduled. In the opinion of the Deputy Monitoring Officer, in consultation with the Chair the Subject Councillor had a valid reason for not being able to attend on the date set. It was not possible to reschedule on an alternative date as the Investigator could not attend on the proposed date.

3.3 When assessing complaints the Monitoring Officer applies 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 example, 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. Training

4.1 The Monitoring Officer and Deputy Monitoring Officer attended Olney Parish Council on the 4th November to give a talk to the Parish Council on Standards and the Code of Conduct.

5. Implications

Financial	N	Human rights, equalities, diversity	Y
Legal	Y	Policies or Council Plan	N
Communication	Y	Procurement	N
Energy Efficiency	N	Workforce	N

- (a) Financial Implications
There are no financial implications in respect of most of the recommendations.
- (b) Legal Implications
The Council has a duty under the Localism Act 2011 to have arrangements in place for investigating and making decisions on allegations that the Code of Conduct has been breached.
- (c) Other Implications
Human Rights - The Human Rights Act is engaged in dealing with standards matters.

List of Annexes

Annex - Standards Complaint Activity Log (December 2019)