

BOROUGH OF KETTERING

Committee	STANDARDS ADVISORY COMMITTEE	Item A3	Page 1 of 3
Report Originator	Sue Lyons Head of Democratic & Legal Services		
Wards Affected	All	27th February 2017	
Title	STANDARDS UPDATE		

1. PURPOSE OF REPORT

- (i) To update the Committee on Standards matters.
- (ii) To inform the Committee of Code of Conduct Complaints received.

2. INFORMATION

Town and Parish Council Representation

- 2.1 The vacancies for Town and Parish Council representatives reported to the Committee at the last meeting have now been filled. The recruitment process resulted in two nominations. Cllrs Douglas Hodgkinson of Geddington, Newton and Little Oakley and Sally McKeown OF Ashley Parish Council were appointed by Full Council on 16th December 2015.

Independent Person

- 2.2 Mr Mike Sawford was reappointed by Council on 14th December 2016 as the Council's Independent Person (IP) for a further term of up to two years. The Committee will recall that the Localism Act 2011 introduced a statutory requirement to appoint at least one IP whose views must be sought and taken into account before a decision is made on an allegation that has been investigated under the complaints process.
- 2.3 In November 2016 Mr Sawford attended a meeting of IPs from across the region hosted at East Northamptonshire and facilitated by Sue Lyons. There was a general discussion about the experiences of the IPs and their involvement in the complaints process. In brief, it was noted that all of the IPs had been involved in standards cases in some way. The majority of cases came from Town and Parish Councils. There had been very few that had reached the hearing stage, the majority having been resolved at an early stage. There was also a discussion on the effectiveness of the Standards Regime. It was widely considered that the sanctions available under the system were inadequate. The meeting was advised that there was an opportunity in the future to make representations to the Committee for

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Standards in Public Life who were continuing to monitor the effectiveness of the Code of Conduct and its enforcement.

2.3. Complaints

2.3.1 The Monitoring Officer has received seven complaints in the year 2016/17 to date. These are the first complaints received under the new regime. The basic details are set out in the Table 1 below:

Date received	Reference	Council type	Outcome of Initial Assessment	Date of Decision Notice
20/05/2016	SC/TPC/1	Town/Parish	No further action	10/08/2016
13/07/2016	SC/TPC/2	Town/Parish	No Action	10/08/2016
27/07/2016	SC/TPC/3	Town/Parish	Not pursued	N/A
29/11/2016	SC/TPC/4	Town/Parish	No action	19/01/2017
27/06/2016	SC/KBC/1	Borough	No Action	10/08/2017
29/06/2016	SC/KBC/2	Borough	No Action	10/08/2017

2.3.2 A further complaint was received regarding a Town Council. The complaint was deemed not to fall under the Code of Conduct and was rejected by the Monitoring Officer. There is no internal right of appeal against a decision in the current procedures, The Complainant complained to the Local Government Ombudsman. The complaint was dismissed.

2.3.3 The complaints listed above were considered by the Statutory Officers' Group in consultation with the IP and their findings were reported to the complainants by way of a Decision Notice setting out the reasons for the decision not to take the complaints any further. One decision was referred to the Local Government Ombudsman but was dismissed.

2.3.4 The Monitoring Officer has dealt with several enquiries regarding the Code of Conduct and Complaints system. The majority have indicated a wish to make a complaint but these have not been pursued when the complaint form has been provided.

2.3.5 The Committee may wish to review the complaints process and the information provided at a future meeting.

3. POLICY IMPLICATIONS

None arising from this report

4. CONSULTATION AND CUSTOMER IMPACT

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Not relevant

5. **FINANCE AND HR RESOURCE IMPLICATIONS**

None arising from this report

6. **LEGAL IMPLICATIONS**

None arising from this report

7. **RECOMMENDATIONS**

(i) that the report be noted; and

(ii) that the Committee consider any actions to be taken on any issues arising from the report.

Background Papers:

None

Previous Reports/Minutes: