

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Assistant Director – Democratic Services and Monitoring Officer

**To:** Standards Panel – 24 April 2013

**(Author:** Vicky Thomson, Assistant Director – Democratic Services and Monitoring Officer)

**Subject:** Standards Annual Report – 2012/2013

**Purpose:** The Panel is asked to note the Standards Annual Report

**Recommendation(s):**

**a) To note the Standards Annual Report for 1 July 2012 – 31<sup>st</sup> March 2013.**

### **1.0 BACKGROUND**

- 1.1 At the meeting of full Council on 27 June 2012, the arrangements for dealing with complaints against members were approved in line with the requirements of the Localism Act 2011.
- 1.2 As part of the arrangements, it was agreed that the role of monitoring Standards issues would be delegated to a Standards Panel. This report provides information relating to work undertaken since the implementation of the new standards regime on 1 July 2012.
- 1.3 The Localism Act 2011 introduced a new role of Independent Person to provide advice and guidance to the Monitoring Officer and members who are the subject of an allegation. It was agreed at the meeting of full Council on 27 June 2012 that Mr Tony Wicks would be appointed as the Independent Person from 1 July 2012 until the Annual Council meeting in May 2013. The appointment was for an initial term of 1 year to enable a review of the arrangements for this new role to take place.
- 1.4 The new Standards arrangements were agreed by full Council and implemented from 1 July 2012. The Regulations made provision for transitional arrangements for complaints that were already being considered under the old Standards regime.
- 1.5 On 1 July 2012, at the time the standards arrangements were implemented, the Monitoring Officer had 4 complaints in the system. The Regulations allowed for existing complaints to be considered under the new arrangements. Details of the complaints considered under the transition arrangements are as follows:

As at 1 <sup>st</sup> July 2012		
Stage	Number of complaints	Outcome
Awaiting referral for investigation	3	1 complaint withdrawn
		1 complaint not referred due to length of time since alleged breach
		1 complaint not referred but 'advisory letter' sent to subject member by Monitoring Officer
Referred for Investigation	0	
Investigation complete	1	Matter ongoing
Hearing Panel	0	

- 1.6 From 1 July 2012 onwards, the new Standards arrangements have been implemented in full. The following table details the number of complaints that have been received and the relevant outcomes.

1 July 2012 – 31 March 2013	
	Number of complaints
<b>Stage 1 (Initial consideration of a complaint)</b>	
Complaints received	4
Complaint does not relate to a breach of the code	1
Resolved under informal resolution and matter closed	1
Referred to Police	1
Initial information in process of being sought	1
<b>Stage 2 (Formal consideration of a complaint)</b>	
Considered by Monitoring Officer to not merit further consideration	
Referred to Standards Panel as deemed inappropriate for Monitoring Officer to consider	
Resolved through informal resolution	
<b>Stage 3 (Investigation)</b>	
Referred for Investigation and failure to comply found	
Referred for Investigation and <u>no</u> failure to comply found	
Hearing Panel's held	
Resolved through informal resolution	
Hearing panel finds failure to comply	
Hearing Panel finds <u>no</u> failure to comply	
Cases where sanctions recommended and accepted by District / Town / Parish council	

- 1.7 No conflicts of interests have been raised regarding the Monitoring Officer or Independent Person.

## 2.0 **OPTIONS**

2.1 The report is for noting.

## 3.0 **REASONS FOR RECOMMENDATION(S)**

3.1 The new Standards arrangements require that an Annual Report is presented to the Standards Panel.

## 4.0 **EXPECTED BENEFITS AND TIMELINES**

4.1 In receiving an Annual Report, Members of the Standards Panel are kept informed of complaints received and are able to identify trends.

## 5.0 **IMPLICATIONS**

### 5.1 **Carbon Footprint & Environmental Issues**

5.1.1 The implication has been considered and it is the opinion of the report author that there are none.

### 5.2 **Constitution & Legal**

5.2.1 The implication has been considered and it is the opinion of the report author that there are none.

### 5.3 **Contracts**

5.3.1 The implication has been considered and it is the opinion of the report author that there are none.

### 5.4 **Crime and Disorder**

5.4.1 The implication has been considered and it is the opinion of the report author that there are none.

### 5.5 **Equality and Diversity & Human Rights**

5.5.1 The implication has been considered and it is the opinion of the report author that there are none.

### 5.6 **Financial**

5.6.1 The implication has been considered and it is the opinion of the report author that there are none.

### 5.7 **Risk Management**

5.7.1 The implication has been considered and it is the opinion of the report author that there are none.

## 5.8 **Staffing**

5.8.1 The implication has been considered and it is the opinion of the report author that there are none.

## 5.9 **Stakeholders / Consultation**

5.9.1 The implication has been considered and it is the opinion of the report author that there are none.

## 5.10 **Other**

5.10.1 The implication has been considered and it is the opinion of the report author that there are none.

## 6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All.

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Background papers:- None.

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### **Lead Contact Officer**

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### **Key Decision:**

No.

### **Exempt Decision:**

No.

### **Appendices attached to this report:**

None.