

# Gloucester City Council

<b>Meeting:</b>	<b>Audit and Governance Committee</b>	<b>Date:</b>	<b>18 January 2016</b>
<b>Subject:</b>	<b>Annual Standards Report</b>		
<b>Report Of:</b>	<b>Monitoring Officer</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Shirin Wotherspoon, Monitoring Officer</b>		
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<b>Appendices:</b>	<b>None</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To consider the report of the Monitoring Officer in respect of breaches of the Code of Conduct by Gloucester City Councillors and Quedgeley Parish Councillors during the period 1<sup>st</sup> April 2015 to the date of this meeting.

### 2.0 Recommendations

- 2.1 The Audit and Governance Committee is asked to **RESOLVE** that:

- (1) That the contents of the report be noted and
- (2) The date when the Annual Standards Report of the Monitoring Officer be considered in future years.

### 3.0 Background and Key Issues

- 3.1 The Terms of Reference of this Committee include the following responsibilities in respect of Standards:
- (xxxv) To receive allegations and any accompanying report from the Monitoring Officer and to refer the allegation to the Monitoring Officer for formal investigation or informal resolution.
  - (xxxvi) To set up, where necessary, a Hearings Panel to consider any alleged breach of the Members' Code of Conduct.
  - (xxxvii) To promote and maintain high standards of conduct by Councillors and co-opted Members.
  - (xxxviii) To assist Councillors and co-opted Members to observe the Members' Code of Conduct.
  - (xxxix) To advise the Council on the adoption, revision of, or publicity on the Members' Code of Conduct.
  - (xl) To advise, train or arrange to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct.

- (xli) To grant dispensations to Councillors and co-opted Members from the requirements relating to interests set out in the Members' Code of Conduct or other Council codes and protocols where:
- (a) without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
  - (b) the Committee considers that the dispensation is in the interests of persons living in the Council's area; or
  - (c) the Committee considers that it is otherwise appropriate to grant a dispensation.
- (xlii) To consider appeals against decisions made by the Monitoring Officer in exercise of their dispensation powers;
- (xliii) To set up, where necessary, a Sub-Committee to shortlist and interview candidates for the role of Independent Person and to make recommendations to Council regarding the appointment of Independent Persons.
- (xliv) To provide such advice and assistance as appropriate regarding the appointment of the Independent Person as required under Part 7 of the Localism Act 2011.
- (xlv) To set the allowances and expenses payable to the Independent Person and Reserve Independent Persons.

3.2 During the period 1<sup>st</sup> April 2015 to the end of June 2015, the previous Monitoring Officer received 2 formal complaints against Members. One was resolved informally and the other held to be unfounded.

3.3 For the period July 2015 to the date of this report, Members are informed:

- No formal complaints have been received;
- There has been no reason the contact the Independent Person.
- There has been no reason to convene the Hearings Panel; and
- There have been no dispensations requested.

#### **4.0 Asset Based Community Development (ABCD) Considerations**

4.1 None

#### **5.0 Alternative Options Considered**

5.1 None

#### **6.0 Reasons for Recommendations**

6.1 To provide Committee with an annual review of breaches of the Code of Conduct by Gloucester City Councillors and Quedgeley Parish Councillors.

#### **7.0 Future Work and Conclusions**

- 7.1 Members may wish to consider when it would be most appropriate to receive this annual report on Standards in future years.
- 7.2 At this Committee's meeting on 18<sup>th</sup> March 2013, the previous Monitoring Officer advised that the annual letter from the Ombudsman, which was previously reported to the Standards Committee, would be presented to this Committee in future years. This letter is generally received when the Local Government Ombudsman publishes the LGO Annual Report on Local Government Complaints in June each year. It may, therefore, be appropriate for the Monitoring Officer's annual report on Standards to be brought to Committee at the same time as the presentation of the Ombudsman's Annual Report. This will enable Committee to review, at the same meeting, both Standards and Maladministration matters in respect of the previous complete municipal year.

## **8.0 Financial Implications**

8.1 [None]

(Financial Services have been consulted in the preparation this report.)

## **9.0 Legal Implications**

9.1 None

(One Legal have been consulted in the preparation this report.)

## **10.0 Risk & Opportunity Management Implications**

10.1 Failure to have and maintain high ethical standards can lead to significant reputational damage. However, there is also the opportunity for the Council to set and maintain high standards of behaviour amongst its Members which can enhance reputation and reduce the risk of wrongdoing.

## **11.0 People Impact Assessment (PIA):**

11.1 None.

## **12.0 Other Corporate Implications**

### Community Safety

12.1 None

### Sustainability

12.2 None

### Staffing & Trade Union

12.3 None

**Background Documents:** None