

Report to: Standards Committee

Date of meeting: 12 November 2019

By: Assistant Chief Executive

Title: Amendment to Local Standards Framework

Purpose: To consider proposed amendments to the local assessment of complaints about Member conduct.

RECOMMENDATION: The Standards Committee is recommended to:

- 1) agree that where an Investigating Officer has completed a report in relation to an allegation of misconduct by a member, and that report concludes that there is evidence of a failure to comply with the Code of Conduct, authority is delegated to the Monitoring Officer to refer the matter for local hearing before the Standards Committee or a Hearings Sub-Committee;
 - 2) adopt the Hearings Procedure in relation to alleged breaches of the Code of Code by Members as set out in Appendix 1 to this report; and
 - 3) delegate authority to the Monitoring Officer to make the necessary amendments to the Constitution to give effect to the decision.
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1 Background Information

1.1 Under the current Local Standards Framework, a report by an Investigating Officer regarding alleged breaches of the Code of Conduct by a councillor has to be considered by the Standards Committee or a Sub-Committee. The body considering the report has to make one of the following findings:

- That it accepts a finding of no failure (ie that the Subject Member has not breached the Code); or
- That the matter should be considered at a hearing of the Standards Committee or a Hearings Sub-Committee.

1.2 This process adds an additional unnecessary administrative layer which potentially results in delay in considering the complaint. It is therefore proposed that where an Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct, authority is delegated to the Monitoring Officer to refer the matter straight to the Standards Committee or a Hearings Sub-Committee. This proposal will remove the need for a meeting of councillors to refer the matter to Hearing Sub-Committee and bring the County Council process in line with the procedure adopted by a number of other authorities.

1.3 Where a hearing is necessary it is good practice to have an agreed process and it is recommended that the procedure attached at Appendix 1 is adopted.

2. Conclusion

2.1 The proposed changes set out in the report are considered necessary to ensure transparency, and in order to streamline the process for considering reports from an Investigating Officer in which the officer concludes that, there is evidence of a breach of the Code of Conduct. A more comprehensive review of the Local Standards Framework process will be undertaken in the coming months and any proposed changes will be reported to a future meeting

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LOCAL MEMBERS

ALL

BACKGROUND DOCUMENTS

None