

West Devon Borough Council

NAME OF COMMITTEE	Standards Committee
DATE	19 March 2013
REPORT TITLE	Summary of Standards Complaints since 1 st July 2012
REPORT OF	Monitoring Officer
WARDS AFFECTED	All

Summary of report:

To update Members on the number of complaints received since the introduction of the new Standards regime on 1 July 2012, and to update Members on the outcomes of complaints lodged before 1 July but which were unresolved at that date.

Financial implications:

There are no financial implications to this report.

RECOMMENDATIONS:

That the Standards Committee notes the status of complaints received (and completed) since 1 July 2012.

Officer contact:

Catherine Bowen (Council Solicitor and Monitoring Officer)

Email: cbowen@westdevon.gov.uk or phone: 01822 813666

1. STANDARDS COMPLAINTS

- 1.1 The purpose of this report is to update Members on the number and status of complaints received since 1 July 2012 and the outcome of those complaints which were lodged under the 'old' system but not completed by 1 July.
- 1.2 Three complaints have been received since 1 July 2012 which relate to parish councillors. Two have been assessed at the initial assessment stage by the Monitoring Officer (in consultation with the Independent Person) and the decision was to take no further action in both cases because the complaint did not disclose a potential breach of the Code of Conduct. The third complaint was considered under stage 2 of the complaints assessment, and was referred for

investigation as it disclosed a potential a breach of the Code. The investigation is still in the early stages. Please see Appendix A.

1.3 As at 1 July 2012, there were two outstanding matters which had commenced under the previous standards system. The new standards provisions were introduced on 1 July with no transitional provisions for completing the old matters; these were required to be completed under the new arrangements. Two hearings were held in January 2013 which has now finalised all of the outstanding matters.

1.2 Comparisons with the financial year 2011/2012 show that the Council received nine complaints during that year, five of which were referred for investigation.

2. LEGAL IMPLICATIONS

2.1 The relevant powers are set out in the Localism Act 2011.

2.2 The Standards Committee is responsible for the Standards complaints procedures.

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications to this report.

4. RISK MANAGEMENT

4.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

5. OTHER CONSIDERATIONS

Corporate priorities engaged:	Community Life
Statutory powers:	The Localism Act 2011
Considerations of equality and human rights:	Not applicable
Biodiversity considerations:	Not applicable
Sustainability considerations:	Not applicable
Crime and disorder implications:	Not applicable
Background papers:	None
Appendices	Appendix A: Table of complaints

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	No overall assessment of number and type of complaints received	For the Standards Committee to have oversight of overall direction and comparison of complaints	2	2	4	↔	Regular updates to the Standards Committee	Monitoring Officer

Direction of travel symbols ↓ ↑ ↔