

Report of the City Solicitor to the meeting of Standards Committee to be held on 31 October 2012

B**Subject:****Implementation of New Standards Regime and Role of Standards Committee Moving Forward****Summary Statement:**

The purpose of this report is to update Members of the Standards Committee on the progress made in implementing the new Standards Regime in Bradford. In addition the Members of Standards Committee are asked to consider how the Committee can contribute to the Council meeting its statutory duty to promote and maintain high standards of conduct (Section 27 of the Localism Act 2011)

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Improvement Area:



1. Summary

The purpose of this report is to update Members of the Standards Committee on the progress made in implementing the new Standards Regime in Bradford. In addition the Members of Standards Committee are asked to consider how the Committee can contribute to the Council meeting its statutory duty to promote and maintain high standards of conduct (Section 27 of the Localism Act 2011)

2. Background

2.1 On 10 July 2012 Council approved a new Code of Conduct for Elected Members and a procedure for dealing with complaints.

In addition, the Standards Committee's role was retained to have responsibility for overseeing the operation of the Code of Conduct and for promoting high standards of conduct.

2.2 The Standards Committee also has role in dealing with complaints made under the new procedure and determining culpability where complaints cannot be resolved informally.

3. Implementation of Code of Conduct and Procedure for Dealing with Complaints

Training of Members

3.1 The new Code of Conduct has been adopted by Council. Three training sessions for Members of Council and Members of Town and Parish Councils have been arranged to provide an opportunity for Members to be briefed on the requirements of the Code and the procedure for dealing with complaints. These events have been scheduled on the following dates:

Thursday, 18 October 2012 4 pm-6 pm
Wednesday, 24 October 2012 2 pm-4 pm
Saturday, 3 November 2012 10 am-12 pm

Further sessions may be required. Standards Committee Members will be advised of the number of attendees at these sessions and will need to consider how Members can be encouraged to attend additional training sessions if these are deemed necessary.

New Complaints Procedure

3.2 To implement the new complaints procedure the Monitoring Officer has amended the form for submitting a complaint and has drafted a form for completion by the Member who is the subject of the complaint to provide their response to that complaint. These documents are attached at Appendix 1 and 2 to this report for Members' information.

- 3.3 It is hoped that by providing an opportunity for Members to provide a response to complaints at an early stage in the process, the Monitoring Officer, Chair of Standards and subsequently the Standards Committee will be better placed to come to a view regarding how a complaint should be resolved.
- 3.4 In addition, the Chair of the Standards Committee is to meet with the Group Whips to discuss their role in informal resolution of complaints under Stage 2 of the complaints procedure. The purpose of the meeting is to brief the Whips on their role and to identify how they can assist in dealing with complaints at an early stage and identifying informal resolutions to issues raised through the procedure.
- 3.5 The Monitoring Officer has arranged to meet with the newly appointed Independent Person to discuss their role in dealing with complaints and to provide training and guidance on how they support the resolution of Member complaints in Bradford.

4. Financial and Resource Appraisal

The issues raised in this report have no direct financial implications.

5. Legal Appraisal

The provisions set out in this report are to ensure that the Council meets the legislative requirements of the Localism Act 2011 and the regulations made thereunder.

6. Other implications

There are no trade union, equal rights, sustainability, community safety, Human Rights Act implications arising from this report.

7. Not for publication documents

None.

8. Recommendations

It is recommended that:

- 8.1 That the content of this report and the newly drafted documentation be noted.
- 8.2 That consideration be given to what further steps can be taken to ensure that the provisions of the new Code of Conduct and the procedures for dealing with complaints are understood by all Members.
- 8.3 That consideration be given to how the Standards Committee can undertake its role in promoting and maintaining high standards of conduct by Councillors and Co-opted Members.

9. Reason for the Recommendations

To ensure that the Council has a robust ethical framework within which Members can operate and is compliant with the requirements of the Localism Act 2011.

10. Appendices

Appendix 1 – The new draft Complaints Form

Appendix 2 – The response of subject member complaint form

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