

REVIEW

by

**SERVICE DIRECTOR
LEGAL AND DEMOCRATIC
(MONITORING OFFICER)**

into

MEMBERS' CODE OF CONDUCT

2007/8

Review by Service Director Legal and Democratic as Monitoring Officer into Members Code of Conduct matters during the municipal year 2007/8

The figures in brackets relate to the previous year.

1. References to the Standards Board involving members of North Lincolnshire Council

- (a) There were 5 (3) references involving a total of 11 (3) members. One reference related to 7 members. 3 of the references were by other members, the remainder by members of the public.

The allegations raised issues of respect and bringing the council into disrepute.

4 of the references were not pursued by the Standards Board after an initial assessment, the other was referred for local investigation and determination and will be presented to the Standards Committee on completion of the investigation which is currently ongoing.

The Standards Board made no recommendations (as it has a statutory power to do) arising out of the references as to any matters to which the Council needed to give attention.

All the reports of the Standards Board regarding these references have been studied and there were no matters which needed to be drawn to individual members' attention. There were no apparent trends. All members are aware of the opportunity to discuss queries relating to the Code and declarations of interests with the Monitoring Officer and

many members have both formally and informally taken that up during the year. On occasions advice has been given at council meetings and at other meetings both by myself and other members of staff.

- (b) 2 (2) references have been made to the Standards Board in respect of North Lincolnshire Council members in their capacity as town/parish councillors. The references related to failure to declare interests. None were pursued after initial assessment by the Board.

With the adoption of the new Code in May 2007 members of the council were no longer during this period under a duty to refer members to the Board where they had reasonable belief that a breach of the Code had taken place.

Members of the public continue to be given advice as to how to make a complaint.

2. Proceedings

No members were the subject of proceedings before the Adjudication Panel during this period.

3. Town/Parish Councils

During the year there were 3 (5) references to the Standards Board involving 3 (5) members. 2 of these references were not pursued after initial assessment by the Standards Board. 1 was referred to the Monitoring Officer

for investigation. That investigation is currently ongoing and will be reported to the Standards Committee on completion.

In addition the Standards Board completed an investigation it had commenced in the previous period. It found that there had been a failure to declare a personal interest and resolved to take no action. Other allegations relating to the interest being personal and prejudicial and using the member's position improperly were dismissed.

4. Standards Committee

The Standards Committee determined 1 case in this period which had been referred by the Standards Board for local investigation and determination and found that no breach of the code had occurred in relation to allegations of failing to declare interests and improper use of position. The case related to a Town Councillor.

5. Training

Members received training in Standards as part of the induction programme following the 2007 elections. Town and parish councillors were given a presentation on the Code at a Town/Parish Council Liaison Meeting in April this year.

All members of the Standards Committee continue to receive on line updates from the Standards Board.

6. New Regime

This will be the last annual report relating to the regime which involved an initial assessment of all complaints by the Standards Board followed if need be by an investigation by the Board or delegated to the local authority Monitoring Officer. This had become the practice in an increasing number of cases. From 8 May 2008 the local assessment of complaints was fully implemented with the Board adopting a role of giving guidance and exercising supervision. In this respect quarterly returns have to be made. It would be my intention subject to the views of Committee to give a verbal report on these returns but to continue to provide a written annual report.

As regards the new regime the composition of the Committee was increased to 12 members (6 North Lincolnshire Councillors, 3 Independent members and 3 Town/Parish representatives) to reflect the anticipated workload. Members have received reports on the new regime and the 2008 Regulations. As mentioned in reports resource issues will need to be kept under review in light of the requirements placed on local authorities to set up the systems and carry out investigations (very few it is anticipated will fall within the criteria for referral to the Standards Board for investigation).

Internal audit has carried out an assessment against the Standards Board checklist and found that the systems and procedures put in place are sound.

The revised Code was adopted at the Annual Meeting in May and all members have signed an undertaking to abide by it and entered interests in the Register under the Code.

Annual reminders continue to be sent to members as regards changes/update to registered interests.

51 of the 52 town/parish councils are now subject to the new Code and supply information as regards members' interests. The remaining parish council is currently being reconstituted and will adopt the Code at its first meeting.

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11 July 2008
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