

STANDARDS COMMITTEE

23 MARCH 2011

WORK PROGRAMME

Report from: Deborah Upton, Monitoring Officer

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Summary

This report sets out the proposed work programme previously agreed by the Committee for 2010/11. This is kept under review and presented to each meeting of the Standards Committee. In addition the position relating to complaints considered by the Referrals Sub Committee is summarised for information only.

1. Budget and Policy Framework

1.1 The role of the Standards Committee is to promote and maintain high standards of conduct by all Councillors and co-opted members including church and parent governor representatives serving on the Children and Adults Overview and Scrutiny Committee. The committee has responsibility for setting its own work programme and this should be kept under regular review.

2. Report

2.1 Appendix 1 to this report sets out the updated work programme for the committee up to May 2011.

2.2 Standards for England ("SfE") guidance on timescales for an investigation acknowledge there are many factors that can affect the time it takes to complete an investigation. There is an expectation that the Standards Committee will monitor the progress of investigations and the SfE guidance recommends that most investigations are carried out, and a report on the investigation completed, within six months of the original complaint being assessed by the Referrals Sub-Committee.

2.3 On 28 January 2011 a Hearings Sub-Committee, at its "consideration stage", was held to consider the final investigation report relating to a complaint about Councillor Chitty (DU/MO/119) and at the meeting the Sub-Committee agreed with the Investigating Officer's conclusion that Councillor Chitty had not breached the Code of Conduct.

2.4 On 21 March 2011 a Hearings Sub-Committee, at its "consideration stage", is due to consider the final investigation reports relating to a complaint about Councillor Chitty (DU/MO/116).

- 2.5 The Referrals Sub-Committees met on 10 March 2011 to consider three new complaints against Members and decided that all three complaints should be referred to the Monitoring Officer for investigation.
- 2.6 The following table provides indicative timescales for conclusion of investigations currently underway. The final column of the table explains the reasons for any slippage on dates previously reported. Upon completion of an investigation the Hearings Sub-Committee is responsible for determining whether it accepts a finding of no failure to observe the Code of Conduct, or that the matter should be referred for consideration at a hearing or to the Adjudication Panel for determination. The timescale for holding a hearing to consider the outcome of a local investigation is normally within three months from completion of that investigation.

Complaint reference	Date complaint received	Indicative timescale for completion of investigation/Stage of investigation
DU/MO/113: Complaint relating to Councillor Reckless	20.11.2009	Due to be considered at a "consideration" Hearing Sub-Committee on 6 April 2011.
DU/MO/116: Complaint relating to Councillor Chitty	10.12.2009	Due to be considered at a "consideration" Hearing Sub-Committee on 21 March 2011
DU/MO/117: Complaint relating to Parish Councillor Forrest	27.01.2010	Estimated completion date - 30.04.2011; During the course of this investigation, there was a change in the Investigating Officer. One further witness to be interviewed.
DU/MO/123: Complaint relating to Councillor Mackinlay	07.09.2010	Estimated completion date - 30.04.2011 Interview with Complainant completed and notes of interview agreed. Interview with Councillor Mackinlay took place on 8.3.11. Litigation ongoing between the parties, which may cause a conflict of interest. Letter awaited from Cllr Mackinlay's solicitors.
DU/MO/124: Complaint relating to Councillor Ruparel	13.09.2010	Estimated completion date - 30.4.2011 Investigation is nearing completion. Needs to be linked with further investigation referred to below.
DU/MO/125: Complaint relating to Councillor Sutton	13.09.2010	Estimated completion date - 30.04.2011 Investigation is nearing completion. Needs to be linked with further investigation referred to below.
DU/MO/126: Complaint relating to Councillor Mackinlay	13.09.2010	Estimated completion date - 30.04.2011 Interview with Complainant took place on 14.3.11. Possible sub judice issue – see above.
DU/MO/132: Complaint relating to Councillor Stamp	26.01.11	Estimated completion date - 01.05.2011 Investigation referred on 10.03.2011

DU/MO/133: Complaint relating to Councillor Ruparel	23.02.11	Estimated completion date - 01.05.2011 Investigation referred on 10.03.2011
DU/MO/134: Complaint relating to Councillor Juby	25.02.11	Estimated completion date - 01.05.2011 Investigation referred on 10.03.2011

N.B Mr Milne, the Investigating Officer for all of the cases, with the exception of DU/MO/113 will be in attendance at the meeting in order to answer questions from the Committee.

3. Financial and legal implications

- 3.1 The cost of local investigations is met from within existing budgets.
- 3.2 The Standards Committee (England) Regulations 2008 and associated SfE guidance prescribe the procedures relating to allegations of member misconduct.

4. Recommendations

- 4.1 To consider and comment on the work programme for 2010/11.
- 4.2 To note the position on complaints referred for investigation by the Referrals Sub-Committee.

Background papers

Standards for England Guidance on “Local Assessment of Complaints” and “Determinations”

Lead officer contact

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**Proposed Work Programme for 2010/11
Standards Committee**

Item	Lead Officer	Committee Date
Annual report of the Monitoring Officer	DU	23 March 2011
Work programme and progress on investigations	TR/DU	23 March 2011
Outcome of Consultation on Politically Restricted Posts	Paula Charker / Dawn Celiz	23 March 2011

Items to be programmed:

Update of Member's Planning Code of Good Practice