

STANDARDS AND AUDIT COMMITTEE - 8 MARCH 2018

**REVIEW OF ARRANGEMENTS FOR DEALING WITH STANDARDS ALLEGATIONS UNDER
THE LOCALISM ACT 2011**

Executive Summary

This report advises the Committee of the outcome of the review of the Council's Arrangements for dealing with Standards Allegations under the Localism Act 2011.

Recommendations

The Committee is requested to:

RECOMMEND to Council That the Council's Arrangements for dealing with Standards Allegations under the Localism Act 2011 be amended as set out in the appendix to this report.

The item will need to be dealt with by way of a recommendation to the Council.

Background Papers:

None.

Reporting and Contact Person:

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1.0 Introduction

- 1.1 Under the Localism Act 2011, the Council must have “arrangements” under which allegations that a Member has failed to comply with the Members’ Code of Conduct can be investigated, and decisions made on such allegations.
- 1.2 The Council adopted “Arrangements for Dealing with Standards Allegations under the Localism Act 2011” (“Arrangements”) on 28 June 2012. These were amended on 24 October 2013.
- 1.3 At its meeting on 30 November 2017, the Committee noted that the Monitoring Officer proposed to review the Arrangements in the light of experience gained in investigating standards allegations since 2012. The Committee requested that all Members should be notified of the review, and given the opportunity to submit comments.

2.0 Review of the Arrangements

- 2.1 All Members, the co-opted independent Member and the Council’s Independent Person were notified of the review. The Monitoring Officer has taken account of comments received in proposing three amendments to the Arrangements.
- 2.2 The amendments are:-
 - (i) Remove the right for a complainant to keep his/her identity confidential from the Member who is the subject of the complaint. In future, this would only be allowed in exceptional circumstances. This change is justified as it is reasonable for that someone subject to a complaint should know who is making that complaint.
 - (ii) Remove the requirement that all Group Leaders are advised of the receipt of a complaint. Only the Leader of the Council, and the Group Leader of the individual councillor who is the subject of the complaint, would be informed of the receipt of the complaint. This change will ensure that only persons who have a legitimate reason for knowing a complaint has been submitted do know about it.
 - (iii) Make it clear (by including a statement to that effect) that the Standards Hearings Sub-Committee can censure or reprimand a member if these has been a breach of the Members’ Code of Conduct.
- 2.3 The proposed amendments are shown, in track changes, in the copy of the Arrangements appended to this report.

3.0 Implications

Financial

- 3.1 None.

Human Resource/Training and Development

- 3.2 None.

Community Safety

- 3.3 None.

Risk Management

3.4 None.

Sustainability

3.5 None.

Equalities

3.6 None.

4.0 Conclusions

4.1 The outcome of the review of the Arrangements is that they would benefit from the minor amendments proposed in paragraph 2.2 above.

REPORT ENDS