

CHESHIRE EAST COUNCIL

Audit and Governance Committee

Date of Meeting: 19 March 2015
Report of: Head of Legal Services and Monitoring Officer
Subject/Title: Members' Code of Conduct: Standards Report

1.0 Report Summary

1.1 The report gives details of the numbers and outcomes of complaints under the Code of Conduct for Members considered by the Monitoring Officer and the Independent Person between the period 1 November 2014 to end February 2015.

2.0 Recommendation

2.1 Audit and Governance Committee is invited to note the report.

3.0 Reasons for Recommendations

3.1 To assist the Audit and Governance Committee in fulfilling its responsibility for promoting high standards of ethical behaviour by developing, maintaining and monitoring Codes of Conduct for Members of the Council.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 All

6.0 Policy Implications

6.1 The Localism Act places a statutory duty upon the Council to promote and maintain high standards of conduct amongst its own Elected Members, co-opted Members and Parish members within the borough. Strong ethical governance is critical to the corporate governance of the authority and also supports the Council's decision-making processes across the organisation.

7.0 Financial Implications

7.1 None identified.

8.0 Legal Implications

- 8.1 The Localism Act 2011 requires the Council to have a Code of Conduct which sets out the standards expected of Members whenever they act in their official capacity. The Council must also have in place a suitable procedure at a local level to investigate and determine allegations against Members.
- 8.2 The Code of Conduct also covers co-opted members.
- 8.3 The Council is also responsible for having arrangements in place to investigate and determine allegations against parish councillors.

9.0 Risk Management

- 9.1 If the Council fails to adopt a Code of Conduct and process for the investigation of complaints which is fit for purpose, robust and transparent then there are risks to the Council's reputation and also to the integrity of its corporate governance and decision-making processes.

10.0 Background

- 10.1 Cheshire East Council adopted a new Members' Code of Conduct in July 2012. It is the responsibility of the Audit and Governance Committee to monitor this Code.
- 10.2 The report sets out details of the complaints received under the Members' Code of Conduct from November 2014 to February 2015 and, where concluded, the outcome.
- 10.3 On the 17 July 2014, the Council adopted an amended process for dealing with complaints received from that date. Any complaint still in progress at the time was dealt with under the procedure in force when the complaint was received, the outcome of which is reported in paragraph 12.1

11.0 Summary of Complaints received November 2014 to February 2015

- 11.1 Between 1 November 2014 to 28 February 2015, 11 complaints were received by the Monitoring Officer i.e.

No. of complaints against a member of Cheshire East Council	5
No. of complaints against a member of a Parish/Town Council within the Borough	6

11.2 Of those complaints, the decision of the Monitoring Officer was as follows:

No further action to be taken	7
Referred to the Monitoring Officer for informal resolution	1
Referred to Group Leader for informal action	0
Referred by the Monitoring Officer for external investigation	2
Referred to the Police or other regulatory agency	0

11.3 One complaint has not yet completed the initial assessment stage as further information was deemed to be required.

12.0 Pre July 2014 Complaints

12.1 In addition to those complaints set out in paragraph 11, two complaints remained to be dealt with by the Initial Assessment Panel at the time the Monitoring Officer last reported to Committee and these have been concluded as follows -

No further action/letter from Monitoring Officer	2
Referred to a Group Leader for informal action	0
Referred for local resolution	0
Referred for formal investigation	0
Referral to a regulatory agency or police	0

13.0 Access to information

There are no background papers relating to this report.

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