



REPORT of MONITORING OFFICER

**to
JOINT STANDARDS COMMITTEE
22 FEBRUARY 2018**

CONSTITUTIONAL AND OPERATING ARRANGEMENTS FOR THE JOINT STANDARDS COMMITTEE

1. PURPOSE OF THE REPORT

- 1.1 To consider and recommend to the Council a further revision to the adopted summary of the Councillor Conduct Complaints Procedure as part of its constitutional documentation.

2. RECOMMENDATION

To the Council:

That the Committee recommends to the Council that the further revision to the summary of the Councillor Conduct Complaints Process be adopted as part of the Council's constitutional documentation in place of the Complaints Process flowcharts.

3. SUMMARY OF KEY ISSUES

- 3.1 At the meeting of the Committee on 19 October 2017 consideration was given to a written summary of the Conduct Complaints Process to replace the existing flowcharts. It was agreed to recommend this to the Council for adoption, and the Committee's recommendation will be reported to the Council on 8 February 2018.
- 3.2 Following discussion between the Deputy Monitoring Officer and Leader of the Council/Deputy Leader, the need for a further revision has been identified. This simply makes provision for the Deputy Leader of the Council to be informed, and to be generally kept informed, where the complaint is against a Councillor who is the Leader of the Council. The revision is shown as follows:
3. All complaints will be acknowledged and the Councillor complained of notified within five working days of receipt. The Leader of the Council will be notified of all complaints against District Councillors and generally kept advised. **If the complaint is made against the Leader of the Council, the Deputy Leader will be informed and generally kept informed.**

- 3.3 Given the linkage between the Conduct Complaints Process and the Member/Officer Relations Protocol, a consequential revision to the Protocol is also required. In the actual Procedure for the Resolution of Disputes, the following revisions are required:

Officers' disputes with Members

- 4.2 Where a concern arises, the first step should be for both parties to resolve any differences informally between themselves or with the assistance of the relevant Director and the Leader of the Council/Opposition Leader. **If there is a difference with the Leader of the Council, the Deputy Leader will assist with any possible resolution.**
- 4.3 The Officer concerned should make their concerns known to their Director who should work with them to liaise with the Member to seek an informal discussion to arrive at a solution. The Leader must always be kept informed **(and the Deputy Leader in the case of a difference with the Leader of the Council)**, so that he/she is fully aware of the concerns and can work with the Member to get a clear view of the circumstances from their perspective and provide any necessary support.

4. IMPACT ON CORPORATE GOALS

- 4.1 The review and updating of the corporate governance arrangements of the Council underpins the decision making processes of the Council, is in part a matter of compliance with the law and is also linked to high level outcomes associated with the corporate goal of delivering good quality, cost effective and valued services in a transparent way.

5. IMPLICATIONS

- (i) **Impact on Customers** – It is right and proper that the Council is able openly to explain, through well-presented and user-friendly constitutional documentation, the way in which it is set up and operates, and how it conducts its business. It is important that the Council's procedures are seen as open and transparent.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – None identified.
- (iv) **Impact on Resources (financial)** – None identified.
- (v) **Impact on Resources (human)** – None identified.
- (vi) **Impact on the Environment** – None identified.

Background Papers: None.

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